

MOTOR VEHICLE REGISTRATION (GENERAL PROVISIONS) (JERSEY) ORDER 1993

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MOTOR VEHICLE REGISTRATION (GENERAL PROVISIONS) (JERSEY) ORDER 1993

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MOTOR VEHICLE REGISTRATION (GENERAL PROVISIONS) (JERSEY) ORDER 1993¹

THE HOME AFFAIRS COMMITTEE, in pursuance of Articles 3, 4, 5, 6, 7, 8, 9, 10 and 15 of the <u>Motor Vehicle Registration (Jersey) Law 1993</u>, orders as follows –

Commencement [see endnotes]

PART 1

PRELIMINARY

1 Interpretation²

In this Order, unless the context otherwise requires -

"agricultural tractor" means a motor vehicle which is -

- (a) not constructed itself to carry any load, other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;
- (b) designed and used primarily for work in connection with agriculture; and
- (c) driven on a road only when proceeding to and from the site of such work and which when so driven hauls nothing more than land implements or an agricultural trailer;

"Directive" means the Directive of the Council of the European Communities of 6th February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (Council Directive 70/156/EEC), as amended;

"hire vehicle" means a small passenger vehicle, minibus or motor cycle (as these terms are defined by the <u>Road Traffic (Jersey) Law 1956</u>) that is hired or available for hire -

(a) from a person carrying on a trade or business that is principally concerned with the hiring of motor vehicles; and

(b) on terms that provide for the hire vehicle to be driven by a person other than its owner or the owner's employee or agent for non-renewable periods of not more than one month;

"Law" means the Motor Vehicle Registration (Jersey) Law 1993;

"LPV" means a light passenger vehicle, being a motor vehicle designed and constructed for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat;

"prescribed font" means the style shown in Part 4 of Schedule 5 for characters 79 millimetres in height;

"restricted speed agricultural tractor" has the same meaning as in paragraph 9 of Part 2 of Schedule 1 to the <u>Customs and Excise (Jersey) Law 1999;</u>

"use", in relation to a motor vehicle, means use of the vehicle exclusively as a hire vehicle or use other than such use.³

PART 2

REGISTRATION

2 Register of motor vehicles

The register of motor vehicles to be compiled and maintained by the Inspector pursuant to Article 3 of the Law shall contain in respect of each registered motor vehicle, so far as they may be applicable to a specific motor vehicle or type of motor vehicle, the particulars contained in Schedule 1.

3 Requirements for registration of motor vehicle

No motor vehicle shall be registered under the Law unless there is compliance with the requirements for registration contained in Schedule 2 so far as they may be applicable to the motor vehicle or type of motor vehicle for which registration is sought.

4 Residence of owner

The Inspector may refuse to register a motor vehicle where he or she is not satisfied that the owner of the vehicle is -

- (a) an individual permanently resident in Jersey; or
- (b) a corporation, wherever incorporated, carrying on an active business in Jersey which requires the vehicle to be based and operated in Jersey for a period or aggregate periods of not less than 185 days in each year.⁴

5 Application for registration of motor vehicle

An application for the registration of a motor vehicle under the Law shall be -

(a) in the form in Schedule 3 completed in respect of the motor vehicle for which registration is sought by the insertion in the form of the particulars required for its proper completion and signed by the owner of the motor vehicle; and

- (b) accompanied by
 - (i) such documents as may be necessary to prove compliance with Article 3,
 - (ii) a certificate of insurance referring to a policy of insurance in respect of thirdparty risks for the time being in force in relation to the use of the vehicle by the owner,
 - (iii) a fee of £30,
 - (iv) the owner's Jersey driving licence, if the owner is an individual, and
 - (v) evidence satisfactory to the Inspector of the ownership of the vehicle.⁵

6 Registration document

- (1) A registration document shall be in the form in Schedule 4 and shall contain such of the particulars relating to the motor vehicle in respect of which it is issued as shall at the time of issue of the document be -
 - (a) recorded in the register of motor vehicles in respect of the vehicle; and
 - (b) required for the proper completion of the document.
- (2) Where, by virtue of Article 4(2) of the Law, the registration document for a motor vehicle is a registration book issued under the Road Vehicles (Registration Books) (Jersey) Order 1957 or 1962 –
 - (a) the Inspector may at any time, by way of replacement of the registration book, issue to the owner of the vehicle free of charge a registration document in respect of the vehicle in the form in Schedule 4 and upon receiving it the owner shall forthwith deliver the registration book to the Inspector who shall cancel it;
 - (b) in any case where, if a registration document in the form in Schedule 4 had been issued in respect of the vehicle
 - (i) Article 7, 8 or 9 would be applicable, the owner of the vehicle, or
 - (ii) Article 10 would be applicable, the owner of the vehicle who is selling or otherwise transferring it,

shall first deliver the registration book to the Inspector and request the issue of a registration document in respect of the vehicle in the form in Schedule 4, whereupon the Inspector shall issue to the owner free of charge a registration document in that form and cancel the registration book, and the Inspector shall then be notified of the matter requiring notification under Article 7, 8, 9 or 10 in accordance with the relevant Article.

7 Alteration of registered motor vehicle or its use⁶

Not later than 7 days after the making of an alteration to a registered motor vehicle or its use which renders any of the particulars of the vehicle contained in part A of the registration document last issued in respect of the vehicle no longer correct, the owner of the vehicle shall –

(a) complete section 3 of part A of the document by inserting particulars of the alteration made to the vehicle or its use;

- (b) make the declaration contained in section 4 of part A of the document by inserting the owner's signature and the date of signature in box 1; and
- (c) deliver the document to the Inspector.⁷

8 Change of address or name of owner of registered motor vehicle⁸

The owner of a registered motor vehicle who changes the owner's address or name from that contained in part A of the registration document last issued in respect of the vehicle shall not later than 7 days after the change -

- (a) complete section 1 of part A of the document by inserting the owner's new address or name;
- (b) make the declaration contained in section 4 of part A of the document by inserting the owner's signature and the date of signature in box 1; and
- (c) deliver the document to the Inspector.⁹

9 Permanent removal from Jersey, breaking up or destruction of registered motor vehicle

Not later than 7 days after the permanent removal from Jersey, breaking up or destruction of a registered motor vehicle, the owner of the vehicle shall -

- (a) complete section 2 of part A of the registration document last issued in respect of the vehicle;
- (b) make the declaration contained in section 4 of part A of the document by inserting the owner's signature and the date of signature in box 1; and
- (c) deliver the document to the Inspector.

10 Change of ownership of registered motor vehicle

Not later than 7 days after a change of ownership of a registered motor vehicle -

- (a) the owner of the vehicle selling or otherwise transferring the vehicle and the person to whom the vehicle is sold or transferred shall complete parts A and B of the registration document last issued in respect of the vehicle by inserting the particulars required for their proper completion and make the declarations required of them respectively by the owner inserting the owner's signature and the date of signature in box 2 in section 4 of part A and box 4 in part B and by the buyer or transferee inserting his or her signature and the date of signature in box 1 in section 4 of part A and box 3 in part B;
- (b) the owner selling or transferring the vehicle shall deliver the completed part B of the document to the Inspector; and
- (c) the buyer or transferee shall deliver the completed part A of the document to the Inspector.

11 Insurance write off of registered motor vehicle¹⁰

- (1) Not later than 7 days after a registered motor vehicle is the subject of an insurance write off, the insurer shall notify the Inspector of that fact in accordance with paragraph (2).
- (2) The notice required under paragraph (1) shall be in writing and, in relation to the vehicle, state
 - (a) its owner's name and address in Jersey;
 - (b) its manufacturer;
 - (c) its manufacturer's model description;
 - (d) its chassis or frame number;
 - (e) its registration mark;
 - (f) the date on which the damage resulting in the insurance write off occurred;
 - (g) the nature of the damage resulting in the insurance write off;
 - (h) the estimated cost of repairing the damage resulting in the insurance write off;
 - (i) the estimated value of the vehicle when repaired.

12 Further information

- (1) Where the Inspector has been notified pursuant to Article 7, 8, 9 or 10 of an alteration, permanent removal from Jersey, breaking up, destruction or change of ownership of a registered motor vehicle or the change of address or name of its owner, or has received an application under any of paragraphs 2(1), 3(2)(b), 4(1) and 4(2) of Schedule 4A, the owner, the other person mentioned in paragraph 4(2) of that Schedule, or in the case of a change of ownership the previous and new owners or either of them, of the vehicle, upon receiving a request by the Inspector in writing for further information, shall forthwith furnish the Inspector with such information as it is in the owner's or their power to give or with reasonable diligence to ascertain.¹¹
- (2) Where the Inspector has been notified pursuant to Article 11 of the insurance write off of a registered motor vehicle, the insurer giving such notice, or the owner of the vehicle, upon receiving a request by the Inspector in writing for further information, shall forthwith furnish the Inspector with such information as it is in his or her power to give or with reasonable diligence to ascertain.¹²

13 Verification of particulars

The Inspector may from time to time by letter posted to the person recorded in the register as the owner of a registered motor vehicle require the person within a period of 14 days after the posting of the letter to notify the Inspector in writing as to any or all of the following matters –

- (a) whether the vehicle is still in existence;
- (b) whether the vehicle has been permanently removed from Jersey;

