



Car Tax Act 1983

1983 CHAPTER 53

1 Car tax.

- (1) A tax, to be known as car tax, shall be charged in accordance with the provisions of this Act on all chargeable vehicles—
 - (a) made or registered in the United Kingdom by a person registered under this Act, or
 - (b) made or registered in, or imported into, the United Kingdom by any other person.
- (2) The tax on any vehicle shall be charged—
 - (a) in the case of a caravan, at the rate of 10 per cent. of three-fifths of its wholesale value, and
 - (b) in any other case, at the rate of 10 per cent. of the wholesale value of the vehicle.
- (3) For the purposes of this section a vehicle is registered if it is registered under the ^{M1}Vehicles (Excise) Act 1971 or the ^{M2}Vehicles (Excise) Act (Northern Ireland) 1972.
- (4) Schedule 1 to this Act (which contains provisions relating to the administration and collection of the tax) shall have effect.

Marginal Citations

M1 1971 c. 10.

M2 1972 c. 10 (N.I.).

2 Chargeable vehicles.

- (1) For the purposes of this Act a vehicle is a chargeable vehicle if—
 - (a) it is a vehicle of a kind normally used on public roads;
 - (b) it is propelled by an internal combustion engine;
 - (c) it is either—

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- (i) constructed or adapted solely or mainly for the carriage of passengers, or
 - (ii) has to the rear of the driver's seat roofed accommodation which is fitted with side windows or which is constructed or adapted for the fitting of side windows; and
 - (d) it is not a vehicle to which subsection (2) below applies.
- (2) This subsection applies to the following vehicles—
- (a) vehicles having three or more wheels and capable of accommodating only one person or suitable for carrying twelve or more persons;
 - (b) vehicles of not less than three tonnes unladen weight other than caravans;
 - [^{F1}(c) prison vans, ambulances and vehicles designed or substantially and permanently adapted for the carriage of a chronically sick or disabled person in a wheelchair or on a stretcher and of no more than five other persons;]
 - (d) vehicles of a type approved by the Assistant Commissioner of Police of the Metropolis as conforming to the conditions of fitness for the time being laid down by him for the purposes of the ^{M3}London Cab Order 1934;
 - (e) vehicles (other than caravans) constructed for a special purpose other than the carriage of persons and having no other accommodation for carrying persons than such as is incidental to that purpose;
 - (f) vehicles more than twenty years old.
- (3) The Treasury may by order delete or vary any description of vehicle for the time being specified in paragraphs (a) to (e) of subsection (2) above or add a description of vehicle to those specified in that subsection; and any such order may contain such transitional provisions as appear to the Treasury to be necessary or expedient.
- (4) For the purposes of the tax, a vehicle which is not finished and complete but which, if finished and complete, would be a chargeable vehicle shall be treated as a chargeable vehicle.

Textual Amendments

F1 S. 2(2)(c) substituted by S.I. 1984/488, art. 2

Marginal Citations

M3 1934 S.R. & O. No. 1346.

3 Wholesale value.

- (1) For the purposes of the tax the wholesale value of any vehicle shall be taken, subject to subsection (2) below to be the price which, in the opinion of the Commissioners of Customs and Excise (in this Act referred to as “the Commissioners”) the vehicle would fetch on a sale made at the time the tax becomes due by a person selling by wholesale in the open market in the United Kingdom to a retail trader carrying on business in the United Kingdom only, on the assumption that—
- (a) the price was the sole consideration for the sale; and
 - (b) the vehicle was to be delivered to the retail trader at the seller's place of business; and
 - (c) neither the tax nor value added tax was payable;

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and in this subsection “retail trader” means a person who sells by retail and does not sell to a person who carries on a business of selling vehicles.

