
STATUTORY INSTRUMENTS

2002 No. 746

ROAD TRAFFIC

**The Removal and Disposal of Vehicles
(England) (Amendment) Regulations 2002**

<i>Made</i>	- - - -	<i>19th March 2002</i>
<i>Laid before Parliament</i>		<i>19th March 2002</i>
<i>Coming into force</i>	- -	<i>9th April 2002</i>

The Secretary of State, in exercise of the powers conferred upon her by sections 3 and 4 of the Refuse Disposal (Amenity) Act 1978(1) and sections 99 and 101 of the Road Traffic Regulation Act 1984(2) and of all other enabling powers, and after consultation with representative organisations in accordance with section 134(2) of the Road Traffic Regulation Act 1984, hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Removal and Disposal of Vehicles (England) (Amendment) Regulations 2002 and shall come into force on 9th April 2002.

(2) These Regulations extend to England only.

Amendment

2. The Removal and Disposal of Vehicles Regulations 1986(3) shall be amended as follows.

Period before vehicle is removed for destruction

3. In regulation 10 (notice of removal for destruction), for “seven days” “substitute” “24 hours”.

(1) 1978 c. 3; sections 3 and 4 were amended by paragraphs 14 and 15 of Schedule 3 to the Local Government, Planning and Land Act 1980 (c. 65). The relevant powers of the Secretary of State have been devolved in relation to Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (see the entry in Schedule 1 for the Refuse Disposal (Amenity) Act 1978) and in relation to Scotland by section 53 of the Scotland Act 1998 (c. 46).

(2) 1984 c. 2. The relevant powers of the Secretary of State have been devolved in relation to Scotland by section 53 of the Scotland Act 1998 (c. 46).

(3) S.I. 1986/183, to which there are amendments which are not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Period within which owner is required to remove a vehicle before disposal

4. In regulation 14 (removal of a vehicle by the owner before disposal) for the words after “to be the owner from their custody shall be” substitute “7 days from the day when that notice is served on him”.

19th March 2002

Michael Meacher
Minister of State
Department for Environment, Food and Rural
Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Removal and Disposal of Vehicles Regulations 1986 (“the 1986 Regulations”) provide for the removal and disposal of vehicles under sections 3 and 4 of the Refuse Disposal (Amenity) Act 1978 and sections 99 and 101 of the Road Traffic Regulation Act 1984. These Regulations amend the 1986 Regulations in England to reduce the period of notice prescribed by the Regulations in two cases.

Where an authority proposes to remove a vehicle which appears to the authority to be abandoned and in their opinion is in such a condition that it ought to be destroyed, the notice period is reduced from 7 days to 24 hours from when a notice is affixed to the vehicle.

Where an authority has removed a vehicle (but it is not in such a condition that it ought to be destroyed) and has located the owner, the period during which the owner is required to remove the vehicle from the custody of the authority is reduced from 21 days to 7 days from when the relevant notice is served on him. The authority may dispose of the vehicle after the expiry of that period, provided there is no licence in force for that vehicle.