- (c) whether any alteration has been made to the vehicle or to its use which renders any of the particulars contained in the registration document last issued in respect of the vehicle no longer applicable;
- (d) whether there has been a change of ownership of the vehicle from that recorded in the registration document last issued in respect of the vehicle;
- (e) the present address of the person to whom the letter is addressed.¹³

14 Inspection of motor vehicle¹⁴

- (1) This Article applies if the Inspector
 - (a) receives
 - (i) an application for the registration of a motor vehicle under Article 5,
 - (ii) an application for the withdrawal of a registration mark from a registered motor vehicle under paragraph 2 of Schedule 4A,
 - (iii) an application for the assignment of a particular registration mark to a registered motor vehicle under paragraph 3 of Schedule 4A,
 - (iv) a registration document under Article 7, or a notification under Article 13, in respect of an alteration of a registered motor vehicle, or
 - (v) a notification under Article 11 in respect of an insurance write off of a registered motor vehicle;
 - (b) considers inspection of a registered motor vehicle to be necessary in order to confirm a notification made under Article 13(a), (b) or (c); or
 - (c) has, at any time, any reason to believe that a registered motor vehicle
 - (i) may have been broken up or destroyed, or otherwise no longer exists, or
 - (ii) may have been permanently removed from Jersey.
- (2) The Inspector may, on giving not less than 7 days notice in writing to the relevant person, require that person to produce the vehicle at a specified time and place for inspection.
- (3) The relevant person for the purpose of paragraph (2) is -
 - (a) the person recorded in the register as the owner of the vehicle; or
 - (b) if paragraph (1)(a)(i) applies, the person applying for registration of the vehicle.

15 Amendment of the register

- (1) Where it appears to the Inspector that
 - (a) any particulars which have been entered in the register are, or may be, incorrect or incomplete; or
 - (b) by error an entry has been, or may have been, made in or omitted from the register,

the Inspector shall -

- (c) by letter posted to the person recorded in the register as the owner of the registered motor vehicle concerned at the most recent address notified by the person to the Inspector, serve notice on that person
 - (i) specifying the particulars or entry in question, and
 - (ii) requiring the person within a period of 14 days after the posting of the letter to produce to the Inspector evidence of the relevant facts;
- (d) after the production to the Inspector by or on behalf of the person served of evidence or upon the expiration of the period of 14 days after the posting of the notice, whichever shall first occur, and after making any further investigation or inquiry which the Inspector may consider necessary or desirable –
 - (i) determine whether to amend the register,
 - (ii) if the Inspector determines to amend the register, determine the nature of the amendment, and
 - (iii) by letter posted to the person previously served in like manner to the notice, inform that person of the Inspector's determination; and
- (e) if the Inspector determines to amend the register
 - (i) amend it, and
 - (ii) issue to the person recorded in the register, as amended, as the owner of the motor vehicle a registration document in respect of the motor vehicle reflecting the state of the register as so amended:

Provided that where the Inspector has reason to believe that the motor vehicle, or a share in it, may have been sold or otherwise transferred to another person, the Inspector may, in addition to serving notice on the person recorded in the register as the owner, serve notice in like manner on that other person who shall in that case have the same rights under sub-paragraphs (c) and (d) as the person recorded in the register as the owner.

(2) Notwithstanding paragraph (1), where any particulars entered in the register contain a clerical error of such a nature that, in the opinion of the Inspector, the owner of the motor vehicle concerned or any other person will not be prejudiced by its correction, the Inspector may without giving notice summarily correct the error.

16 Cancellation and replacement of registration document

- (1) Where it appears to the Inspector that any particulars contained in the registration document last issued in respect of a registered motor vehicle are, or may be, incorrect or incomplete, the Inspector shall
 - (a) by letter posted to the person recorded in the register as the owner of the motor vehicle concerned at the most recent address notified by the person to the Inspector, serve notice on that person
 - (i) specifying the particulars in question, and
 - (ii) requiring the person within a period of 14 days after the posting of the letter to produce to the Inspector evidence of the relevant facts;
 - (b) after the production to the Inspector by or on behalf of the person served of evidence or upon the expiration of the period of 14 days after the posting of

the notice, whichever shall first occur, and after making any further investigation or inquiry which the Inspector may consider necessary or desirable -

- (i) determine whether to cancel the registration document, and
- (ii) by letter posted to the person previously served in like manner to the notice, inform that person of the Inspector's determination; and
- (c) if the Inspector determines to cancel the registration document, issue to the person recorded in the register as the owner of the motor vehicle a registration document in respect of the motor vehicle in place of that cancelled:

Provided that where the Inspector has reason to believe that the motor vehicle, or a share in it, may have been sold or otherwise transferred to another person, the Inspector may, in addition to serving notice on the person recorded in the register as the owner, serve notice in like manner on that other person who shall in that case have the same rights under sub-paragraphs (a) and (b) as the person recorded in the register as the owner.

(2) Notwithstanding paragraph (1), where any particulars contained in the registration document last issued in respect of a motor vehicle include a clerical error of such a nature that, in the opinion of the Inspector, the owner of the vehicle or any other person will not be prejudiced by its correction, the Inspector may without giving notice summarily cancel the registration document and issue a new registration document in its place.

17 Replacement of registration document

(1) If the last registration document issued in respect of a registered motor vehicle has been lost, stolen, destroyed, mutilated, accidentally defaced or become illegible, the owner of the vehicle may apply to the Inspector for the issue of a duplicate document and upon the Inspector being satisfied as to the loss, theft, destruction, mutilation, defacement or illegibility and, except in the case of loss, theft or destruction, on the surrender of the document, the Inspector shall issue a duplicate document upon payment of a fee of $\pounds 17$:

Provided that where, by virtue of Article 4(2) of the Law, the registration document for a motor vehicle is a registration book issued under the Road Vehicles (Registration Books) (Jersey) Order 1957 or 1962, the owner may in the like circumstances apply to the Inspector for the issue of a registration document in the form in Schedule 4 and upon the Inspector being satisfied as aforesaid and, except in the case of loss, theft or destruction, on the surrender of the registration book, the Inspector shall issue a registration document in that form upon the like payment.¹⁵

(2) Where, pursuant to paragraph (1), a registration document has been issued in replacement of an original registration document or registration book and the original document or book is found or recovered, the original document or book shall forthwith be delivered to the Inspector who shall cancel it.

18 Production and inspection of registration document

- (1) The owner of a registered motor vehicle shall produce the registration document last issued in respect of the vehicle for inspection if the owner is at any reasonable time required to do so by the Inspector or a police officer or traffic officer.
- (2) No person other than a person acting on behalf of the Inspector shall deface, mutilate or destroy any registration document or alter or obliterate any entry made in it or make any entry in or addition to a registration document.

19 Supply of registration particulars

- (1) Upon request made by the Attorney General, a police officer or an officer of an administration of the States for which the Minister is responsible, the Inspector shall supply free of charge such particulars contained in the register as may be requested.¹⁶
- (2) Upon request made by a person who satisfies the Inspector that the person has reasonable cause for the request and upon payment of £9, the Inspector shall supply
 - (a) the name and address of the person recorded in the register as the owner of a registered motor vehicle; and
 - (b) such other particulars recorded in the register as are, in the opinion of the Inspector, relevant to the circumstances constituting the reasonable cause for the request.¹⁷

PART 3

REGISTRATION MARKS

20 Assignment of registration marks¹⁸

- (1) The registration mark to be assigned to a registered motor vehicle for the purposes of Article 4(1)(g) of the Law shall consist of a combination of the following letters and numbers in the following sequence
 - (a) in the case only of a vehicle that is to be used exclusively as a hire vehicle, a distinguishing mark being the letter 'H';
 - (b) an index mark, being the letter 'J' or another letter, combination of letters or symbol approved by the Inspector; and
 - (c) a number that has been assigned or caused to be assigned to the vehicle by the Inspector,

and the registration mark so assigned shall, subject to Article 4(3) of the Law, be unique to the vehicle.

(2) The letter 'H' referred to in paragraph (1)(a) shall be in the form specified in Part 5 of Schedule 5 and Parts 3 and 4 of that Schedule shall not apply to that letter.

21 Registration marks assigned under former Laws

In the case of a motor vehicle in existence immediately before the coming into force of Article 4 of the Law to which a registration mark had been assigned under any former Law and remained the registration mark of the vehicle immediately before the coming into force of Article 4 of the Law, that registration mark shall be deemed to have been assigned to the vehicle pursuant to Article 20 of this Order.

22 Withdrawal and assignment of particular registration marks¹⁹

Schedule 4A has effect in relation to the withdrawal of registration marks and to the assignment of particular registration marks.

23 Display of registration marks

The registration mark assigned to a registered motor vehicle and required to be fixed on the vehicle by virtue of Article 6 of the Law shall be displayed in accordance with Schedule 5.

PART 4

TRADE LICENCES

24 Application for trade licence²⁰

For the purposes of Articles 8(2) and 8(6) of the Law –

- (a) the form prescribed for an application for the issue or renewal of a trade licence is the form in Schedule 6 completed by the insertion of the particulars required for its proper completion and signed by the person applying for the issue or renewal; and
- (b) the fee prescribed for such an application is $\pounds 37.^{21}$

25 Issue of trade licence and requirement for trade licence plates²²

For the purposes of Articles 8(2), 8(2A)(b) and 8(6) of the Law –

- (a) the Inspector shall not issue or renew the trade licence unless he or she is satisfied that the person applying for the issue or renewal is a bona fide motor trader;
- (b) the trade licence issued or renewed shall be in the form in Schedule 7 completed by the insertion of the particulars required for its proper completion and signed by or on behalf of the Inspector; and
- (c) the trade licence plates that the motor trader is required to obtain shall consist of 2 plates conforming with any specifications that the Minister may from time to time direct, including one plate fitted with 2 holders, each holder having a transparent cover and being suitable for the display of, respectively –
 - (i) the receipt for the fee paid on the issue or renewal of the trade licence, and
 - (ii) an insurance disc issued under the <u>Motor Traffic (Third-Party Insurance)</u> (Jersey) Law 1948.