- (2) If in the opinion of the Commissioners a vehicle is not finished and complete, they shall determine its wholesale value as if it were finished and complete, having regard to the parts and accessories that remain to be provided and the processes that remain to be undergone for the vehicle to be in a state to be expected of a finished and complete chargeable vehicle.
- (3) Where the person by whom the tax is payable is dissatisfied with the determination of the wholesale value by the Commissioners he may, within such period from the time when their decision is communicated to him as may be prescribed by regulations under this Act or such further time as the Commissioners may allow, by notice in writing given to the Commissioners require the determination to be referred to the arbitration of a person appointed under this section, whose decision shall be final and conclusive; but no such reference shall be made unless, within that period or such further time as the Commissioners may allow, the person requiring the reference has deposited with the Commissioners the amount of tax which would be due on the basis of their determination.
- (4) If the tax chargeable as a result of a reference under subsection (3) above is less than the amount deposited with the Commissioners the excess shall be repaid with interest at such rate as the referee may determine.
- (5) A referee for the purposes of subsection (3) above shall be appointed by the Lord Chancellor, except that—
 - (a) if the person by whom the tax is payable has his principal place of business in Scotland, the referee shall be appointed by the Lord President of the Court of Session; and
 - (b) if that person has his principal place of business in Northern Ireland, the referee shall be appointed by the Lord Chief Justice of Northern Ireland.

4 Registration of makers and importers of chargeable vehicles.

- (1) A person who, in any calendar year, makes or imports not less than ten chargeable vehicles is liable to be registered by the Commissioners.
- (2) Every person who is liable to be registered under this section and is not for the time being so registered shall notify the Commissioners of the fact within fourteen days of becoming so liable; and the Commissioners may, if they think fit, register any such person.
- (3) A person for the time being registered under this section who ceases to make or import chargeable vehicles shall notify the Commissioners of that fact and the Commissioners shall cancel the registration of any such person when all tax due from him has been accounted for; and they may, if they think fit, cancel the registration of any other person.
- (4) The Treasury may from time to time by order substitute another number for that specified in subsection (1) above.

5 Liability to and payment of tax.

- (1) Subject to section 6(3) below, the tax on any vehicle shall be payable—

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- (a) if the vehicle is made or imported by a person registered under this Act, by that person [^{F2}subject to section 5A below];
 - (b) if the vehicle is imported by a person not registered under this Act, as if it were a duty of excise chargeable on importation; and
 - (c) in any other case by the person who for the purposes of the registration of the vehicle is treated as the person keeping the vehicle.
- (2) Where tax on a vehicle is payable by a person registered under this Act, it shall become due—
- (a) if the vehicle is appropriated to the use of that person, at the time when it is so appropriated;
 - (b) if it is delivered under an agreement providing for its sale or return, at the time when, in accordance with the agreement, it ceases to be the property of that person or when it is treated for the purposes of the tax as so ceasing to be his property in pursuance of regulations made under this Act;
 - (c) in any other case, when it is sent out from the premises of that person;
- and shall become payable at the time provided for by those regulations.
- (3) For the purposes of subsection (2) above, a vehicle which is to be sold by retail by a person registered under this Act shall be deemed to be sent out from the premises of that person when it is sent to the place from which it is to be sold.
- (4) Subject to subsection (5) below, the ^{M4}Customs and Excise Management Act 1979 and, except where the contrary intention appears, any other enactments (including provisions of regulations or other instruments having statutory effect) relating generally to excise duties on imported goods, whenever passed or made, shall have effect, with such exceptions and adaptations as the Commissioners may by regulations prescribe, as if chargeable vehicles in respect of which tax is payable in accordance with subsection (1)(b) above were liable to a duty of excise on importation and as if the tax were that duty.
- (5) The following enactments shall be excepted from those which are to have effect as mentioned in subsection (4) above—
- (a) sections 43(5), 125, 126 and 127(1)(b) of the said Act of 1979;
 - (b) the ^{M5}Customs and Excise Duties (General Reliefs) Act 1979; and
 - (c) sections 8 and 9 of the ^{M6}Isle of Man Act 1979.
- (6) Where tax on a vehicle is payable as mentioned in subsection (1)(c) above it shall become due and payable before the vehicle is registered.

