SUBSIDIARY LEGISLATION 65.24

ARREARS OF MOTOR VEHICLE LICENCE FEES (REGULARISATION) REGULATIONS

20th January, 2012

LEGAL NOTICE 22 of 2012, as amended by Legal Notice 85 of 2013.

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

2. In these regulations, unless the context otherwise requires - Interpretation.

"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; Cap. 65.

"vehicle licence" means the circulation licence issued by the Authority in terms of regulation 14 of the Registration and Licensing of Motor Vehicles Regulations. S.L. 368.02

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, shall be granted an immunity from criminal liability and a full or partial exemption from the payment of arrears in circulation licence fees due to the Authority upon the fulfilment of the terms and conditions set out by these regulations. Immunity from criminal liability and exemption from payment. S.L. 368.02

4. During the period from when these regulations come into force until the 31st December, 2013, hereinafter called the regularisation period, any person to whom regulation 3 applies, shall submit the applicable form to the Authority in order to regularise his position in accordance with these regulations. Written notice of default to the Authority. *Amended by: L.N. 85 of 2013.*

5. (1) The form shall be presented at the Authority's Driver and Vehicle Licensing Unit together with - Processing fee. *Substituted by: L.N. 85 of 2013.*

(*a*) the payment of a processing fee of one hundred and twenty-five euro (€125); and

(*b*) where the vehicle has not been scrapped or is not being scrapped, the payment of any 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. Cap. 291.

(2) Any form which is not accompanied by the payment of the processing fee, and where applicable, by the payment of the amount in outstanding fines and, or penalties shall not constitute a valid request in terms of regulation 4.

Scrapped vehicles.

S.L. 368.02

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, 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, and

S.L. 368.02

(*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.

Cap. 368.
S.L. 368.02

Vehicles which are to be scrapped.

S.L. 368.02

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 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, and

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(*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.

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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.

Garaged vehicles.

S.L. 368.02

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 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.

(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 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.

S.L. 65.31

Vehicles which will neither be scrapped nor garaged.

S.L. 368.02

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 shall be exempt from all administration fines in terms of the provisions of regulation 6(2)(*b*) and from all criminal liability.