26 Preservation and surrender of trade licence plates²³

- (1) After a motor trader has obtained trade licence plates under Article 8(2A)(b) of the Law, the motor trader shall not cause or permit the plates to be altered in any way.
- (2) When a trade licence ceases to be in force, the motor trader shall within 7 days surrender to the Inspector the trade licence plates obtained in respect of that licence.
- (3) The display, under Article 27 of this Order, of a receipt and insurance disc, is not to be treated as an alteration for the purpose of paragraph (1).

27 Fixing and exhibition of trade licence plates, fee receipts and insurance discs

At all times when a vehicle is in use or kept on a road by virtue of a trade licence -

- (a) there shall be fixed on the vehicle and exhibited in the manner prescribed in Schedule 5 with respect to the fixing and exhibition of registration marks
 - (i) in the case of a vehicle other than a motor cycle or moped, the trade licence plates obtained under Article 8(2A)(b) of the Law, or
 - (ii) in the case of a motor cycle or moped, one of the trade licence plates obtained under Article 8(2A)(b) of the Law;
- (b) the receipt for the fee paid in respect of the trade licence for the calendar year then current shall be displayed in a holder on the trade licence plate fixed on the back of the vehicle; and
- (c) where the insurance disc issued and required to be displayed under the <u>Motor</u> <u>Traffic (Third-Party Insurance) (Jersey) Law 1948</u> is not otherwise displayed in accordance with the provisions of the <u>Motor Traffic (Third-Party Insurance)</u> (Jersey) Order 1961, it shall be displayed in a holder on the trade licence plate fixed on the back of the vehicle.²⁴

28 Change of address of holder of trade licence

The holder of a trade licence who changes his or her address shall not later than 7 days following such change notify the Inspector in writing of his or her new address.

29 Restrictions on use of trade licences and trade licence plates

- (1) No person shall use or keep on a road by virtue of a trade licence a motor vehicle other than a vehicle which
 - (a) is owned in the course of the person's business as a motor trader by the person holding the trade licence; and
 - (b) is not registered in accordance with Article 4 of the Law.
- (2) No person other than -
 - (a) the holder of the trade licence;
 - (b) a bona fide employee of the holder of the trade licence and acting under the holder's authority;

- (c) an agent or franchisee of the holder of the trade licence acting under his authority, or a bona fide employee of such an agent or franchisee acting under such authority; or
- (d) a Traffic Officer appointed under Article 2 of the <u>Motor Traffic (Jersey)</u> <u>Law 1935</u> acting in the course of the Traffic Officer's duties,

shall use or keep on a road a vehicle on which there is exhibited a trade licence plate, but nothing in this Article shall operate to prevent a prospective purchaser or hirer of the vehicle from testing or trying it on one or more occasions within a single period of 72 hours.²⁵

(3) No person shall use on a road for the conveyance of passengers for profit or reward a vehicle on which there is exhibited a trade licence.

30 Purposes for which vehicles may be used by virtue of trade licences

Subject to Article 29, the holder of a trade licence may use on a road by virtue of the trade licence a motor vehicle with or without an attached trailer for any of the following purposes -

- (a) its test or trial before, during or immediately after its construction or repair or the fitting or alteration of a body on it;
- (b) proceeding directly to or from any place for its registration under the Law or its inspection by or on behalf of the Inspector;
- (c) its test or trial at the instance of a prospective purchaser or hirer, including proceeding directly to or from the place of the test or trial; or
- (d) its delivery where it proceeds directly
 - (i) between the premises of the holder of the trade licence and the premises of another motor trader,
 - (ii) from the premises of the holder of the trade licence to a place from which it is to be transported by ship, aircraft, hovercraft or another vehicle,
 - (iii) from a place to which it has been so transported to the premises of the holder of the trade licence, or
 - (iv) between the premises of the holder of the trade licence and a garage, auction room or other place at which vehicles are usually or periodically stored or offered for sale and at which it is to be or has been stored or offered for sale.

31 Replacement of trade licences²⁶

- (1) If a trade licence has been lost, stolen, destroyed, mutilated, accidentally defaced or become illegible, the holder of the trade licence may apply to the Inspector for the issue of a duplicate licence and upon the Inspector being satisfied as to the loss, theft, destruction, mutilation, defacement or illegibility and, except in the case of loss, theft or destruction, on the surrender of the licence, the Inspector shall issue a duplicate licence upon payment of a fee of £8.²⁷
- (2) Where a duplicate trade licence has been issued in replacement of an original licence and the original licence is found or recovered, the original shall forthwith be delivered to the Inspector.

(3) If a trade licence plate has been lost, stolen, destroyed, mutilated, accidentally defaced or become illegible, the holder of the trade licence shall obtain a duplicate plate.

32 Production and inspection of trade licences and trade licence plates

- (1) The holder of a trade licence or a person using or keeping a vehicle on a road by virtue of a trade licence shall produce the licence or trade licence plates for inspection if he or she is at any reasonable time required to do so by the Inspector or a police officer or traffic officer.
- (2) No person other than a person acting on behalf of the Inspector shall
 - (a) deface, mutilate or destroy any trade licence or trade licence plate;
 - (b) alter or obliterate any entry made in a trade licence or make any entry in or addition to it; or
 - (c) alter or obliterate any letter, numeral or symbol on a trade licence plate or, except as provided in Article 27, make any addition to it.

33 Supply of trade licence particulars

- (1) Upon request made by the Attorney General, a police officer or an officer of an administration of the States for which the Minister is responsible, the Inspector shall supply free of charge such particulars relating to a trade licence or trade licence plates as may be requested.²⁸
- (2) Upon request made by a person who satisfies the Inspector that the person has reasonable cause for his or her request and upon payment of $\pounds 5$, the Inspector shall supply
 - (a) the name and address of the person recorded in the register as the assignee of a trade licence mark; and
 - (b) such other particulars as are, in the opinion of the Inspector, relevant to the circumstances constituting the reasonable cause for the request.

PART 5

MISCELLANEOUS

34 Citation

This Order may be cited as the Motor Vehicle Registration (General Provisions) (Jersey) Order 1993.

SCHEDULE 1²⁹

(Article 2)

PARTICULARS OF MOTOR VEHICLES CONTAINED IN THE REGISTER

- 1. owner's name and address in Jersey
- 2. manufacturer
- 3. manufacturer's model description
- 4. particulars of type approval, certificate of approval or certificate of exemption
- 5. chassis or frame number
- 6. engine number
- 7. cubic capacity of engine
- 8. engine fuel or power source
- 9. body type
- 10. seating capacity
- 11. colour
- 12. overall length
- 13. overall width
- 14. weight (maximum authorized)
- 15. date of registration in Jersey
- 16. whether previously registered in Jersey or any other place or never registered
- 17. details of registration in any other place before registration in Jersey
- 18. previous owners' names and addresses
- 19. odometer reading at last transfer and date
- 20. registration mark and date of its assignment
- 21. previous registration marks and dates of their assignment
- 22. details of any insurance write off
- 23. whether or not the vehicle is to be used exclusively as a hire vehicle
- 24. CO₂ emission rate (LPVs only)
- 25. whether or not the vehicle is a restricted speed agricultural tractor

SCHEDULE 2³⁰

(Article 3)

REQUIREMENTS FOR REGISTRATION OF A MOTOR VEHICLE

- Where application is made for the registration under the Law of a motor vehicle which is an agricultural tractor or a moped, light motorcycle, heavy motor cycle, motor car or heavy motor car within the meaning of the <u>Road Traffic (Jersey)</u> <u>Law 1956</u>, the Inspector shall, before registering the vehicle, require the owner to produce –
 - (a) evidence satisfactory to the Inspector that the vehicle conforms to the relevant type approval legislation of the United Kingdom;
 - (b) (where the vehicle was manufactured in a Member State of the European Union other than the United Kingdom) a certificate of conformity issued pursuant to the Directive, the effect of which is to state that the vehicle can be permanently registered without further approvals in Member States having left-hand traffic and using imperial units of measurement for the purposes of calculating speed and distance;
 - (c) (where the vehicle was manufactured in a Member State of the European Union other than the United Kingdom, but it is not a vehicle in respect of which such a certificate of conformity has been issued) evidence satisfactory to the Inspector that the vehicle conforms to the relevant whole vehicle national type approval legislation of that State in accordance with the Directive, and –
 - (i) that the vehicle complies with the relevant provisions of the <u>Motor</u> <u>Vehicles (Construction and Use) (Jersey) Order 1998</u>, and the <u>Road</u> <u>Traffic (Lighting) (Jersey) Order 1998</u>, or
 - (ii) that to the extent that it does not comply with those provisions of those Orders, a licence has been granted under Article 78 of the <u>Road</u> <u>Traffic (Jersey) Law 1956</u>, providing that they shall not apply to that vehicle or that they shall apply subject to specified modifications, and the vehicle complies with the terms of that licence;
 - (d) a certificate of approval issued by the Inspector in respect of the vehicle; or
 - (e) a certificate of exemption issued by the Inspector in respect of the vehicle.
- 2. For the purposes of paragraph 1(a) -
 - (a) "relevant type approval legislation of the United Kingdom" means
 - such of the following regulations of the United Kingdom as the same may be in force from time to time and as may pertain to the vehicle which is the subject of the application for registration –
 - (A) Motor Vehicles (Type Approval) Regulations 1980 of the United Kingdom;
 - (B) Motor Vehicles (Type Approval) (Great Britain) Regulations 1984 of the United Kingdom;