Textual Amendments

F2 Words inserted by [Finance Act 1989 \(c. 26, SIF 40:2\)](#), [s. 27\(2\)](#)

Modifications etc. (not altering text)

- C1** Certain prospective amendments and repeals affecting provisions of this Act (including this provision) were made by [Finance \(No. 2\) Act 1992 \(c. 48\)](#), [s. 18\(1\)](#), [Sch. 4](#), [Sch. 18 Pt. VI](#), and by [Car Tax \(Abolition\) Act 1992 \(c. 58\)](#), [s.4](#) (with [s. 5](#)), it is provided (retrospective to 13.11.1992) that [s. 18\(1\)](#), [Sch. 4](#) and [Pt. VI](#) of [Sch. 18](#) of that 1992 Act should be deemed never to have been enacted.
- C2** [S. 5\(2\)\(b\)](#) modified by [S.I. 1985/1737](#), [reg. 5\(3\)\(a\)](#)
- C3** [S. 5\(2\)\(c\)](#) modified by [S.I. 1985/1737](#), [reg. 5\(3\)\(b\)](#)

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Marginal Citations

- M4 1979 c. 2.
- M5 1979 c. 3.
- M6 1979 c. 58.

[^{F3}5A Relief where vehicle leased to the handicapped.

- (1) This section applies where on the date when, apart from subsection (2)(a) below, tax on a chargeable vehicle would become due from a person registered under this Act, there is held by him or on his behalf a certificate of a person to whom the vehicle is sold (“the lessor”) that the lessor intends to supply the vehicle to another in such circumstances that the supply will be a zero-rated supply by virtue of item 12 of Group 14 (letting on hire of motor vehicles to the handicapped) of Schedule 5 to the Value Added Tax Act 1983.
- (2) Tax on the vehicle—
 - (a) shall not be payable by the registered person, but
 - (b) if, within the period of three years beginning with that date, the lessor supplies the vehicle in any circumstances other than those mentioned in subsection (1) above, shall be payable by the lessor and shall become due and payable at the time of the supply.
- (3) In this section—
 - “certificate” means a certificate in a form for the time being approved by the Commissioners, and
 - “supply” has the same meaning as in the Value Added Tax Act 1983.]

Textual Amendments

- F3 S. 5A inserted by Finance Act 1989 (c. 26, SIF 40:1), s. 27(1)

6 Converted and adapted vehicles.

- (1) For the purposes of this Act the making of a chargeable vehicle includes the conversion into a chargeable vehicle of a vehicle of any other description.
- (2) Where a chargeable vehicle is made by the conversion of a vehicle which is not a chargeable vehicle and the person converting it is not registered under this Act, the tax on the vehicle shall become due—
 - (a) at the time the conversion is completed; or
 - (b) at the time when the vehicle is first used after the conversion was begun, whichever is the earlier.
- (3) In the case mentioned in subsection (2) above the tax on the vehicle shall be payable by the person who is the owner of the vehicle at the time the tax becomes due; but—
 - (a) if at that time a person other than the owner is entitled to possession of the vehicle under a hire-purchase agreement the tax shall be payable by that person instead of by the owner; and
 - (b) where another person carries out the conversion under a contract to the order of the person by whom the tax is payable he shall be accountable for the tax

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as well as that person but may recover from him any tax paid in pursuance of this paragraph.

- (4) If it appears to the Commissioners that a person converts or adapts chargeable vehicles and that the vehicles so converted or adapted remain chargeable vehicles, they may direct that the conversion or adaptation shall, where it is of a description specified in the direction, be treated for the purposes of the tax as the making of the vehicles resulting from it, whether or not it would otherwise fall to be so treated.
- (5) A person in respect of whom a direction under subsection (4) above is in force shall be liable to be registered under this Act, whether or not he would otherwise be so liable.
- (6) Where a direction under subsection (4) above is in force in respect of any person, then, subject to such conditions as the Commissioners think necessary for the protection of the revenue and as are specified in the direction—
 - (a) tax shall not be charged on any unused vehicle delivered to that person, under arrangements approved by the Commissioners, by a person registered under this Act; and
 - (b) the wholesale value of any used vehicle which has been converted or adapted shall be taken to be reduced by an amount equal to what would have been its wholesale value if it had not been converted or adapted.

