



Consultation on Regulating the
supply of Number Plates in
Northern Ireland

Driver and Vehicle Licensing
Agency

23 January 2004

A CONSULTATION PAPER

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1 Introduction

1.1 The Purpose

- (i) The purpose of this document is to allow all interested parties to comment on the proposal to introduce in Northern Ireland a system of statutory controls of number plate suppliers similar to that which exists in England and Wales.
- (ii) The Vehicles (Crime) Act 2001 contains provisions to control the supply of number plates in England and Wales. Since 1 January 2003, all number plate suppliers in England and Wales have been required to register with the Driver and Vehicle Licensing Agency (DVLA) and by the end of 2003, over 29,000 businesses operating from nearly 35,000 retail outlets had done so. A registration fee of £40 is payable for each business premises operated by the supplier. Number plate suppliers are required to keep records of sales and to make certain checks before sales are made to ensure that plates are sold only to customers who can establish a connection with the vehicle for which the plates are intended and prove their own identity.
- (iii) This proposal affects mainly the police, businesses that supply number plates or materials used in their construction, and businesses that purchase number plates. Comments are also welcome from the general public and anyone involved in the purchase of number plates.

1.2 Responses

- (i) To reply to the proposal to extend the regulation of the supply of number plates to Northern Ireland you should write to:

**Number plate Consultation
Vehicle Crime Group
DVLA
Longview Road
Swansea
SA6 7JL**

Fax (01792) 765206

Alternatively, you can e-mail responses to Carole.Philpin@dvla.gsi.gov.uk

Internet responses may be sent using the electronic version of this document available at:

www.dvla.gov.uk/number-plates-ni

- (ii) Respondents from representative groups should summarise who they represent.
- (iii) All responses to this document will be considered carefully, but they will not be acknowledged individually.

1.3 Outcome of Consultation

- (i) At the end of the consultation period, the responses will be assessed and a report will be published on the Driver and Vehicle Licensing Agency (DVLA) and Driver and Vehicle Licensing Northern Ireland (DVLNI) web sites.

- (ii) If the Northern Ireland Assembly continues to be suspended, appropriate clauses will be drafted for inclusion in a Westminster Bill. In the event of the Assembly's restoration the matter will fall to be dealt with by the devolved administration as they see fit. If they adopt the policy they could pass an Act of the Northern Ireland Assembly or they could request that the provision be included in a Bill before Westminster. In either case, it would be possible to introduce variations from the scheme that operates in England and Wales to suit Northern Ireland conditions.

1.4 Consultation code of practice

- (i) This document complies with the 'code of practice on written consultation' issued by the Cabinet Office. If you consider that this document does not comply with the consultation criteria reproduced at Annex A, please write setting out the areas where you feel the document departs from the criteria.

The address to write to is; -

Mrs Anne McAleer
Consultation co-ordinator
SV2
DVLA
Longview Road
Swansea
SA6 7JL

1.5 Disclosure of Information

- (i) DVLA may wish to publish responses to this consultation document in due course. Please ensure your response is marked clearly if you wish your response or name to be kept confidential. Please note that information may be disclosed in response to a request under the code of practice on access to Government information. If you consider any information to be confidential or commercially sensitive please identify it and explain the reasons for its sensitivity. We will consult you before making a decision about any request received.

1.6 Closing Date for Responses

Responses must reach the Driver and Vehicle Licensing Agency (DVLA) by

16 April 2004

- 2. *The Register of Number Plate Suppliers in England and Wales*

This section outlines the background and operation of the register of number plate suppliers in England and Wales. For further information, please see the information brief for number plate suppliers on the DVLA web site. www.dvla.gov.uk/vehicles/rnps.htm

2.1 Vehicle Crime Reduction Action Team (VCRAT)

- (i) In September 1998 the Vehicle Crime Reduction Action Team (VCRAT) was established by the Home Office to develop and implement a strategy to meet the Government objective of reducing vehicle crime. Among other things, VCRAT recommended the introduction of a statutory registration scheme to control the supply of number plates.

2.2 The Register of Number Plate Suppliers (RNPS)

- (i) The register of number plate suppliers (RNPS) was established in January 2003 as a means of regulating the supply of number plates in order to reduce the opportunities for vehicle thieves to obtain false plates to disguise the identity of stolen vehicles.
- (ii) Any person who carries on a business as a number plate supplier in England or Wales must register with DVLA. A number plate supplier is someone whose business consists wholly or partly of selling number plates, i.e. finished plates that include the registration mark. Manufacturers, distributors, assemblers, motor factors, motor dealers and retail outlets including online retailers could all fall within the scope of the scheme provided that they sell the finished product. Motor dealers who refit their stock with new number plates would be classed as number plate suppliers and would need to meet the requirements of the scheme.
- (iii) If a business supplies only blank plates or other components or materials it is not required to register. Also, people who manufacture plates for their own use rather than for sale are not within the scope of the legislation. An example of this would be a fleet operator who assembles plates and fits them to his fleet vehicles. Since he does not sell the plates, he is not a supplier for the purposes of this legislation.
- (iv) All applications for registration are accepted. There are no conditions that suppliers are required to meet before a registration is accepted. The purpose of the scheme is to register all number plate suppliers not to restrict the supply of number plates. Registration identifies a lawful supply so as to trace the origin of the plates.
- (v) In order to register, suppliers must pay a fee of £40 for each place of business that they operate.

