STATUTORY INSTRUMENTS

2018 No. 1121

EXITING THE EUROPEAN UNION

FEES AND CHARGES

The Department for Transport (Fees) (Amendment) (EU Exit) Regulations 2018

Made - - - - 29th October 2018

Coming into force in accordance with regulation 1

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018(**a**).

In accordance with paragraph 1(1) and (2)(b) of Schedule 7 to the European Union (Withdrawal) Act 2018, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Department for Transport (Fees) (Amendment) (EU Exit) Regulations 2018 and come into force on exit day.

Amendment of the Department of Transport (Fees) Order 1988

2.—(1) The Department of Transport (Fees) Order 1988(**b**) is amended as follows.

(2) In Table II of Schedule 1 (Finance Act 1973)—

(a) in column (1) (fee-fixing power), in the words before paragraph A, omit "any EU obligation or";

(b) in column (2) (specified functions)—

(i) in paragraph A(i) (international road haulage permits), omit "any EU obligation or";

(ii) in paragraph B(i) (type approval certificates), omit "pursuant to any EU obligation ";

(iii) omit paragraph D(ii) (approval of tachograph calibration centres); and

(iv) in paragraph E(i) (international road passenger transport authorisation), omit "any EU obligation or".

(**a**) 2018 c. 16.

(**b**) S.I. 1988/643. Paragraphs A(i), B(i), D(ii) and E(i) of Table II of Schedule 1 were amended by S.I. 2009/711, article 10(1) and (3)(a). In Table II, the term "Community obligation" was amended to "EU obligation" wherever it occurs by S.I. 2011/1043, articles 3(1)(c) and 6(1)(e).

Amendment of the Department for Transport (Driver Licensing and Vehicle Registration Fees) Order 2003

3.—(1) The Department for Transport (Driver Licensing and Vehicle Registration Fees) Order 2003(**a**) is amended as follows.

(2) In article 2(3)(h), for "the European Union or any other" substitute "any".

Amendment of the Department for Transport (Fees) Order 2009

4.—(1) The Department for Transport (Fees) Order 2009(**b**) is amended as follows.

(2) In Schedule 1 (specified functions)—

(a) for paragraph 8 substitute—

"**8.** The functions of the Secretary of State, or traffic commissioners, in relation to the licensing of operators of public service vehicles under any retained EU law(**c**).";

(b) for paragraph 45 substitute—

"**45.** The functions of the Secretary of State, or traffic commissioners, in relation to the licensing of operators of goods vehicles under any retained EU law.".

Signed by authority of the Secretary of State for Transport

Jesse Norman
Parliamentary Under Secretary of State
Department for Transport

29th October 2018

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8 of the European Union (Withdrawal) Act 2018 (c. 16) in order to address deficiencies in retained EU law arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to various Fees Orders in the field of road traffic in order to remove or replace EU references which are no longer appropriate. Regulation 2 makes amendments to the Department of Transport (Fees) Order 1988, regulation 3 makes amendments to the Department for Transport (Fees) Order 2003, and regulation 4 makes amendments to the Department for Transport (Fees) Order 2009.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

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(**a**) S.I. 2003/2994. Article 2(3)(h) was amended by S.I. 2011/1043, article 4(1).
(**b**) S.I. 2009/711. Paragraph 8 and 45 of Schedule 1 were amended by S.I. 2011/1043, article 4(1) and S.I. 2013/1644, article 3, Sch 2.
(**c**) The term "retained EU law" is defined in section 6(7) of the European Union (Withdrawal) Act 2018.

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