

Registration

A person is required to be registered as a motor salvage operator if he carries on a business which consists –

- i) 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;
- ii) wholly or mainly in the purchase of written-off vehicles and their subsequent repair or re-sale;
- iii) 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 (i) or (ii); or
- iv) wholly or mainly in activities falling within paragraphs (ii) or (iii)

An entry in the motor salvage operator's register is valid for three years from the date of entry and should be renewed prior to the expiration of that period.

A Local Authority shall, on receiving an application to be registered as a motor salvage operator, satisfy itself that the applicant is a fit and proper person to carry on such a business. In deciding whether they are so satisfied the Local Authority shall have regard to –

- i) whether the applicant has been convicted of any offences under the Vehicle Crimes Act 2001 and
- ii) whether the applicant has been convicted of any offences of a description specified by the Secretary of State by order (listed below)

- Offences under the Act are:

- Failure to Register a business as a motor salvage operator
- Failure to keep records in the form specified in the Act (see overleaf)
- Making false statements
- Failure to notify the local authority of changes (in the business)
- Giving false particulars on sale of salvage to a motor salvage operator

- Specified Offences

Any unspent convictions for the following offences –

- theft or attempted theft of or from a motor vehicles, contrary to Section 1 of the Theft Act 1968;
- taking a motor vehicle without consent, contrary to Section 12 of the Theft Act 1968;
- aggravated vehicle taking, contrary to Section 12A of the Theft Act 1968;
- handling stolen goods, contrary to Section 22 of the Theft Act 1968;
- going equipped to steal or take a motor vehicle, contrary to Section 25 of the Theft Act 1968;
- interference with a motor vehicle, contrary to Section 9 of the Criminal Attempts Act 1981;
- tampering with a motor vehicle, contrary to Section 25 of the Road Traffic Act 1988;
- convictions for offences under Part 1 of the Vehicle Crimes Act 2001
- And also any case of un-discharged bankruptcy of the applicant or any directors or partners of the applicants business.

If an applicant is considered not to be a suitable person to become a registered motor salvage operator then he will be advised, in writing, and given the opportunity to make representations to the Council. Guidance will be given in these procedures if applicable.

Continued on the other side:

Police right of access to inspect records and premises

The police have right of entry without a warrant at any reasonable time. They may inspect vehicles or salvageable parts kept on the premises, and may inspect & take copies or extracts of records.

Keeping of Records

a. Receipt of Vehicle

The motor salvage operator must, on receipt of a vehicle, make and keep the following records either in a manual register, record book or electronically:

1. Details of the vehicle, including Vehicle Registration Mark (VRM), Vehicle Identification Number (VIN), make, model and colour;
2. The name, address and contact details of the supplier of the vehicle
3. Details of any proof of identity shown to the registered person by, or on behalf of the supplier of the vehicle, to establish the identity of the vehicle supplier, including whether any document produced was a UK photocard driver's licence, a passport, a utility bill or rent book or other form of identification containing a photograph of the vehicle supplier;
4. The general condition of the vehicle including details of the type of damage to the vehicle (for example whether the damage has been caused by fire, water or impact) and the part of the vehicle damaged
5. The date on which the information referred to above was entered onto the record.

However, in cases of vehicles collected by the operator and where ID of the person legally responsible for disposing of the vehicle is not available at the point of collection or it cannot be obtained from the collection source, the operator must record the fact as well as the details of the place\ person the vehicle was collected from. In cases where a vehicle is left (abandoned) at the operators premises without the vendor providing evidence of identification it should be treated as an abandoned vehicle and reported to the police and the local authority.

b. Sale of Vehicle

On selling or disposal of any vehicle, the motor salvage operator shall add the following information against the relevant vehicle entry:

1. Date of sale or disposal
2. Name, address and contact details of the purchaser or recipient
3. Details of proof of identity shown to the registered person by, or on behalf of the purchaser or recipient of the vehicle, including whether any document produced was a UK photocard driver's licence, a passport, a utility bill or rent book or other form of identification containing a photograph of the vehicle purchaser.
4. Condition of the vehicle at the time of sale or disposal (repaired, un-repaired, condition as at purchase, dismantled etc)
5. The date on which this information was entered onto the record.

The records must be located at or in the case of electronic records, accessible from the registered place of business. Records must be kept for 6 years.

Failure to keep proper records is an offence, liable on summary conviction to a fine not exceeding £2500.

Persons selling a vehicle to a motor salvage operator in the course of their business who provide false name or address are guilty of an offence leading to a fine on summary conviction of up to £1000.

Phone us in office hours on 01386 565016 if you have any questions.