- (C) Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982 of the United Kingdom; and
- (D) Motor Vehicles (Type Approval) (EEC Manufacturers) Regulations 1981 of the United Kingdom; or
- (ii) any other legislation of the United Kingdom in respect of the type approval of motor vehicles which pertains to the vehicle which is the subject of the application for registration; and
- (b) satisfactory evidence that the vehicle conforms with the relevant type approval legislation of the United Kingdom shall include evidence that there exists a certificate of conformity issued by the manufacturer of the vehicle in respect of the vehicle.
- 3. For the purposes of paragraph 1(c)
 - (a) "relevant whole vehicle national type approval legislation" means any of the following administrative procedures which pertain to the vehicle which is the subject of the application for registration
 - (i) "agrément par type"/"typegoedkeuring" in Belgian law,
 - (ii) "standardtypegodkendelse" in Danish law,
 - (iii) "allgemeine Betriebserlaubnis" in German law,
 - (iv) "έγχοιση τυπον" in Greek law,
 - (v) "homologacion de tipo" in Spanish law,
 - (vi) "réception par type" in French law,
 - (vii) "type approval" in Irish law,
 - (viii) "omologazione" or "approvazione del tipo" in Italian law,
 - (ix) "agrément" in Luxembourg law,
 - (x) "typegoedkeuring" in Netherlands law,
 - (xi) "aprovaçao de marca e modelo" in Portuguese law; and
 - (b) satisfactory evidence that the vehicle conforms with the relevant whole vehicle national type approval legislation shall include evidence that there exists a certificate issued by the manufacturer of the vehicle to the effect that the vehicle conforms to a type approved by a specified procedure which shall be one of the administrative procedures listed in sub-paragraph (a), and where the certificate is in a language other than English, the Inspector may require that it be accompanied by a certified translation of the certificate.
- 4. For the purposes of paragraph 1(d) -
 - (a) on payment to the Inspector of a fee of £457 for motor cars and heavy motor cars and £118 for agricultural tractors, mopeds, light motorcycles and heavy motorcycles, which shall not be refundable in any circumstances;
 - (b) on production at the office of the Inspector, or such other place as the Inspector may designate, of the vehicle which it is sought to register; and
 - (c) on the Inspector being satisfied, following such inspection, examination, trial and testing as the Inspector may consider necessary, that the vehicle and its

systems and components specified in the table below are of a standard and in a condition required for the safe operation of the vehicle on the road,

the Inspector may issue a certificate of approval in respect of the vehicle.

Table of systems and components

- (i) door latches and hinges
- (ii) radio interference suppression
- (iii) steering
- (iv) petrol or diesel emissions
- (v) headlamps
- (vi) side lamps
- (vii) rear and stop lamps
- (viii) reflectors
- (ix) turn indicators
- (x) rear view mirrors
- (xi) anti-theft devices
- (xii) seat belts and anchorages and their installation
- (xiii) brakes
- (xiv) noise and silencers
- (xv) glass
- (xvi) seats and anchorages
- (xvii) tyres
- (xviii)interior fittings
- (xix) exterior fittings
- (xx) speedometer
- (xxi) rear fog lamps
- (xxii) windscreen wipers and washers
- (xxiii) defrosting and demisting equipment
- (xxiv) lighting installation
- (xxv) unleaded petrol requirements.
- 5. For the purposes of paragraph 1(e), where the Inspector is satisfied that
 - (a) a vehicle sought to be registered under the Law was manufactured not less than 25 years before the date on which application was made for its registration;
 - (b) compliance with the requirements for the issue of a certificate of approval under paragraph 1(d) would significantly detract from the historical character of the vehicle; and
 - (c) failure of the vehicle so to comply would not cause undue risk to road users,

and upon payment of a fee of $\pounds 93$, the Inspector may issue a certificate of exemption in respect of the vehicle.

- 5A. Where an application is made under the Law for the registration of any motor vehicle, the Inspector shall, before registering the vehicle, require to be discharged any liability for any outstanding duty or tax payable in respect of the vehicle
 - (a) under the <u>Customs and Excise (Jersey) Law 1999;</u>
 - (b) under the <u>Goods and Services Tax (Jersey) Law 2007;</u> or
 - (c) which is otherwise payable to Agent of the Impôts.
- 6. Additional requirement for vehicles previously registered outside Jersey
 - (1) Where an application for registration relates to a motor vehicle previously registered outside Jersey, the Inspector shall, before registering the vehicle, require the owner to produce (in addition to producing such evidence or certificate as is necessary for the purposes of paragraph 1) evidence satisfactory to the Inspector of the previous registration of the vehicle.
 - (2) For the purposes of sub-paragraph (1)
 - (a) on payment to the Inspector of a fee of $\pounds 37$; and
 - (b) on production at the office of the Inspector, or such other place as the Inspector may designate, of the vehicle in question,

the Inspector shall cause the vehicle to be inspected.

SCHEDULE 3³¹

(Article 5)

FORM



TIT



VRD 2

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La Route de Veulle, La Collette, St Helier, Jersey, JE1 3UE Tel: 01534 448600

APPLICATION TO REGISTER A MOTOR VEHICLE

YOU MUST READ THE NOTES OVERLEAF BEFORE COMPLETING THIS FORM

ALLOCATED REGISTRATION NUMBER

PLEASE COMPLETE IN BLOCK CAPITALS

(1) Please tick box which applies to you		s
Mr 🗌 Mrs 🗋 Miss 🗌 Ms 🗌		
Other (please write here)		
(2) Surname	The second secon	
	(7) Postcode	
(4) Initials (middle name(s) only)	_ (8) This is my plac	e of residence/contact address (delete as applicabl
(B) PRESCRIBED PARTICULARS OF VEH	ICLE TO BE REG	ISTERED
(9) Make	(10) Model	American A
(11) Colour(s)		
(14) V.I.N./Chassis No		
(15) Previously registered in Jersey or elsewhere or	never registered	
(16) Manual/Automatic		
(18) Weight (in kilos if goods carrying over 1,525kg		-
(19) Fuel type: Leaded/unleaded/diesel		
(21) If vehicle is previously registered state the previous	s country of registration	n
	(23) Previous registration date	
(24) Vehicle length (in metres) (only if over 9.3 metres rigid or 11 metres artic)		
(25) Vehicle width (in metres) (only if over 2.3 metres rigid and artic)		
(26) Type approval number		
(27) Mileage reading on odometer at date of this app		
(28) Seating capacity		
(30) Vehicle is to be used exclusively as a hire vehicle	· · ·	
(32) Left hand or right hand drive	_ (33) Vehicle is a r	estricted speed agricultural tractor Yes/No
DECLARATION		
I declare that the details given by me above are, to the making any false declaration(s) above may result in m	e best of my knowledg iy prosecution.	e, true and accurate. I understand that
Signed	Date	
SPACES BELOW FOR OFFICE USE ONLY		· · · · · · · · · · · · · · · · · · ·
SPACES BELOW FOR OFFICE USE ONLY received (date stamp) insurance examined		checked by date

12/15

NOTES TO ASSIST YOU IN COMPLETING THE APPLICATION FORM OVERLEAF

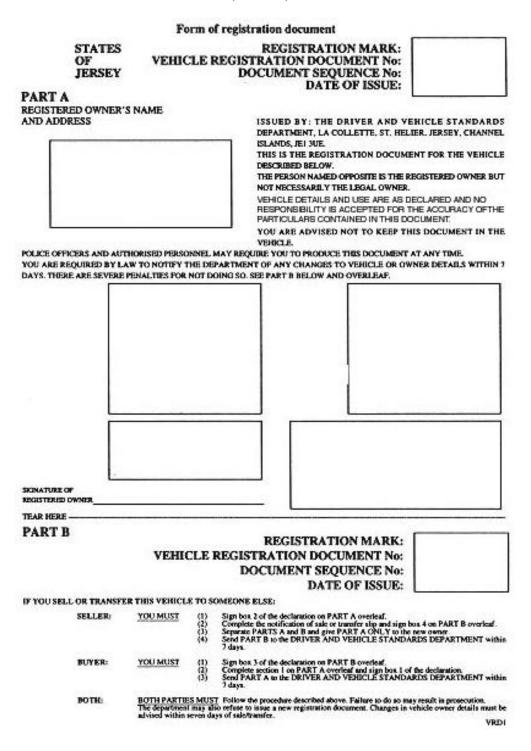
YOU MUST READ THESE NOTES BEFORE COMPLETING THE APPLICATION FORM.

