

Transferring ownership

I am indebted to readers Susan and Philip Howard of Quesada, Alicante for the inspiration to write further about transfers of vehicle ownership.

Susan and Philip emailed me with an amazing amount of information gleaned from the web regarding vehicle transfers, some fairly accurate but other sections downright misleading. Having the information is one thing; knowing how to use it quite another. If you don't know your *Justificante* from your *Hacienda* you are in for a frustrating experience

In the UK, Ireland and other countries transfer of ownership is free and simple, but is widely open to abuse and fraud to the extent that a UK registration document makes the statement that it is not proof of ownership. This is because only the signatures of the buyer and seller are required for transfer with such signatures not being verified, for sure an open invitation to the criminally minded.

Proof of identity

Here proof of identity is required for both parties wishing to buy and sell. For the natives this is merely their DNI (identity card) as this tells the authorities exactly who they are. For we foreigners we have to provide passport, NIE certificate and proof of address. What a shame that we can no longer have our own ID cards showing our photo instead of the useless residency card. Providing such evidence significantly reduces the amount of fraud and acquisition of vehicles that someone has no right to. So whilst it is easy to moan at the system, it serves to protect us. Yeah I know, this is not how we feel when we are at the back of a noisy queue in Trafico hoping that we don't get served by Jobsworth of the week

10 pieces of paper

As a vehicle seller in addition to your passport and NIE certificate (or residency document) you need to provide the registration document (*Permiso de Circulacion*), ITV card (*Tarjeta Inspeccion Tecnica De Vehiculos*) and receipt for payment of road tax (*Autoliquidacion del Impuesto Sobre Vehiculos*). In most cases the ITV needs to be in date and the road tax paid. The buyer needs to provide passport, NIE or residencia and proof of address such as a Padron, utility bill, escritura (property deeds) or property rental agreement

Both parties must sign a contract of buying/selling "*Compra/Venta*" and a "*Solicitud de Transmision*" (document asking the licensing authority to transfer ownership). I make this 10 documents in all!

Using specialists and taxation

Most transfers are undertaken through a specialist gestoria, often via specialists like myself, whose role is to give legal advice and act as intermediaries with the authorities. These are the folks who have undergone stringent physical examinations to ensure that they are fit for all of the running around, been locked in a padded cell whilst listening to the word “no” over and over interspersed with “this document is incorrect” until they are hardened to the realities of their chosen profession. I am sure that many wish they had chosen being patients for dental students or sparring partners for boxing champions, but a predilection towards the masochistic is clearly compulsory

So that the taxman does not miss out on the IVA levied on second hand cars purchased from dealers, a transfer of ownership tax applies to private sales. In most of Spain this is 4% of the value but in the Valencian Community is 6% or 8%. This tax is based upon the tax tables which believe it or not are normally less than market value. It is prudent to obtain the Hacienda value via your specialist because if you declare a higher value you will pay tax on this

Trying to transfer ownership yourself, if you have the stomach for it, may seem like the cheap option, but with sound professional advise it should be undertaken speedily with no fuss and could save you money as well as your sanity

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