



# Vehicles (Excise) Act 1971 (Repealed 1.9.1994)

## 1971 CHAPTER 10

*Registration and registration marks, etc.*

### 19 Registration and registration marks.

(1) It shall be the duty of the Secretary of State—

- (a) on the first issue by him of a vehicle licence for a vehicle; or
- (b) where particulars in respect of the vehicle are furnished to him by a motor dealer in pursuance of section 20 of this Act before the Secretary of State first issues a vehicle licence for the vehicle, on receiving the said particulars,

to register the vehicle in such manner as the Secretary of State thinks fit without any further application in that behalf by the person taking out the licence and, except where the Secretary of State registers the vehicle on receiving the said particulars, to assign to the vehicle a registration mark indicating the registered number of the vehicle.

[<sup>F1</sup>(1A) The Secretary of State may, in such circumstances as he may determine—

- (a) assign a registration mark to a vehicle to which another registration mark has been previously assigned;
- (b) assign to a vehicle (whether on its first registration or not) a registration mark previously assigned to another vehicle;
- (c) (whether in connection with an assignment falling within either of the preceding paragraphs or not) withdraw any registration mark for the time being assigned to a vehicle;
- (d) re-assign to a vehicle a registration mark previously assigned to it but subsequently withdrawn.]

(2) The registration mark [<sup>F2</sup>for the time being] assigned to a vehicle under this section shall be fixed in the prescribed manner on the vehicle, or on any other vehicle drawn by that vehicle, or on both.

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*Changes to legislation: There are currently no known outstanding effects for the Vehicles (Excise) Act 1971 (Repealed 1.9.1994), Cross Heading: Registration and registration marks, etc.. (See end of Document for details)*

### Textual Amendments

- F1** S. 19(1A) inserted by Finance Act 1989 (c. 26, SIF 107:2), s. 10(2)(4)  
**F2** Words inserted by Finance Act 1989 (c. 26, SIF 107:2), s. 10(3)(4)

## 20 Issue etc. of vehicle registration marks by motor dealers.

- (1) The Secretary of State may by regulations make such provision as he considers appropriate with respect to the allocation of registration marks for vehicles to motor dealers who apply for such allocations and appear to the Secretary of State suitable to receive them and with respect to the assigning of the marks to vehicles by motor dealers.
- (2) Without prejudice to the generality of subsection (1) above, regulations under this section may include provision—
  - (a) as to the mode of application for the allocation of registration marks;
  - (b) as to the transfer of registration marks allocated to a motor dealer in cases where the dealer dies or becomes incapacitated or bankrupt and in such other cases as may be prescribed; and
  - (c) subject to section 25(2) of this Act, as to the cancellation of allocations of registration marks.
- (3) Without prejudice to the generality of subsection (1) above, regulations under this section may also include provision for—
  - (a) restricting the circumstances in which a motor dealer may assign a registration mark to a vehicle;
  - (b) securing that registration marks allocated to a dealer are assigned by him in such sequence as the Secretary of State considers appropriate and that no registration mark is assigned to a vehicle to which such a mark has already been assigned; and
  - (c) requiring a motor dealer to furnish the Secretary of State within the prescribed period with the prescribed particulars in respect of each vehicle to which the dealer assigns a registration mark.
- (4) A registration mark assigned to a vehicle in pursuance of this section shall be deemed to be assigned to it under section 19 of this Act.

## 21 Distinctive signs for hackney carriages.

On every mechanically propelled vehicle which is chargeable with duty as a hackney carriage there shall, subject to the prescribed exceptions, be exhibited, in conjunction with the mark required under section 19 of this Act to be fixed on the vehicle, a distinctive sign indicating—

- (a) that the vehicle is a hackney carriage; and
  - (b) the number of persons for which the vehicle has seating capacity;
- and regulations under this Act shall provide for such signs to be exhibited as aforesaid.