NOTES RELATING TO PRESCRIBED PARTICULARS NUMBERED OVERLEAF

- (5) If you are resident in Jersey, give the address at which you live. This must not be a hotel or business address unless you live there permanently. If you are not permanently resident in Jersey give an address at which you can be contacted. For a company owner give the address of the company's principal place of business in the Island or its registered office.
- (8) The Inspector has discretion to refuse registration if the owner is not permanently resident.
- (17) You must give a full description of the vehicle body e.g. 2, 3, 4 or 5 door saloon (hatchbacks are either 3 or 5 door saloons), platform lorry, dropside lorry, Luton van, goods light (under 1525kg), goods heavy (over 1525kg), van light (under 1525kg), van heavy (over 1525kg) or other full description of the body type.
- (18) Only complete if the vehicle is a goods carrying vehicle weighing over 1525kg.
- (24) Only complete if the vehicle is over 9.3 metres (30ft 6ins) long if a rigid vehicle or 11 metres long (36ft 1inch) if an articulated vehicle.
- (25) Only complete if the vehicle is over 2.3 metres (7ft 61/2 ins) wide.
- (26) Type approval numbers should be obtainable from vehicle main dealers and V55s.
- (27) The vehicle mileage/kilometre reading can be found on the odometer which is usually located on or within the speedometer.
- (29) Give the date and nature of the damage resulting in the insurance write off and the name and address of the insurer at that time.
- (31) CO2 data is only accepted from a V55/1 form, an EU Whole Vehicle Type Approval Certificate, a Type Approval Certificate issued by a national government of the EU, a Certificate of Conformity issued by a motor vehicle manufacturer or a motor vehicle registration certificate issued by a governmental vehicle registration department.
- (33) A restricted speed agricultural tractor is a motor vehicle that -
- (a) Is not constructed itself to carry any load, other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;
 - (b) Is designed and used primarily for work in connection with agriculture;
 - (c) Is driven on a road only when proceeding to and from the site of such work and which when so driven hauls
 - nothing more than land implements or an agricultural trailer; and
 - (d) Has a maximum speed not exceeding 26 miles per hour.

SCHEDULE 4³²

(Article 6)



M USE EXCLUSIVELY AS A HIRE VEHICLE EDUATELY, COMPLETE THE APPROPRIAT IND THE REGISTRATICN DOCUMENT TO HANGES WITHIN 7 DAYS.
OFEXPORT
OFEXPORT
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intration document to the Driver and Vehi at sign Boars 2 and 4. domation given by me above is correct
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repartment of any changes within (you mass also sign bes 2 shows) Date
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SCHEDULE 4A³³

(Article 22)

WITHDRAWAL OF REGISTRATION MARKS AND ASSIGNMENT OF PARTICULAR REGISTRATION MARKS

1 Interpretation

In this Schedule –

"mark-right" has the meaning given by paragraph 3(1);

"published form" in relation to an application, means the form for making that application, published by the Inspector in a manner appearing likely to the Inspector to bring it to the attention of the public.

2 Withdrawal of registration mark at request of owner

- (1) An owner of a registered motor vehicle, who wishes to change the registration mark assigned to that vehicle, may apply, on the published form duly completed, for the registration mark to be withdrawn.
- (2) Sub-paragraph (3) applies if the Inspector receives
 - (a) an application under sub-paragraph (1) in respect of a registered motor vehicle;
 - (b) a fee of $\pounds 93$;
 - (c) the vehicle's current registration document; and
 - (d) any other evidence that the Inspector may reasonably require in relation to the registration of the vehicle and the person's compliance with this Order.
- (3) The Inspector shall withdraw the registration mark assigned to that vehicle and shall assign to that vehicle another registration mark, being
 - (a) the particular registration mark applied for under paragraph 3, if that paragraph so requires; or
 - (b) if that paragraph does not so require, a registration mark determined by the Inspector under Article 5A(4) of the Law.
- (4) On assigning a registration mark under sub-paragraph (3), the Inspector shall amend the register and the registration document accordingly.

3 Assignment of a particular registration mark under a mark-right

- (1) This paragraph applies if the Inspector grants, under paragraph 4 or 5, to a person a right (a "mark-right") to the assignment of a particular registration mark.
- (2) The Inspector shall assign that registration mark to a motor vehicle if the person to whom the mark-right was granted, within 6 months of the grant –

- (a) applies, as the owner of that vehicle, to the Inspector
 - (i) to register, under Article 4 of the Law, the vehicle, or
 - (ii) if the vehicle is registered, to withdraw, under paragraph 2, the registration mark for the time being assigned to it;
- (b) applies on the published form, duly completed, for the assignment to that vehicle of that registration mark; and
- (c) surrenders to the Inspector the mark-right document in respect of that markright, and provides to the Inspector any further evidence the Inspector may reasonably require as to the registration of the vehicle and the person's compliance with this Order.
- (3) A mark-right expires
 - (a) when the registration mark is assigned under sub-paragraph (2); or
 - (b) 6 months after it was granted, if the person to whom it was granted has not by that time met the requirements of all of clauses (a) to (c) of that subparagraph.

4 Grant of mark-right for registration mark that ceases to be assigned to a vehicle

- (1) Paragraph (2) applies if
 - (a) the owner of a registered motor vehicle notifies the Inspector under Article 5(1)(c) of the Law, and the Inspector cancels the registration under paragraph (5)(b) of that Article; or
 - (b) the Inspector withdraws the registration mark assigned to a vehicle, on the application of the owner under paragraph 2 of this Schedule.
- (2) The Inspector shall grant a mark-right in respect of the registration mark that, immediately before the cancellation or withdrawal, was the mark assigned to the vehicle
 - (a) to the owner, if the owner applies to the Inspector, on the published form, duly completed and accompanied by a fee of £93, for the grant of the markright to the owner; or
 - (b) to a person other than the owner, if the owner and that other person apply jointly to the Inspector, on the published form, duly completed and accompanied by a fee of £106, for the grant of the mark-right to that other person.
- (3) The form published for the purpose of sub-paragraph (2)(b) shall include
 - (a) a part for the owner of the vehicle to complete to indicate that the owner consents to the grant of the mark-right to the other person, and understands the consequences of doing so; and
 - (b) another part for the other person to complete to indicate that that other person understands the requirements of the Law and this Order for the exercise of the mark-right, and understands that the mark-right is not transferable once granted.
- (4) If more than one relevant application is made at the same time (whether by one person or more than one person, and whether in respect of one vehicle or more than

one vehicle), a person making any of the applications may, by duly completing a part included for that purpose in the published application form, make that application conditional on the grant or simultaneous putting into effect of any other of those applications.

- (5) If, by virtue of the granting of relevant applications that are made conditional under sub-paragraph (4), the registration marks assigned to 2 or more vehicles are exchanged simultaneously between those vehicles, the fees charged for the relevant applications shall be limited to £93 in total per vehicle.
- (6) For the purpose of sub-paragraphs (4) and (5) a relevant application is an application
 - (a) under paragraph 2(1), for the withdrawal of a registration mark;
 - (b) under paragraph 3(2)(b), for the assignment of a registration mark under a mark-right; or
 - (c) under sub-paragraph (2) of this paragraph, for the grant of a mark-right.
- (7) If the owner of 2 motor vehicles, one of which is registered and the other not, applies
 - (a) under paragraph 2 for the registration mark to be withdrawn from the registered vehicle and a new registration mark to be assigned to it under subparagraph (3)(b) of that paragraph;
 - (b) under this paragraph for the grant of a mark-right in respect of the withdrawn registration mark;
 - (c) under Article 5 for the registration of the unregistered vehicle; and
 - (d) under paragraph 3 for the assignment of the registration mark under the mark-right to the vehicle that is being registered,

the Inspector shall, if all the applications are granted and are put into effect simultaneously, waive the fee under paragraph 2, and offset the fee under Article 5 against the fee under this paragraph.

5 Grant of mark-right in relation to unassigned registration mark selected by Inspector

- (1) The Inspector may select a registration mark for the purpose of making arrangements to grant a mark-right in respect of that registration mark.
- (2) The registration mark selected shall be one that
 - (a) is not for the time being assigned to any motor vehicle;
 - (b) is determined in accordance with Article 20(1)(b) and (c); and
 - (c) is not to be assigned to a vehicle that is to be used exclusively as a hire vehicle.
- (3) The Inspector may make arrangements to grant the selected mark-right
 - (a) by private sale to a person willing to buy it at a price agreed with the Inspector;
 - (b) by seeking tenders from a group of persons or from the public;
 - (c) by auction; or

- (d) by any other means appearing to the Inspector to be efficient in raising funds through the arrangements and to be proportionate in formality to the amount likely to be raised.
- (4) The Inspector, having made arrangements to grant a mark-right under subparagraph (3), shall grant that mark-right to a person if –
 - (a) the Inspector agrees, under those arrangements, with the person to grant that mark-right to that person on payment by that person of an amount agreed under those arrangements (whether agreed by acceptance of a published price, by successful tender, by successful bid at auction or by any other means);
 - (b) the person pays, under those arrangements, that agreed amount; and
 - (c) the person signs a document (by any means, including electronic communication, that may be permitted or required under the arrangements) to acknowledge that the person has been informed of such effects of this Order or the Law on that right as may be specified in that document by the Inspector.
- (5) The Minister may issue a direction or guidance to the Inspector as to any aspect of the means by which arrangements are to be made under this paragraph in respect of any description of mark-right.
- (6) If the Minister issues a direction or guidance
 - (a) the Minister shall send it in writing to the Inspector and publish it in a manner appearing to the Minister likely to bring it to the attention of the public; and
 - (b) the Inspector shall act in accordance with the direction, or take account of the guidance.

