

1969. No. 180

[C]

MOTOR VEHICLES AND REFUSE

The Removal and Disposal of Motor Vehicles and Refuse

REGULATIONS, DATED 10TH JULY 1969, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 5, 6 AND 8 OF THE MOTOR VEHICLES AND REFUSE (DISPOSAL) ACT (NORTHERN IRELAND) 1969.

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The Ministry of Development in exercise of the powers conferred upon it by sections 5, 6 and 8 of the Motor Vehicles and Refuse (Disposal) Act (Northern Ireland) 1969(a) and section 16 of the Interpretation Act (Northern Ireland) 1954(b) hereby makes the following regulations:—

PART I

GENERAL

Citation and commencement

1.—(1) These regulations may be cited as the Removal and Disposal of Motor Vehicles and Refuse Regulations (Northern Ireland) 1969.

(2) Parts I and IV shall come into operation on the date of making and Parts II and III shall come into operation on 10th August 1969.

Interpretation

2. In these regulations—

“the Act” means the Motor Vehicles and Refuse (Disposal) Act (Northern Ireland) 1969.

PART II

REMOVAL OF MOTOR VEHICLES

Period within which occupier of land may object

3. For the purposes of section 5(2) of the Act, the period within which a person who appears to a local authority to be an occupier of land on which there is a motor vehicle which the authority propose to remove may serve notice on the authority that he objects to the proposal, shall be 15 days from the day when a notice of the authority's proposal to remove the vehicle is served on him.

Period before which notice must be affixed to a motor vehicle in certain cases before removing it for destruction

4. For the purposes of section 5(3) of the Act, the period before the commencement of which a notice must be caused to be affixed to a vehicle by an authority who propose to remove it, before they remove it, being a vehicle which in the opinion of the authority is in such a condition that it ought to be destroyed, shall be 7 days.

PART III

DISPOSAL OF MOTOR VEHICLES

Period within which owner on whom notice is served may remove motor vehicle before it can be disposed of

5. For the purposes of section 5(1)(c)(ii) of the Act, the period within which a person on whom the notice referred to in the section has been served shall be required to remove from the custody of the local authority serving the notice the vehicle of which he appears to them to be the owner, shall be 21 days from the day when the notice is served on him, and in the case of any subsequent notice served by the authority in respect of that vehicle, 14 days from the day when the notice is served on him.

Period during which owner may remove motor vehicle before it is disposed of

6. For the purposes of section 6(4) of the Act, the period during which a person who has satisfied an authority that he is the owner of a vehicle which is in their custody shall be permitted to remove it from their custody, shall be the period commencing on the day when the authority became satisfied that he was the owner and ending on the expiration of the seventh day after that day, or at the time when the vehicle is disposed of, whichever is the later.

PART IV

REMOVAL OF OTHER REFUSE

Period within which occupier of land may object

7. For the purposes of section 8(2) of the Act, the period within which a person who appears to a local authority to be an occupier of land on which there is any thing other than a motor vehicle which the authority propose to

remove may serve notice on the authority that he objects to the proposal, shall be 15 days from the day when a notice of the authority's proposal to remove the thing is served on him.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 10th day of July 1969.

(L.S.)

John A. Oliver,
Second Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

The Motor Vehicles and Refuse (Disposal) Act (Northern Ireland) 1969 provides for the removal and disposal by local authorities of motor vehicles and refuse left abandoned without lawful authority on roads or on any land in the open air.

These regulations prescribe the period within which an occupier of land may object to a local authority's proposal to remove a motor vehicle or refuse from his land. They prescribe the period before which a notice must be affixed in certain cases to a vehicle which is fit only for destruction before an authority may remove it. They also prescribe periods within which vehicles may be removed in certain cases by their owners from an authority's custody.