7 Remission of tax on certain vehicles.

- (1) Where the Commissioners are satisfied that a vehicle—
 - (a) has been exported; or
 - (b) is to be exported under arrangements approved by them,
 they shall remit the tax on the vehicle or, if the tax has been paid, repay it (subject, in the case of a vehicle registered before exportation, to such conditions as they think fit); but where such a vehicle is imported after having been exported the provisions of this Act shall apply in relation to it as they apply in relation to a vehicle made outside the United Kingdom and not previously imported.
- (2) Where it is shown to the satisfaction of the Commissioners that a person who acquires a chargeable vehicle is only temporarily in the United Kingdom or is about to become resident outside the United Kingdom the Commissioners may, subject to such conditions as they think necessary for the protection of the revenue, remit the tax on the vehicle or, if the tax has been paid and the vehicle is unused, repay the tax.
- (3) If—
 - (a) tax has been remitted or repaid on a vehicle under subsection (2) above, and
 - (b) the vehicle is found in the United Kingdom after the date by which the Commissioners directed, as a condition of the remission or repayment, that it should be exported, or any other condition imposed by the Commissioners under that subsection is not complied with, and
 - (c) the presence of the vehicle in the United Kingdom after that date of the non-observance of that condition has not been authorised for the purposes of this subsection by the Commissioners,

then the tax which would have been payable but for the remission or, as the case may be, an amount of tax equal to that repaid shall become payable forthwith by the person by whom the vehicle was acquired or by any other person in whose possession the vehicle is found in the United Kingdom, and shall be recoverable as a debt due to

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the Crown, unless, or except to the extent that, the Commissioners see fit to waive payment of the whole or part of it.

- (4) Regulations under this Act may make provision for enabling the Commissioners to remit the tax on a chargeable vehicle, subject to such conditions as they think necessary for the protection of the revenue, where—
 - (a) the vehicle is imported after having been exported and tax was not remitted or repaid under subsection (1) above, or
 - (b) the vehicle has been used and owned outside the United Kingdom for not less than such period as may be prescribed by the regulations and such other conditions are satisfied as may be so prescribed.
- (5) The conditions that may be imposed in pursuance of regulations under subsection (4) above may include conditions prohibiting or restricting the disposal of the vehicle for such period as may be prescribed by the regulations.
- (6) If the tax has been remitted on a vehicle under subsection (4) above and any condition imposed by the Commissioners under that subsection is not complied with, the tax which would have been payable but for the remission shall be payable forthwith by the person who then owns the vehicle or by any other person in whose possession the vehicle is found and shall be recoverable as a debt due to the Crown unless, or except to the extent that, the Commissioners see fit to waive payment of the whole or part of it.
- (7) Where it is shown to the satisfaction of the Commissioners that, under arrangements approved by them, an unused vehicle which was a chargeable vehicle has been converted into a vehicle which is not a chargeable vehicle, they may, subject to such conditions as they think necessary for the protection of the revenue, remit the tax on the vehicle.

VALID FROM 13/11/1992

[^{F4}7A Abolition: special cases.

- (1) This section applies where (apart from this section) car tax on a vehicle would have become due before 13th November 1992.
- (2) In a case where—
 - (a) the tax would have become due at a time mentioned in section 5(2)(b) above, and
 - (b) the conditions mentioned in subsection (3) below are satisfied,the tax shall be deemed not to have become due and never to have been charged.
- (3) The conditions referred to in subsection (2) above are that—
 - (a) the tax would have become due because an offer to sell the vehicle was made by the person to whom it was delivered as mentioned in section 5(2)(b) above and was accepted, or because an offer to purchase the vehicle was made to that person and was accepted,
 - (b) at the end of 12th November 1992 no sales invoice had been issued in respect of the vehicle by that person,
 - (c) at the end of that day that person had not received the full purchase price of the vehicle, and
 - (d) at the end of that day the purchaser had not taken delivery of the vehicle.

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- (4) Where the tax would have become due at the time mentioned in paragraph (c) of section 5(2) above but at the end of 12th November 1992 the vehicle—
- (a) was still in the possession of the person to whom it was sent from the premises mentioned in that paragraph, and
 - (b) had not been sold by that person or appropriated to his own use,
- the tax shall be deemed not to have become due and never to have been charged.
- (5) In a case where—
- (a) subsection (4) of section 5 above would have applied in relation to the tax or (as the case may be) the tax would have become due at the time mentioned in subsection (6) of that section, and
 - (b) the conditions mentioned in subsection (6) below are satisfied,
- the tax shall be deemed not to have become due and never to have been charged.
- (6) The conditions referred to in subsection (5) above are that—
- (a) the vehicle was made or imported by an unregistered person for the purposes of a business carried on by him,
 - (b) at the end of 12th November 1992 the vehicle was still in the possession of the unregistered person or was in the possession of a motor dealer who obtained it directly from him, and
 - (c) at the end of that day the vehicle had not been sold by, or appropriated to the use of, the unregistered person or the dealer;
- and in this subsection “unregistered person” means a person not registered under this Act.]