2.3 Record Keeping

- (i) Registered number plate suppliers are required to keep records of all transactions. The intention is so that the supplier can provide records that will include name and address details of the purchaser and verification that proof of identity and proof of entitlement to the vehicle registration mark had been provided. This is an important source of information in the investigation of vehicle related crime

2.4 Documentary checks

- (i) Number plate suppliers in England and Wales are required to ask customers to produce certain documents before the sale is completed. Customers must establish a link with the vehicle for which the plates are intended, usually by producing the vehicle registration document. They must also provide confirmation of their own name and address, usually by producing a photocard driving licence. The full list of acceptable documents is available on DVLA's web site (www.dvla.gov.uk/vehicles/rnps.htm), but adjustments can be made to suit Northern Ireland conditions if necessary. DSD please insert hyperlink.

2.5 Enforcement

- (i) Trading as a number plate supplier while unregistered is punishable by a fine of up to £5,000. A supplier can be fined up to £1,000 and/or suspended from the register for up to 5 years for failure to comply with the requirements to keep records and obtain documentary evidence.
- (ii) In England and Wales, enforcement powers reside with the police and persons appointed by local authorities, but it is intended to extend these powers to the Secretary of State, so that DVLA can also enforce the scheme directly. In Northern Ireland, enforcement powers would be granted to the police and to DVLNI.
- (iii) There are powers of entry and inspection of registered premises.

2.6 Counterfeit Plates

- (i) Under the Vehicles (Crime) Act 2001 it is an offence to sell number plates to be fitted to a vehicle or trailer that do not conform to regulations governing the specifications for plates (i.e. dimensions, font, spacing etc). This would also be extended to Northern Ireland.
- (ii) This would complement the existing powers to prosecute motorists for the display of plates that do not comply with regulations and to withdraw cherished marks that have been misrepresented. By enabling action to be taken against the supplier as well as the user it would provide for a two – pronged approach to tackling the problem of illegal plates.

3. Extension to Northern Ireland

3.1 Devolution settlement

- (i) RNPS applies only to England and Wales because its subject matter is deemed to be devolved for Scotland and reserved for Northern Ireland. The subject matter of the proposal is within the legislative competence of the Northern Ireland Assembly (when not suspended). As the Assembly is suspended, Northern Ireland is returned to direct rule from the UK Government and the legislative function reverts to the Secretary of State.

3.2 Justification to extend to Northern Ireland

- (i) Vehicle crime is the largest single category of recorded crime. This scheme is designed to make it more difficult for thieves to dispose of stolen vehicles by helping to tackle the problem of vehicle ringing – the practice of using the identity of a scrapped vehicle to disguise a stolen vehicle. All rung vehicles require a change of registration plate.
- (ii) Many criminals also use false plates on vehicles to facilitate serious criminal activity. The use of false plates also hinders Vehicle Excise Duty (VED) collection, roadworthiness and insurance enforcement. In addition, the misrepresentation of registration marks can make it difficult or impossible for Automated Number Plate Reader (ANPR) cameras or witnesses to read registration plates.
- (iii) At present, the supply of number plates in Northern Ireland is completely unregulated. It is very easy for anyone to obtain plates showing a registration mark for a vehicle with which they have no connection whatever. No questions need be asked, no checks need be made at point of sale and no records need be kept to assist the police. This means that criminals face no obstacles when obtaining false plates.
- (iv) The fact that the scheme does not operate on a UK – wide basis tends to undermine its operation in England and Wales. It is necessary to provide secure, effective and consistent control over the supply of number plates on a UK wide basis.

4. Initial Regulatory Impact Assessment

4.1 Options

- (i) The options are;
 - (a) To extend the scheme operating in England and Wales to Northern Ireland (with any necessary adjustments to suit local conditions).
 - (b) To maintain an unregulated number plate supply industry in Northern Ireland.

4.2 Issues of Equity and Fairness

- (i) The proposed measure would impact equally throughout the industry providing a 'level playing field' for all number plate suppliers. Number plate manufacturers have themselves lobbied for equal treatment throughout the UK.

4.3 Benefits and cost to the Consumer (general public)

- (i) There would be some control over the supply of number plates in Northern Ireland, ending the current situation where plates can be sold with no questions asked. This will make a valuable contribution to a reduction in vehicle crime by presenting an obstacle to criminals and providing the police with a source of information.
- (ii) It would provide a level playing field for number plate suppliers.
- (iii) It would strengthen the existing scheme in England and Wales by closing off a loophole that criminals could exploit.