## 22 Failure to fix, and obscuration of, marks and signs. E+W

- (1) If any mark to be fixed or sign to be exhibited on a vehicle in accordance with section 19 or 21 of this Act is not so fixed or exhibited, the person driving the vehicle,

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or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence:

Provided that it shall be a defence for a person charged under this subsection with failing to fix a mark on a vehicle to prove—

- (a) that he had no reasonable opportunity of registering the vehicle under this Act and that the vehicle was being driven on a public road for the purpose of being so registered; or
- (b) in a case where the charge relates to a vehicle to which [<sup>F3</sup>section 47 of the Road Traffic Act 1988 applies by virtue of subsection (2)(b) thereof (vehicles manufactured before the prescribed period and used before registration)], that he had no reasonable opportunity of so registering the vehicle and that the vehicle was being driven on a road for the purposes of or in connection with its examination under [<sup>F4</sup>section 45 of the said Act of 1988 (examination for test certificates) in circumstances in which its use is exempted from the said section 47(1) by regulations under section 47(6) thereof].

- (2) If any mark fixed or sign exhibited on a vehicle as aforesaid is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the vehicle, or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence:

Provided that it shall be a defence for a person charged with such an offence to prove that he took all steps reasonably practicable to prevent the mark or sign being obscured or rendered not easily distinguishable.

- (3) Any person guilty of an offence under this section shall be liable on summary conviction—
  - (a) if it is his first conviction of such an offence, to a fine not exceeding [£20][level three on the standard scale];
  - (b) in any other case, to a fine not exceeding £50.

[<sup>F5</sup>(4) In its application to Northern Ireland, subsection (1) above shall have effect as if for paragraph (b) of the proviso there were substituted the following paragraph—

“(b) in a case where the charge relates to a vehicle to which Article 34 of the Road Traffic (Northern Ireland) Order 1981 applies by virtue of paragraph (2)(b) thereof, that he had no opportunity of so registering the vehicle and that the vehicle was being driven on a road for the purposes of or in connection with its examination under Article 33 of the said Order of 1981 in circumstances in which its use is exempted from paragraph (1) of the said Article 34 by regulations under paragraph (5) thereof.””]

#### Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only.

#### Textual Amendments

- F3** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\), s. 4, Sch. 3 para. 8\(3\)\(a\)](#)
- F4** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\), s. 4, Sch. 3 para. 8\(3\)\(b\)](#)

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**F5** S. 22(4) added (1.10.1991) by Finance Act 1991 (c. 31, SIF 107:2), s. 10, **Sch. 3**, Pt. I para.11; S.I. 1991/2021, **art.2**.

**Modifications etc. (not altering text)**

**C1** Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 35** (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.) and (N.I.) by virtue of Finance Act 1991 (c. 31, SIF 107:2), **s. 10(1)** and S.I. 1984/703 (N.I. 3), **arts. 5, 6, 9**,

**22 Failure to fix, and obscuration of, marks and signs. S+N.I.**

- (1) If any mark to be fixed or sign to be exhibited on a vehicle in accordance with section 19 or 21 of this Act is not so fixed or exhibited, the person driving the vehicle, or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence:

Provided that it shall be a defence for a person charged under this subsection with failing to fix a mark on a vehicle to prove—

- (a) that he had no reasonable opportunity of registering the vehicle under this Act and that the vehicle was being driven on a public road for the purpose of being so registered; or
- (b) in a case where the charge relates to a vehicle to which [<sup>F8</sup>section 47 of the Road Traffic Act 1988 applies by virtue of subsection (2)(b) thereof (vehicles manufactured before the prescribed period and used before registration)], that he had no reasonable opportunity of so registering the vehicle and that the vehicle was being driven on a road for the purposes of or in connection with its examination under [<sup>F9</sup>section 45 of the said Act of 1988 (examination for test certificates) in circumstances in which its use is exempted from the said section 47(1) by regulations under section 47(6) thereof].

- (2) If any mark fixed or sign exhibited on a vehicle as aforesaid is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the vehicle, or, where the vehicle is not being driven, the person keeping the vehicle, shall be guilty of an offence:

Provided that it shall be a defence for a person charged with such an offence to prove that he took all steps reasonably practicable to prevent the mark or sign being obscured or rendered not easily distinguishable.