Textual Amendments

F4 S. 7A inserted (retrospective to 13.11.1992) by [Car Tax \(Abolition\) Act 1992 \(c. 58\)](#), [ss.3, 5](#).

8 Orders and regulations.

- (1) Any power conferred by any provision of this Act to make an order or regulation shall be exercisable by statutory instrument.
- (2) Subject to subsection (3) below, any statutory instrument made under any power conferred by this Act shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- (3) An order under section 2(3) above the effect of which is to include any description of vehicle among those which are chargeable vehicles shall be laid before the Commons House of Parliament; and unless it is approved by that House before the expiration of a period of twenty-eight days beginning with the date on which it was made it shall cease to have effect on the expiration of that period, but without prejudice to anything previously done under the order or to the making of a new order.
- (4) In reckoning any such period as is mentioned in subsection (3) above no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the Commons House of Parliament is adjourned for more than four days.

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9 Interpretation.

In this Act—

“authorised person” means a person acting under the authority of the Commissioners;

“chargeable vehicle” shall be construed in accordance with section 2 above;

“the Commissioners” means the Commissioners of Customs and Excise;

“registered”, in relation to a vehicle, shall be construed in accordance with section 1(3) above and, in relation to a person, means registered under section 4 above;

“the tax” means car tax;

“wholesale value” shall be construed in accordance with section 3 above;

and references to the making of a chargeable vehicle shall be construed in accordance with section 6(1) above.

Modifications etc. (not altering text)

- C4** Certain prospective amendments and repeals affecting provisions of this Act (including this provision) were made by [Finance \(No. 2\) Act 1992 \(c. 48\), s. 18\(1\), Sch. 4, Sch. 18 Pt. VI](#), and by [Car Tax \(Abolition\) Act 1992 \(c. 58\), s.4 \(with s. 5\)](#), it is provided (retrospective to 13.11.1992) that s. 18(1), Sch. 4 and Pt. VI of Sch. 18 of that 1992 Act should be deemed never to have been enacted.

10 Consequential, transitional and saving provisions and repeals.

- (1) In section 1(1) of the ^{M7}Provisional Collection of Taxes Act 1968 after the words “value added tax” there shall be inserted the words “car tax”.
- (2) In section 7 of the ^{M8}Isle of Man Act 1979—
 - (a) in subsection (1) after the words “the Finance Act 1972” there shall be inserted the words “or the Car Tax Act 1983”;
 - (b) in subsections (1) and (2) for the words “the Act of 1972” wherever they occur there shall be substituted the words “the Act of 1983”; and
 - (c) in subsection (4) for the words “paragraph 21(3) of Schedule 7 to the Act of 1972” and “paragraph 23” there shall be substituted respectively the words “paragraph 7(3) of Schedule 1 to the Act of 1983” and “paragraph 9”;but nothing in this subsection shall affect the validity of any Order made under that section before the commencement of this Act and, without prejudice to section 17 of the ^{M9}Interpretation Act 1978, except where the context otherwise requires for any reference in any such Order to any enactment repealed by this Act there shall be substituted a reference to the corresponding provision of this Act.
- (3) Schedule 2 to this Act (transitional and saving provisions) shall have effect, but without prejudice to the operation of sections 15 to 17 of the Interpretation Act 1978 (which relate to the effect of repeals).
- (4) The enactments specified in Schedule 3 to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

Marginal Citations

M7 1968 c. 2.

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M8 1979 c. 58.

M9 1978 c. 30.

11 Short title, commencement and extent.

- (1) This Act may be cited as the Car Tax Act 1983.
- (2) This Act shall come into force at the expiry of the period of three months beginning with the day on which it is passed.
- (3) This Act shall extend to Northern Ireland.
- (4) Section 10(2) above shall extend to the Isle of Man but no other provision of this Act shall extend there.

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