
A TRADERS GUIDE FOR MOTOR VEHICLE SALVAGE OPERATORS

VEHICLES (CRIME) ACT 2001

HOW DOES THE LEGISLATION AFFECT ME?

You are not allowed to carry on a business as a motor vehicle salvage operator unless you are registered by the Local Authority in the area which you operate.

The business of motor salvage operator is one which consists:

- a) wholly or partly in the recovery for re-use or sale of salvageable parts from motor vehicles and the subsequent sale, or other disposal for scrap, of the remainder of the vehicles concerned;
- b) wholly or mainly in the purchase of written-off vehicles and their subsequent repair and re-sale;
- c) wholly or mainly in the sale or purchase of motor vehicles which are to be the subject (whether immediately or on a subsequent re-sale) of any of the activities mentioned in paragraphs (a) and (b) above; or
- d) wholly or mainly in activities falling within paragraphs (b) and (c)

Registration remains in force for a period of three years unless it is cancelled by the Local Authority.

CAN THE LOCAL AUTHORITY REFUSE TO REGISTER A PERSON UNDER THIS ACT?

Yes. If the Local Authority believes, the applicant is not a fit and proper person to carry on business as a motor salvage operator they may refuse to register that person. In deciding fitness, the authority must have particular regard to whether the applicant has been convicted of any offences under the Vehicles Crime Act or any of the following offences:

- theft or attempted theft of or from a motor vehicle (Theft Act 1968, Section 1)
- taking a motor vehicle without consent (Theft Act 1968, Section 12)
- aggravated vehicle taking (Theft Act 1968, Section 12A)
- handling stolen goods (Theft Act 1968, Section 22)
- going equipped to steal or take a motor vehicle (Theft Act 1968, Section 25)
- interference with a motor vehicle (Criminal Attempts Act 1981, Section 9)
- tampering with a motor vehicle (Road Traffic Act 1988, Section 25)

The authority will also have regard to whether the applicant, or any directors or partners of the business, are undischarged bankrupts.

There is a right of appeal against the decision of a Local Authority to refuse or cancel a registration.

WHAT RECORDS DO I NEED TO KEEP?

When a registered motor vehicle salvage operator receives any vehicle, he must make and keep the following record:

- a) details of the vehicle registration number, vehicle identification number (VIN), make, model and colour of the vehicle.
- b) name, address and contact details of the supplier of the vehicle
- c) details of what proof of identity was shown to the registered person by or on behalf of the supplier of the vehicle to establish the identity of the vehicle supplier. Proof of identity must be by way of one or more of the following:
 - UK drivers license
 - Passport

- Any form of identification containing a photograph of the vehicle supplier;
- Two recent utility bills that show both the name and address of the vehicle supplier

When a registered operator sells or otherwise disposes of any vehicle, he must add the following information to the record made above:

- The date of sale or other disposal of the vehicle
- The name, address and contact details of the person receiving the vehicle
- Details of what proof of identity was shown by the person receiving the vehicle
- The condition of the vehicle at the time of sale or other disposal (e.g. was it repaired, unrepaired, dismantled or in the same condition as at purchase)
- The date when the above information was entered on the record

Records may be kept in either electronic or manual form. They must be kept at the registered place of business and kept for a period of six years from the date of the last entry on the record for each vehicle.

DO I HAVE TO NOTIFY ANYONE IF CHANGES TAKE PLACE IN THE RUNNING OF MY BUSINESS?

If you are applying for registration or renewal of your registration, you must inform the Local Authority, in writing, of any changes which affect the accuracy of the information you have provided.

Operators who are registered must notify the Local Authority, in writing, of any changes affecting the details of registration within 28 days of the change occurring.

WILL I COMMIT AN OFFENCE IF I DO NOT COMPLY WITH THESE REQUIREMENTS?

It is a criminal offence if you:

- Carry on a business as a motor salvage operator when you are not registered by the Local Authority
- Fail to keep the required records
- Knowingly or recklessly make a false statement or provide false information in connection with an application for registration
- Fail to notify the Local Authority of any changes affecting particulars of registration.

It is also an offence for a person who in selling a motor vehicle to a motor salvage operator to give a false name and address.

GENERAL INFORMATION ON APPLICATIONS FOR REGISTRATION OR RENEWAL OF REGISTRATION

1. The fee for registration or renewal of registration is £ 80
2. Registration expires after a period of three years from the date of registration. A newly completed application form must be submitted to the local authority two months prior to the expiry of the current registration, together with the required fee.
3. Completed application forms will be submitted to the local police for comment prior to the registration process being completed.
4. Please ensure that your application is accompanied by a means of identification such as driving license or passport.

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