VERŻJONI ELETTRONIKA

L.N. 22 of 2012

MOTOR VEHICLES REGISTRATION AND LICENSING ACT (CAP. 368)

TRAFFIC REGULATION ORDINANCE (CAP. 65)

Arrears of Motor Vehicle Licence Fees (Regularisation) Regulations, 2012

IN exercise of the powers conferred by article 20 of the Motor Vehicles Registration and Licensing Act and article 54 of the Traffic Regulation Ordinance, the Minister for Infrastructure, Transport and Communications in concurrence with the Minister of Finance, the Economy and Investment and after consultation with the Authority for Transport in Malta, has made the following regulations:-

Title.

1. The title of these regulations is the Arrears of Motor Vehicle Licence Fees (Regularisation) Regulations, 2012.

Interpretation.

2. In these regulations, unless the context otherwise requires –

"the Authority" means the Authority for Transport in Malta established under the Authority for Transport in Malta Act;

Cap. 499.

"circulation licence fee" means the fee paid on the licensing of a motor vehicle and annually thereafter;

"the Ordinance" means the Traffic Regulation Ordinance;

"vehicle licence" means the circulation licence issued by the Authority in terms of regulation 14 of the Registration and Licensing of Motor Vehicles Regulations, 2009.

L.N. 198 of 2009.

Immunity from criminal liability and exemption from payment.

3. Whosoever on the date of the coming into force of these regulations has incurred liability under article 57 of the Ordinance or under regulations 13 and 14 of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be granted an immunity from criminal liability and a full or partial exemption from the

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payment of arrears in circulation licence fees due to the Authority upon the fulfilment of the terms and conditions set out by these regulations.

Written notice of default to the Authority.

4. During the period from when these regulations come into force until the 31st December, 2012, hereinafter called the regularisation period, any person to whom regulation 3 hereof applies, shall submit the applicable form to the Authority in order to regularise his position in accordance with these regulations.

Processing fee.

5. The form shall be presented at the Authority's Driver and Vehicle Licensing Unit together with the payment of a processing fee of one hundred and twenty-five euro (€125) and of any other amount in outstanding fines (multa or ammenda) awarded by a court of criminal jurisdiction or penalties awarded by a Commissioner of Justice in terms of the Commissioners for Justice Act in connection with any offence committed in respect of the said vehicle and also any outstanding access fees in terms of the Vehicle Access Zones (Control) Regulations, 2007:

Cap. 291.

L.N. 105 of 2007.

Provided that any form which is not accompanied by the payment of the processing fee and outstanding fines and, or penalties, shall not constitute a valid request in terms of regulation 4 of these regulations.

Scrapped vehicles.

6. (1) A form in respect of a licence pertaining to a vehicle which has been scrapped without the necessary formalities outlined in regulation 10 of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be accompanied by a sworn statement to that effect.

(2) A person who submits a valid form under this regulation shall –

(a) benefit from a total exemption from criminal liability and from the payment of arrears due by him in relation to the licence of the said vehicle under the Ordinance and under the Registration and Licensing of Motor Vehicles Regulations, 2009, and

(b) be exempt from the payment of any outstanding administrative fines which are due in terms of article 21(5) of the Motor Vehicles Registration and Licensing Act and regulation 14(2) of the Registration and Licensing of Motor Vehicles Regulations, 2009.

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Vehicles which are to be scrapped.

7. Any person who submits a form in respect of a licence pertaining to a vehicle which such person intends to scrap in accordance with the provisions of Part VIII of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall –

(a) benefit from a full exemption from the payment of all arrears in circulation licence fees due in respect of the said vehicle,

(b) be exempt from criminal liability if and when he fulfils the requirements set out in regulation 10 of the Registration and Licensing of Motor Vehicles Regulations, 2009, and

(c) be exempt from the payment of any outstanding administrative fines which are due in terms of article 21(5) of the Motor Vehicles Registration and Licensing Act and regulation 14(2) of the Registration and Licensing of Motor Vehicles Regulations, 2009.

(2) The form mentioned in sub-regulation (1) shall be accompanied by a sworn statement confirming that the vehicle was not used on the road.

Garaged vehicles.

8. (1) Any person who submits a form in respect of a circulation licence pertaining to a vehicle which is no longer used on the road but which has not been garaged in accordance with the provisos to regulation 14(3) of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall –

(a) benefit from a reduction of fifty per cent (50%) of all the arrears in licence fees due in respect of the said vehicle, and

(b) be exempt from all administration fines in terms of the provisions of regulation 6(2)(b) and from all criminal liability if and when such person fulfils the requirements set out in the said provisos and pays the reduced amount of arrears due by such person:

Provided that when such a person fulfils the requirements of this regulation and makes a request in writing to the Authority to renew the licence of that vehicle, that licence shall only come into force three months from the date in which the Authority had received the request for renewal.

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(2) The form mentioned in sub-regulation (1) shall be accompanied by a sworn statement confirming that the vehicle was not used on the road.

Outstanding fines and fees to be paid.

9. An applicant for an exemption or partial exemption under regulations 6, 7 and 8 who still has to pay any outstanding fines awarded by a court of criminal jurisdiction or penalties awarded by a Commissioner of Justice or any outstanding access fees in terms of the Vehicle Access Zones (Control) Regulations, 2007, he shall also have to settle all the circulation licence fees due up to the date on which he had committed the most recent offence for which a fine was awarded by the court or the Commissioner of Justice or on which he last accessed a charging zone.

Vehicles which will neither be scrapped nor garaged.

10. Any person who submits a form in respect of a licence pertaining to a vehicle which such person does not intend to garage in accordance with the provisos to regulation 14(3) of the Registration and Licensing of Motor Vehicles Regulations, 2009, shall be exempt from all administration fines in terms of the provisions of regulation 6(2)(b) of these regulations and from all criminal liability.

Revokes L.N. 13 of 2004.

11. The Arrears of Motor Vehicle Licences (Regularisation) Regulations, 2004, are hereby being revoked.

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