6 Certification of mark-right by mark-right document

- (1) If the Inspector grants, under paragraph 4 or 5, a mark-right to a person, the Inspector shall issue to the person a document (a "mark-right document") certifying
 - (a) that the person (whose name and address are specified in the document) has the mark-right in respect of the registration mark specified in the document;
 - (b) that the person
 - (i) has complied with paragraph 4, if the mark-right was granted under that paragraph, or
 - (ii) has paid the agreed amount, as specified in the document, if the mark-right was granted under paragraph 5; and
 - (c) that the mark-right was granted on the date specified in the document and accordingly will be extinguished on the date 6 months after that date if not exercised before then.
- (2) The Inspector may correct, cancel or replace a mark-right document in the equivalent circumstances (including as to payment of fees) in which the Inspector may correct, cancel or replace a registration document.

7 Delegation by Inspector

- (1) The Inspector may delegate, in writing and subject to any condition or restriction specified, to another person any function under this Schedule in relation to any one or more of -
 - (a) the determination of a registration mark for assignment to a vehicle;
 - (b) the assignment of a registration mark to a vehicle; or
 - (c) the making of arrangements under paragraph 5(3)(b) or (c) to grant a selected mark-right; and
 - (d) the grant under paragraph 5(4) of a mark-right under arrangements made under paragraph 5(3)(b) or (c) (including making an agreement under paragraph 5(4)(a), taking payment under paragraph 5(4)(b), or providing a document under paragraph 5(4)(c)).
- (2) If a function falling within sub-paragraph (1)(c) or (d) is delegated to a person who is not a States' employee (within the meaning of the <u>Employment of States of Jersey Employees (Jersey) Law 2005</u>), the Inspector may, with the consent of the Minister, agree with that person a scheme by which the person
 - (a) may be paid from funds raised in performing the function, whether by commission or otherwise; or
 - (b) may pay the Inspector in advance for the right to keep some or all of the funds raised.

8 Delay, refusal, withdrawal and appeal

- (1) The Inspector may delay the grant of a mark-right or the assignment of a registration mark under this Schedule until the Inspector has taken any action under any of Articles 12 to 18 in respect of the registration of the vehicle concerned.
- (2) The Inspector may refuse the grant or assignment
 - (a) if the Inspector is not satisfied as to the result of action mentioned in subparagraph (1);
 - (b) if the Inspector is satisfied, after inviting and considering representations from the person applying for the grant or assignment, that it is proportionate to do so -
 - (i) in the case of a grant of a mark-right under paragraph 4, on the ground that the person would not have been entitled to that grant but for having contravened Article 5(1)(c) of the Law,
 - (ii) in the case of an assignment of a registration mark under a mark-right granted under paragraph 4, on the ground that the grant of that markright would have been refused under sub-clause (i) if the Inspector had known of that contravention before that grant, or
 - (iii) for other exceptional reasons related to the prevention of crime or to the protection of the reputation and integrity of Jersey in respect of its registration scheme.
- (3) The Inspector may withdraw from a vehicle a registration mark assigned under a mark-right, and assign another registration mark determined by the Inspector under

Article 5A(1)(a)(i) or (ii) of the Law, if the Inspector is satisfied, after inviting and considering representations from the owner of the vehicle –

- (a) that it is proportionate to do so on the ground that the mark would not have been assigned but for a contravention of a requirement of this Order or the Law by or on behalf of the owner; or
- (b) if the Attorney-General consents to the withdrawal, that the mark-right was obtained through the use of money or property that
 - (i) was or represented the proceeds of criminal conduct, within the meaning of the <u>Proceeds of Crime (Jersey) Law 1999</u>, or
 - (ii) could have been forfeited under Article 29 of the <u>Misuse of Drugs</u> (Jersey) Law 1978, Article 26 of the <u>Terrorism (Jersey) Law 2002</u> or Article 9 of the Proceeds of Crime (Cash Seizure) (Jersey) Law 2008.
- (4) The Inspector shall, on exercising a power under sub-paragraph (2) or (3), give written notice (by post, electronic communication or otherwise) of the decision to exercise the power, including reasons, to the person whose application is refused or to the owner of the vehicle from which the mark-right is withdrawn.
- (5) A person notified under sub-paragraph (4) of the exercise of a power may, within 28 days of the giving of the notification, appeal to the Royal Court on the ground that the exercise of the power was unreasonable having regard to all the circumstances of the case.
- (6) Reasons given under sub-paragraph (4) need not include any reasons for the giving of the Attorney-General's consent under sub-paragraph (3)(b).

9 Mark-right not transferable

- (1) A mark-right is not transferable.
- (2) Sub-paragraph (1) is without prejudice
 - (a) to any vesting of a mark-right in a person by operation of law; and
 - (b) to the grant of a mark-right to a person other than the owner under paragraph 4(2)(b).

10 Alteration of use to or from hire

- (1) On receipt by the Inspector of an application under Article 7 with respect to the alteration of the use of a vehicle to use exclusively as a hire vehicle, the Inspector shall re-assign the registration mark assigned to the vehicle so as to include the distinguishing mark referred to in Article 20(1)(a), amend the register accordingly and issue to the owner of the vehicle a registration document in respect of the vehicle recording its new registration mark.
- (2) On receipt by the Inspector of an application under Article 7 with respect to the alteration of the use of a vehicle from use exclusively as a hire vehicle, the Inspector shall re-assign the registration mark assigned to the vehicle so as to remove the distinguishing mark referred to in Article 20(1)(a), amend the register accordingly and issue to the owner of the vehicle a registration document in respect of the vehicle recording its new registration mark.

SCHEDULE 5³⁴

(Article 23)

REQUIREMENTS AS TO REGISTRATION MARKS

PART 1

PRELIMINARY

1 Interpretation

In this Schedule, unless the context otherwise requires -

"figure" means a letter or numeral;

"hours of darkness" means the time between half an hour after sunset and half an hour before sunrise;

"moped", "motorcycle" and "trailer" have the meanings assigned to them respectively in the <u>Road Traffic (Jersey) Law 1956;</u>

"number plate" means the plate on which the registration mark of a vehicle is required to be exhibited in accordance with paragraph 2;

"pedestrian controlled vehicle" means a motor vehicle with 3 or more wheels which -

- (a) does not exceed 8 hundredweight in weight unladen; and
- (b) is not designed, constructed or adapted for use nor used for the carriage of a driver or passenger;

"works truck" means a motor vehicle which is –

- (a) designed for use in private premises; and
- (b) used on a road only in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood, or in connection with road works while at or in the immediate neighbourhood of the site of such works.

PART 2

DISPLAY OF REGISTRATION MARKS

2 Exhibition of registration marks

- (1) Except as provided by paragraphs 8(5) and 9(4), the registration mark of a vehicle shall be exhibited on a flat rectangular plate.
- (2) Subject to Article 20, the registration mark shall conform with the following provisions of this Schedule.

3 Position and visibility of registration marks

- (1) The registration mark of any vehicle, not being a motor cycle, moped or works truck, shall be exhibited on the front and on the back of the vehicle in a vertical position, so that every letter and numeral of the registration mark is vertical and easily distinguishable, in the case of
 - (a) the registration mark placed on the front of the vehicle, from in front of the vehicle; and
 - (b) the registration mark placed on the back of the vehicle, from behind the vehicle.
- (2) The registration mark of a motor cycle or moped shall be exhibited on the back of the vehicle in a vertical position, so that every letter and numeral of the registration mark is vertical and easily distinguishable from behind the vehicle.
- (3) The registration mark of a works truck shall be exhibited on both sides or on the back of the vehicle, in a vertical position so that every letter and numeral of the registration mark is vertical and easily distinguishable, in the case of
 - (a) the registration mark placed on any side of the vehicle, from that side; and
 - (b) the registration mark placed on the back of the vehicle, from behind the vehicle.
- (4) No other letters or numerals and no object, image, design or ornamentation shall be placed near to a registration mark in such a manner as to be liable to render it more difficult for the registration mark to be read or distinguished when the vehicle is in motion.

4 Exhibition of registration marks on trailers

- (1) When one or more trailers are drawn by a vehicle, the registration mark required to be exhibited on the back of that vehicle, or a duplicate of such registration mark, shall be exhibited on the back of the rearmost trailer in the same manner as the registration mark is required to be exhibited on the back of that vehicle.
- (2) ...

5 Illumination of registration marks

Whenever a vehicle, not being a works truck, is upon a public road during the hours of darkness, the registration mark exhibited on the back of the vehicle or on the rearmost trailer attached to the vehicle, as the case may be, shall be illuminated by means of reflection, transparency or otherwise so as to render easily distinguishable every letter and numeral of the registration mark:

Provided that this paragraph shall not apply to any vehicle if, by virtue of any provision of Articles 4 to 8 of the Road Traffic (Lighting) Order 1998, it is exempted either wholly or partly from the requirements of that Order to show lights to the front and rear.

PART 3

FORM OF REGISTRATION MARKS

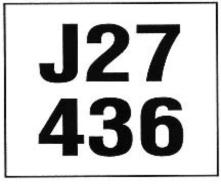


DIAGRAM 1



DIAGRAM 2

6 Arrangement of registration marks

- (1) Subject to sub-paragraphs (2) and (3), the registration mark shall, at the option of the owner of the vehicle, be arranged in conformity with either of the specimen registration marks shown in diagram 1 or diagram 2 of this Part.
- (2) Where the registration plate is arranged in conformity with diagram 1, the index mark shall be on the upper line, the numerals indicating units, tens and hundreds shall be on the lower line, and any other numerals shall be on the upper line.
- (3) The registration mark of a motor cycle shall comply with diagram 1.