- (3) Any person guilty of an offence under this section shall be liable on summary conviction—

- (a) if it is his first conviction of such an offence, to a fine not exceeding [<sup>F10</sup>level three on the standard scale];
- (b) in any other case, to a fine not exceeding [<sup>F10</sup>level three on the standard scale].

[<sup>F11</sup>(4) In its application to Northern Ireland, subsection (1) above shall have effect as if for paragraph (b) of the proviso there were substituted the following paragraph—

- (”) in a case where the charge relates to a vehicle to which Article 34 of the Road Traffic (Northern Ireland) Order 1981 applies by virtue of paragraph (2)(b) thereof, that he had no opportunity of so registering the vehicle and that the vehicle was being driven on a road for the purposes of or in connection with its examination under Article 33 of the said Order of 1981 in circumstances

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in which its use is exempted from paragraph (1) of the said Article 34 by regulations under paragraph (5) thereof.”]

#### Extent Information

- E2** This version of this provision extends to Scotland and Northern Ireland only; a separate version has been created for England and Wales only.

#### Textual Amendments

- F8** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 3 para. 8\(3\)\(a\)](#)
- F9** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 3 para. 8\(3\)\(b\)](#)
- F10** Words in s. 22(3) substituted (S.) and (N.I.) by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289E–289G](#) and [Finance Act 1991 \(c. 31, SIF 107:2\)](#), [s. 10\(1\)](#) and S.I. 1984/703 (N.I. 3), [arts. 5, 6](#)
- F11** S. 22(4) added (1.10.1991) by [Finance Act 1991 \(c. 31, SIF 107:2\)](#), s. 10, [Sch. 3](#), Pt. I para. 11 ; S.I. 1991/2021, [art.2](#)

## 23 Regulations with respect to the transfer and identification of vehicles.

Regulations under this Act may—

- (a) require a person who becomes or ceases to be the keeper of a mechanically propelled vehicle, or who acts as the auctioneer at the sale of such a vehicle by auction, to furnish the prescribed information to the Secretary of State in the prescribed manner;
- (b) specify the size, shape and character of the registration marks or the signs to be affixed to any such vehicle (including a vehicle used by virtue of a trade licence) and the manner in which the marks or signs are to be displayed and rendered easily distinguishable by day and by night;
- (c) make provision for the issue of trade plates to holders of trade licences and for the charging of a fee for the replacement of such plates by reason of damage to them or of their loss or destruction;
- (d) make provision with respect to the furnishing of information and production of certificates of insurance or security and test certificates relating to mechanically propelled vehicles in respect of which duty is not chargeable under this Act and with respect to the registration and identification of such vehicles (including vehicles belonging to the Crown);
- (e) make provision with respect to the inspection [<sup>F6</sup>, transfer] and surrender of any registration document issued in respect of a vehicle and provide that, in a case where the surrender of such a document is required in connection with an application for a licence under this Act, the licence shall not be issued if the document is not surrendered;
- (f) make provision with respect to the replacement of any such document . . . <sup>F7</sup>; and
- (g) provide for information contained in any records maintained by the Secretary of State with respect to the marking, registration or keeping of vehicles to be made public or to be made available, either without payment or on payment of the prescribed fee, to such persons as may be determined by or under the regulations.

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Regulations under this section which require a person to furnish information relating to vehicles exempted from duty by virtue of section 7(2) of this Act may require him to furnish in addition such evidence of the facts giving rise to the exemption as is prescribed by the regulations.

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**Textual Amendments**

- F6** Word inserted by [Finance Act 1987 \(c. 16, SIF 107:2\)](#), s. 2, **Sch. 1 Pt. III para. 16(2)**
- F7** Words repealed by [Finance Act 1986 \(c. 41, SIF 107:2\)](#), ss. 3(7), 114, Sch. 2 Pt. I para. 6(a), Sch. 23 Pt. II

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**Modifications etc. (not altering text)**

- C2** [S. 23\(d\)](#) amended by [Finance Act 1976 \(c. 40\)](#), s. 11(3)
- C3** [S. 23](#) extended by [Car Tax Act 1983 \(c. 53, SIF 40:2\)](#), s. 1(4), **Sch. 1 para. 13**

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