

2012 No. 2277

ROAD TRAFFIC, ENGLAND

**The Removal and Disposal of Vehicles (Amendment) (England)
Regulations 2012**

<i>Made</i>	- - - -	<i>28th August 2012</i>
<i>Laid before Parliament</i>		<i>6th September 2012</i>
<i>Coming into force</i>	- -	<i>1st October 2012</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 99 of the Road Traffic Regulation Act 1984(a).

In accordance with section 134 of that Act she has consulted with such representative organisations as she thinks fit.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Removal and Disposal of Vehicles (Amendment) (England) Regulations 2012 and come into force on 1st October 2012.

(2) These Regulations apply as respects England only.

Amendment of the Removal and Disposal of Vehicles Regulation 1986

2. The Removal and Disposal of Vehicles Regulations 1986(b) are amended as follows.

3. In the heading before regulation 3 after “roads” insert “or other land”.

4. In regulation 3—

(a) in paragraph (1)(a)—

(i) after “a road” insert “or other land”, and

(ii) after “the road” insert “or land concerned”;

(b) in paragraph (1)(b) after “road” insert “or other land”;

(c) in paragraph (2) for “from that road to a place” to the end substitute with “to another place which may be a road or other land; or that the vehicle shall not be moved to any such road or other land as may be specified.”

5. In regulation 4—

(a) 1984 c. 27; section 99 was amended by section 15(1) and (2) of the Clean Neighbourhoods and Environment Act 2005 (c.16) and section 55 of the Protection of Freedoms Act 2012 (c.9). There are other amendments to section 99 but none are relevant to these Regulations. The functions of a Minister of the Crown, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by articles 2 and 3 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044).

(b) S.I. 1986/183. There are amendments to S.I. 1986/183 but none are relevant to these Regulations.

- (a) in paragraph (b) for “on any land in the open air” substitute “other land”;
- (b) in paragraph (c) for “on any land in the open air” substitute “other land”; and
- (c) omit the words from “, and, in the case of a vehicle” to the end of the paragraph.

6. In regulation 5—

- (a) in paragraph (1)(a) for “on any land in the open air” substitute “other land”; and
- (b) in paragraph (1)(b) for “on any land in the open air” substitute “other land”.

Home Office
28th August 2012

Lynne Featherstone
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Removal and Disposal of Vehicle Regulations 1986. These amendments reflect amendments made to section 99 of the Road Traffic Regulation Act 1984 by section 55 of the Protection of Freedoms Act 2012. They extend the power of constables in England to require the removal of vehicles from land other than a public road. The amendments also make further provision for the case where a vehicle may be removed from land other than such a road.

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£4.00

E4419 09/2012 124419T 19585

ISBN 978-0-11-152859-4



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