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7 Material displayed on number plate

No material, other than a registration mark, shall be displayed on a number plate within the margins specified in the tables in paragraphs 8 or 9 except material complying with the requirements of the relevant British Standards with which such plates are required by this Order to comply.

8 Form of number plates – pre 1976 vehicles

- (1) This paragraph applies to vehicles constructed on or before 31st December 1975.
- (2) The number plate shall
 - (a) be formed of white, silver or light grey characters on a black surface, and every character shall be so indelibly inscribed on, or so attached to, such surface that it cannot readily be detached from it, and if the characters are exhibited on a number plate, the plate may be constructed of cast or pressed metal having raised figures;
 - (b) if the number plate and registration mark are so designed and constructed that they may be illuminated from behind by means of the translucency of the characters, be formed of white characters on a black surface and all the characters shall, when the number plate and registration mark are illuminated during the hours of darkness, appear white against a black background; or
 - (c) be constructed of reflex reflecting material and
 - the registration mark, if displayed at the front of the vehicle, shall be formed of black characters against a white background constructed of reflex reflecting material, but no reflecting material shall be applied to any part of the black characters,
 - (ii) the registration mark, if displayed on the back of the vehicle, shall be formed of black characters against a yellow background constructed of reflex reflecting material, but no reflecting material shall be applied to any part of the black characters, and
 - (iii) subject to sub-paragraph (4), comply with the requirements of the British Standard Specification for reflex-reflecting number plates published on 31st October 1967 under the number BS. AU 145.
- (3) Subject to sub-paragraph (5), where the number plate complies with subparagraph (2)(a) or (b), the size and spacing of the characters shall comply with either Group 1 or Group 2 in the following table –

Characters	Group 1	Group 2
Height	89mm	79mm
Width (except the number 1)	64mm	57mm
Stroke	16mm	14mm
Side margin	25mm	11mm
Top & bottom margin	13mm	11mm
Space between characters	13mm	11mm

(4) Subject to sub-paragraph (5), where the number plate complies with subparagraph (2)(c), the size and spacing of the characters shall comply with Group 1, Group 2 or Group 3 in the following table –

Characters	Group 1	Group 2	Group 3
Height	89mm	79mm	79mm
Width (except the figure 1or letter l)	64mm	57mm	50mm
Stroke	16mm	14mm	14mm
Space between characters	13mm	11mm	11mm
Side margins (minimum)	13mm	11mm	11mm
Space between vertical lines	19mm	19mm	19mm

and where compliance is with Group 3, the characters shall be in the prescribed font and the plate shall comply with the requirements of British Standard Specification No. BS. AU. 145d.

(5) In the case of a motor cycle, moped or pedestrian controlled vehicle, where the number plate complies with sub-paragraph (2)(a), (b) or (c) and is on the back of the vehicle, the corners of the plate may be rounded off and the size and spacing of the characters shall comply with the following table –

Character Height	64mm
Character Width	44mm
Character Stroke	10mm
Space between characters	10mm
Top, side & bottom margin	11mm
Space between vertical lines	13mm

9 Form of number plate - post 1976 vehicles

- (1) This paragraph shall apply to vehicles constructed on or after the 1st January 1976.
- (2) The number plate shall be constructed of reflex reflecting material and
 - (a) the registration mark, if displayed at the front of the vehicle, shall be formed of black characters against a white background constructed of reflex reflecting material, but no reflecting material shall be applied to any part of the black characters;
 - (b) the registration mark, if displayed on the back of the vehicle, shall be formed of black characters against a yellow background constructed of reflex reflecting material, but no reflecting material shall be applied to any part of the black characters; and
 - (c) subject to sub-paragraph (4), comply with the requirements of the British Standard Specification for reflex-reflecting number plates published on 31st October 1967 under the number BS. AU 145a.

(3) Subject to sub-paragraph (4), the size and spacing of the characters shall comply with Group 1, Group 2 or Group 3 in the following table –

Characters	Group 1	Group 2	Group 3
Height	89mm	79mm	79mm
Width (except the figure 1or letter l)	64mm	57mm	50mm
Stroke	16mm	14mm	14mm
Space between characters	13mm	11mm	11mm
Side margins (minimum)	13mm	11mm	11mm
Space between vertical lines	19mm	19mm	19mm

and where compliance is with Group 3, the characters shall be in the prescribed font and the plate shall comply with the requirements of British Standard Specification No. BS. AU. 145d.

(4) In the case of a motor cycle, moped or pedestrian controlled vehicle, where the number plate complies with sub-paragraph (2)(c) and is on the back of the vehicle, the corners of the plate may be rounded off and the size and spacing of the characters shall comply with the following table –

Character Height	64mm
Character Width	44mm
Character Stroke	10mm
Space between characters	10mm
Top, side & bottom margin	11mm
Space between vertical lines	13mm

PART 4

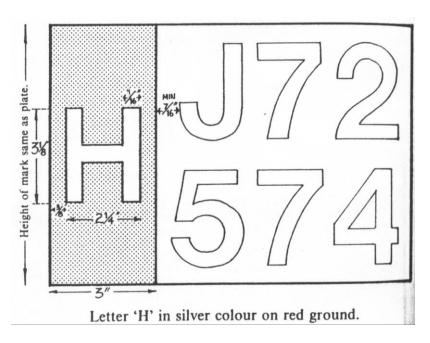
FONT PRESCRIBED FOR CHARACTERS 79 MILLIMETRES IN HEIGHT

I23456789 Abcdefgh Jklmnopq Rstuvwxyz

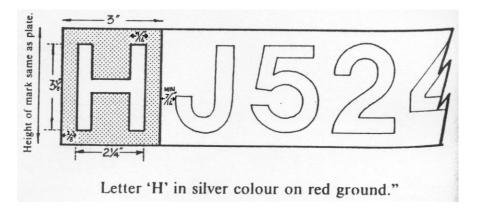
PART 5

FORM OF DISTINGUISHING MARK FORMING PART OF REGISTRATION MARK IN THE CASE OF A HIRE VEHICLE

A. HIRE VEHICLE REGISTRATION MARK CONFORMING TO DIAGRAM NO. 1 IN PART III



B. HIRE VEHICLE REGISTRATION MARK CONFORMING TO DIAGRAM NO. 2 IN PART III



SCHEDULE 6³⁵

(Article 24)

FORM OF APPLICATION FOR A TRADE LICENCE OR ITS RENEWAL

VRD6

APPLICATION FOR TRADE LICENCE

To: Driver and Vehicle Standards Department,

La Collette,

St. Helier, JE1 3UE.

Date:

I,....,

(Full Name)

of

(Address)

make application for a Trade Licence

TRADE PLATE NUMBER J

Signature

<u>DECLARATION</u> I declare that I am a manufacturer or repairer of, or dealer in, mechanically propelled vehicles.

SCHEDULE 7³⁶

(Article 25)

FORM OF TRADE LICENCE

STATES OF JERSEY TRADE LICENCE	
PLATE No J	
	21/2
FEE £ PAID EXPIRES	

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Motor Vehicle Registration (General	<u>R&O.8632</u>	1 January 1994
Provisions) (Jersey) Order 1993		
Motor Vehicle Registration (General	<u>R&O.8752</u>	1 January 1995
Provisions) (Amendment) (Jersey)		
Order 1994		
Motor Vehicle Registration (General	<u>R&O.8839</u>	1 July 1995
Provisions) (Amendment No. 2)		
(Jersey) Order 1995		
Motor Vehicle Registration (General	<u>R&O.8880</u>	1 January 1996
Provisions) (Amendment No. 3)		
(Jersey) Order 1995		
Motor Vehicle Registration (General	<u>R&O.8976</u>	1 January 1997
Provisions) (Amendment No. 4)		
(Jersey) Order 1996		
Motor Vehicle Registration (General	<u>R&O.9158</u>	1 January 1998
Provisions) (Amendment No. 5)		
(Jersey) Order 1997		
Motor Vehicle Registration (General	<u>R&O.9270</u>	1 January 1999
Provisions) (Amendment No. 6)		
(Jersey) Order 1998		
Motor Vehicle Registration (General	<u>R&O.9454</u>	I January 2000
Provisions) (Amendment No. 7)		
(Jersey) Order 1999		
Motor Vehicle Registration (General	<u>R&O.104/2000</u>	1 January 2001
Provisions) (Amendment No. 8)		
(Jersey) Order 2000		
Motor Vehicle Registration (General	<u>R&O.162/2001</u>	1 January 2002 (Articles 1, 2, 6(1),
Provisions) (Amendment No. 9)		6(2) in force 22 November 2001)
(Jersey) Order 2001		
Motor Vehicle Registration (General	<u>R&O.128/2002</u>	1 January 2003
Provisions) (Amendment No. 10)		
(Jersey) Order 2002		
Motor Vehicle Registration (General	<u>R&O.159/2003</u>	1 January 2004
Provisions) (Amendment No. 11)		
(Jersey) Order 2003		
Motor Vehicle Registration (General	<u>R&O.118/2004</u>	1 January 2005
Provisions) (Amendment No. 12)		
(Jersey) Order 2004		
Motor Vehicle Registration (General	R&O.163/2004	1 January 2005
Provisions) (Amendment No. 13)		
(Jersey) Order 2004		