4.4 Business Sectors Affected

- (i) The businesses affected fall into three categories.
- (a) Manufacturers who supply finished plates as well as systems and components for the self assembly of plates, often on national contracts with major motor retailers.
- (b) Distributors who wholesale products supplied by manufacturers within their local market.
- (c) Assemblers who make up plates for their customers. This type of supply is most commonly seen in the form of accessory shops, garage parts departments and motor dealers.
- (d) Fleet operators who order plates in bulk for use on their own vehicles.

4.5 Compliance costs to business

- (i) The 'one-off' registration fee will meet the reasonable costs of establishing and maintaining a registration scheme on a UK wide basis. The fact that the fee is charged for each place of business operated by the supplier ensures that small businesses bear a proportionately smaller burden.
- (ii) In addition to the registration fee, there will be some administrative cost for businesses involved in setting up and maintaining a system for recording sales either on paper or on a database (e.g. purchase of software, training of staff.)
- (iii) Businesses that hold personal data are subject to the Data Protection Act and are required to store data under secure and discrete conditions. They are also required to notify as data controllers with the Office of the Information Commissioner, but many affected businesses will already be subject to these requirements.

4.6 Other Costs

- (i) The £40 registration fee is expected to meet the cost of setting up and maintaining the register, including enforcement.
- (ii) Any further costs to Government or other enforcement authorities would largely depend on the level of enforcement to be undertaken. The level of enforcement will be reviewed in the light of experience.

4.7 Enforcement, Sanctions, Monitoring and Review

- (i) As in England and Wales, it would be an offence to fail to comply with the statutory provisions; to supply number plates while unregistered; to supply plates or materials to an unregistered supplier and an offence to supply illegal plates i.e. plates that do not comply with regulations on registration marks. There would be powers to cancel or suspend a supplier registration and powers of entry and inspection by the police. There would also be powers of entry and inspection for DVLNI.
- (ii) The registration authority would be in a position to monitor the operation of the scheme. The police would be able to assess the effect of the scheme on the reduction of crime. In England and Wales, an undertaking has been given to review the effectiveness of the scheme and the extent of the burden on small businesses two years from the date of inception, i.e. by January 2005. The implementation of the scheme in Northern Ireland could be timed to take advantage of any recommendations arising from this review.

Annex A : Consultation Criteria

1. Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage.
2. It should be clear who is being consulted, about what questions, in what time-scale and for what purpose.
3. A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.
4. Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals.

5. Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for consultation.
6. Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and the reasons for decisions finally taken.
7. Departments should monitor and evaluate consultations, designating a consultation co-ordinator, which will ensure the lessons are disseminated.

Annex B : List of Consultees.

A - Z

Amalgamated Transport and General Workers Union
Association of Local Authorities
Automobile Association
Belfast Solicitor's Association
British Number Plate Manufacturers
British Plastic Federation
Clerk of Petty Sessions
Confederation of British Industry NI
Consumer Association
Department of Enterprise Trade and Industry – Trading Standards
Eagle Registration
Equality Commission NI
Executive Council of the Inn of Court of NI
Federation of Small Businesses
Freight Transport Association NI
General Consumer Council for NI
Head of Regulatory Impact Unit, Inland Revenue
Head of the School of Law, Queens University Belfast
Head of the School of Law, University of Ulster
Heritage Plates
HM Council of County Court Judges
House of Commons Library
House of Lords Library
Human Rights Commission
Initial Registrations
Institute of Professional Legal Studies
Institute of Registration Agents and Dealers (MIRAD)
Kennedy Car Plates
Law Centre NI
Law Reform Advisory Committee
Law Society of NI
Members of NI Assembly
Metro Plates
Mike Wiley
Motor Agents Association Ltd
MPs and MEPs who are not Party Leaders (NI only)
Nash & Nash Registrations
Nifty Numbers
NI Affairs Committee
NI Assembly Library
NI Association of Citizens Advice Bureaux
NI Chamber of Commerce & Industry
NI Chamber of Trade
NI Committee of the Irish Congress of Trade Unions
NI Council for Voluntary Action
NI Court Service
NI Human Rights Commission
NI Local Government Association
NI Members of the House of Lords
NI Officer NIC/ICTU
NI Ombudsman
NI Party Leaders
NI Private Coach Operators Association
NI Resident Magistrates' Association
Noel Eakin & Sons Ltd
Northern Ireland Office

Northern Ireland Policing Board
Number Plates Xpress
Number Plates UK
Office of First Minister and Deputy First Minister, Central Management Unit
Office of First Minister and Deputy First Minister, Machinery of Government Division
Office of Law Reform
Other NI Parties
Parliamentary Clerk, Ministry of Defence
Phoenix Registrations
PSNI Road Policing Development Branch
Retail Motor Industry Federation
Road Haulage Association
Road Transport Association
School of Law
Society of Local Authority Chief Executives
Society of Motor Manufacturers and Traders
Speedy Registrations Ltd
System Signs
Translink
Uniplate UK
Western Registrations
Westminster SpokesPersons
Wipeco Car Registration Plates