Legislation	Year and No	Commencement
States of Jersey (Amendments and	<u>R&O.47/2005</u>	9 December 2005
Construction Provisions No. 7)		
(Jersey) Regulations 2005		
Motor Vehicle Registration (General	<u>R&O.115/2005</u>	1 January 2006
Provisions) (Amendment No. 14)		
(Jersey) Order 2005		
Motor Vehicle Registration (General	<u>R&O.21/2007</u>	1 February 2007
Provisions) (Amendment No. 15)		
(Jersey) Order 2007		
Motor Vehicle Registration (General	<u>R&O.169/2007</u>	1 January 2008
Provisions) (Amendment No. 16)		
(Jersey) Order 2007		
Motor Vehicle Registration (General	R&O.163/2008	1 January 2009
Provisions) (Amendment No. 17)		
(Jersey) Order 2008		
Transport and Technical Services	R&O.141/2009	1 January 2010
(Driver and Vehicle Standards – 2010		
Fees and Miscellaneous Provisions)		
(Jersey) Order 2009		
Motor Vehicle Registration (General	R&O.83/2010	1 September 2010
Provisions) (Amendment No. 18)		
(Jersey) Order 2010		
Transport and Technical Services	R&O.121/2010	1 January 2011
(Driver and Vehicle Standards – 2011		
Fees) (Jersey) Order 2010		
Transport and Technical Services	<u>R&O.163/2011</u>	1 January 2012
(Driver and Vehicle Standards – 2012		
Fees) (Jersey) Order 2011		
Transport and Technical Services	<u>R&O.134/2012</u>	1 January 2013
(Driver and Vehicle Standards – 2013		
Fees) (Jersey) Order 2012		
Motor Vehicle Registration (General	R&O.144/2013	22 November 2013
Provisions) (Amendment No. 19)		
(Jersey) Order 2013		
Transport and Technical Services	R&O.155/2013	1 January 2014
(Driver and Vehicle Standards – 2014		
Fees) (Jersey) Order 2013		
States of Jersey Police Force	<u>R&O.88/2014</u>	1 August 2014
(Consequential Amendments)		(<u>R&O.87/2014</u>)
(Jersey) Regulations 2014		
Transport and Technical Services	<u>R&O.211/2014</u>	1 January 2015
(Driver and Vehicle Standards – 2015		
Fees) (Jersey) Order 2014		
Motor Vehicle Registration (General	R&O.165/2015	1 January 2016
Provisions) (Amendment No. 20)		
(Jersey) Order 2015		

Legislation	Year and No	Commencement
Infrastructure (Driver and Vehicle	<u>R&O.167/2015</u>	1 January 2016
Standards – 2016 Fees) (Jersey)		
Order 2015		
Infrastructure (Driver and Vehicle	R&O.139/2016	1 January 2017
Standards – 2017 Fees) (Jersey)		
Order 2016		
Infrastructure (Driver and Vehicle	R&O.133/2017	1 January 2018
Standards – 2018 Fees) (Jersey)		
Order 2017		
Infrastructure (Driver and Vehicle	R&O.144/2018	1 January 2019
Standards – 2019 Fees) (Jersey)		
Order 2018		

Table of Renumbered Provisions

Original	Current	
PART I	PART 1	
1(1)	1	
(2), (3), (4)	spent, omitted from this revised edition	
PART II	PART 2	
10A	11	
11	12	
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PART III	PART 3	
19	20	
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21 (3A)	22(4)	
(4)	(5)	
22	23	
PART IV	PART 4	
23	24	
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26	27	
27	28	
28	29	
(ba)	(c)	
(c)	(d)	
29	30	
30	31	
31	32	

Motor Vehicle Registration (General Provisions) (Jersey) Order 1993

Original	Current
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PART V	PART 5
33	34
FIRST SCHEDULE	SCHEDULE 1
SECOND SCHEDULE	SCHEDULE 2
THIRD SCHEDULE	SCHEDULE 3
FOURTH SCHEDULE	SCHEDULE 4
FIFTH SCHEDULE	SCHEDULE 5
SIXTH SCHEDULE	SCHEDULE 6
SEVENTH SCHEDULE	SCHEDULE 7

Table of Endnote References

1	
1	This Order has been amended by the States of Jersey (Amendments
	and Construction Provisions No. 7) (Jersey) Regulations 2005. The
	amendments replace all references to a Committee of the States of
	Jersey with a reference to a Minister of the States of Jersey, and
	remove and add defined terms appropriately, consequentially upon
	the move from a committee system of government to a ministerial
2	system of government
² Article 1	substituted by R&O.162/2001, amended by R&O.159/2003,
	R&O.163/2004, R&O.141/2009, R&O.83/2010
³ Article 1	amended by R&O.165/2015
⁴ Article 4	amended by R&O .8839
⁵ Article 5	amended by R&O.8752, R&O.8880, R&O.8976, R&O.9158,
	R&O.9270, R&O.9454, R&O.104/2000, R&O.162/2001,
	R&O.128/2002, R&O.159/2003, R&O.118/2004, R&O.115/2005,
	R&O.21/2007, R&O.169/2007, R&O.163/2008, R&O.141/2009,
	R&O.83/2010, R&O.121/2010, R&O.163/2011, R&O.134/2012,
	R&O.155/2013, R&O.211/2014, R&O.167/2015, R&O.139/2016,
	<i>R&O.133/2017, R&O.144/2018, editorial change, "£30.00" deleted,</i>
	"£30" inserted instead
⁶ Article 7	heading amended by R&O.159/2003
⁷ Article 7	amended by R&O.159/2003
⁸ Article 8	heading amended by R&O.144/2013
⁹ Article 8	amended by R&O.144/2013
¹⁰ Article 11	inserted by R&O.8839
¹¹ Article 12(1)	amended by R&O.8839, R&O.144/2013
¹² Article 12(2)	inserted by R&O.8839
¹³ Article 13	amended by R&O.159/2003
¹⁴ Article 14	substituted by R&O.144/2013
¹⁵ Article 17(1)	amended by R&O.9270, R&O.21/2007, R&O.169/2007,
	R&O.163/2008, R&O.141/2009, R&O.121/2010, R&O.163/2011,
	<i>R&O.134/2012, R&O.155/2013, R&O.211/2014, R&O.167/2015,</i>
	editorial change, "£17.00" deleted, "£17" inserted instead
¹⁶ Article 19(1)	amended by $R\&O.88/2014$

¹⁷ Article 19(2)	amended by R&O.9270, R&O.21/2007, R&O.169/2007,
	R&O.163/2008, R&O.141/2009, R&O.121/2010, R&O.163/2011,
	R&O.134/2012, R&O.155/2013, R&O.211/2014, R&O.167/2015,
	editorial change, "£9.00" deleted, "£9" inserted instead
¹⁸ Article 20	substituted by R&O.159/2003
¹⁹ Article 22	substituted by R&O.144/2013
²⁰ Article 24	substituted by R&O.144/2013
²¹ Article 24	amended by R&O.155/2013, R&O.211/2014, R&O.167/2015,
	R&O.139/2016, R&O.133/2017, R&O.144/2018, editorial change,
	"£37.00" deleted, "£37" inserted instead
²² Article 25	substituted by R&O.144/2013
²³ Article 26	substituted by R&O.144/2013
²⁴ Article 27	amended by R&O.144/2013
²⁵ Article 29(2)	amended by R&O.9270
²⁶ Article 31	substituted by R&O.144/2013
²⁷ Article 31(1)	amended by R&O.155/2013, R&O.211/2014, R&O.167/2015,
	editorial change, "£8.00" deleted, "£8" inserted instead
²⁸ Article 33(1)	amended by R&O.88/2014
²⁹ Schedule 1	amended by R&O.8839, R&O.128/2002, R&O.159/2003,
	R&O.83/2010, R&O.165/2015
³⁰ Schedule 2	amended by R&O.8752, R&O.8880, R&O.8976, R&O.9158,
	R&O.9270, R&O.9454, R&O.104/2000, R&O.162/2001,
	R&O.128/2002, R&O.159/2003, R&O.118/2004, R&O.115/2005,
	R&O.21/2007, R&O.169/2007, R&O.163/2008, R&O.141/2009,
	R&O.83/2010, R&O.121/2010, R&O.163/2011, R&O.134/2012,
	<i>R&O.155/2013, R&O.211/2014, R&O.167/2015, R&O.139/2016,</i>
	R&O.133/2017, R&O.144/2018, editorial change, all instances of
	".00" deleted
³¹ Schedule 3	substituted by R&O.83/2010, amended by R&O.167/2015
³² Schedule 4	amended by R&O.159/2003
³³ Schedule 4A	inserted by R&0.144/2013, amended by R&0.155/2013,
20100000 111	R&O.211/2014, R&O.167/2015, R&O.139/2016, R&O.133/2017,
	<i>R&O.144/2018, editorial change, all instances of ".00" deleted</i>
³⁴ Schedule 5	amended by R&O.159/2003, R&O.115/2005, R&O.141/2009,
Seneume 5	<i>R&O.144/2013, editorial change in heading to Part 4, "millimeters"</i>
	deleted, "millimetres" inserted instead, editorial change in paragraph
	4(1), "Subject to sub-paragraph (2)," deleted
³⁵ Schedule 6	amended by R&O.159/2003
³⁶ Schedule 7	amended by R&O.159/2003 amended by R&O.159/2003
Scheume /	umenueu by K&O.137/2003