STATUTORY INSTRUMENTS

1969 No. 1324

ROAD TRAFFIC

The Goods Vehicles (Plating and Testing) (Amendment) (No. 2) Regulations 1969

Made - - - -	16*th September* 1969
Laid before Parliament	29*th September* 1969
Coming into Operation	1*st October* 1969

The Minister of Transport, in exercise of his powers under section 9 of the Road Safety Act 1967(**a**) as amended by section 148 of the Transport Act 1968(**b**), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the Road Traffic Act 1960(**c**), as applied by section 29(6) of the said Act of 1967, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the 1st October 1969 and may be cited as the Goods Vehicles (Plating and Testing) (Amendment) (No. 2) Regulations 1969.

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Goods Vehicles (Plating and Testing) Regulations 1968(**e**), as amended (**f**), shall be further amended in accordance with the following provisions of these Regulations.

3. Regulation 2 (Interpretation) shall have effect as though—

(*a*) in paragraph (1), after the definition of "semi-trailer" there were inserted the following definition—

"'sold or supplied by retail', in relation to a trailer, means sold or supplied otherwise than to a person acquiring solely for the purpose of resale or of re-supply for a valuable consideration;";

(*b*) after paragraph (3) there were inserted the following paragraph—

"(3A) For the purpose of these Regulations in determining when a trailer is first sold or supplied by retail the date of such first sale or supply by retail shall in the case of a trailer which is constructed with a chassis be taken to be the date on which that chassis (with or without a body mounted on it) is first sold or supplied by retail and in the case of any other trailer be taken to be the date the trailer is first sold or supplied by retail.".

(**a**) 1967 c. 30.
(**b**) 1968 c. 73.
(**c**) 8 & 9 Eliz. 2. c. 16.
(**d**) 52 & 53 Vict. c. 63.
(**e**) S.I. 1968/601 (1968 I, p. 1372).
(**f**) The relevant amending instrument is S.I. 1969/322 (1969 I, p. 928).

4. For Regulation 3 (Application of Regulations) there shall be substituted the following Regulation:—

"Application of Regulations

3.—(1) Subject to paragraph (2) of this Regulation, these Regulations apply to goods vehicles of any of the following classes, that is to say—

(*a*) heavy motor cars and motor cars constructed or adapted for the purpose of forming part of an articulated vehicle;

(*b*) other heavy motor cars;

(*c*) other motor cars, the weight of which unladen exceeds 30 hundredweight;

(*d*) semi-trailers;

(*e*) other trailers, the weight of which unladen exceeds 1 ton.

(2) Nothing in these Regulations shall apply to a goods vehicle of any of the classes of vehicle specified in Schedule 2.".

5. Regulation 8 (Conditions subject to which motor vehicles accepted for examinations) shall have effect as though at the end of paragraph (3) there were added the following sub-paragraphs—

"(*i*) where an examiner is not able to complete the examination due to the failure of a part of the vehicle or of any trailer by which it is accompanied, the said failure being one which renders the vehicle or that trailer incapable of being moved in safety under the power of the vehicle; or

(*j*) where on the submission of a vehicle for a periodical test or a Part III re-test, the driver of the vehicle does not produce to the examiner the last plating certificate (or a photo-copy thereof) and the last goods vehicle test certificate (or a photo-copy thereof) which have been issued in respect of that vehicle.".

6. Regulation 9 (Conditions subject to which trailers accepted for examinations) shall have effect as though at the end of paragraph (2) there were added the following sub-paragraphs—

"(*j*) where an examiner is not able to complete the examination due to the failure of a part of the trailer or of the motor vehicle which accompanies it, the said failure being one which renders the trailer or that motor vehicle incapable of being moved in safety under the power of that motor vehicle; or

(*k*) where on the submission of a trailer for a periodical test or a Part III re-test, the driver of the motor vehicle which accompanies the trailer does not produce to the examiner the last plating certificate (or a photo-copy thereof) and the last goods vehicle test certificate (or a photo-copy thereof) which have been issued in respect of that trailer.".

7. After Regulation 10 (Dates by which vehicles to be submitted for first examinations) there shall be inserted the following Regulation:—

"10A.—(1) Every goods vehicle to which these Regulations apply, being a motor vehicle of a class specified in column 1 of Part IV of Schedule 4, shall be submitted for a first examination by the date specified in relation to that class in column 3 of the said Part.

(2) Every goods vehicle to which these Regulations apply, being a trailer manufactured on or after the 1st January 1968 and of a class specified in column 1 of Part V of Schedule 4, shall be submitted for a first examination by the date specified in relation to that class in column 3 of the said Part.

(3) Every goods vehicle to which these Regulations apply, being a motor vehicle not mentioned in Regulation 10 or in the foregoing provisions of this Regulation and not registered by the end of the calendar year in which it was manufactured, shall be submitted for a first examination in the next following calendar year not later than the 31st December of that year.

(4) Every goods vehicle to which these Regulations apply, being a motor vehicle registered but not mentioned in Regulation 10 or in the foregoing provisions of this Regulation, shall be submitted for a first examination not later than the end of the calendar month in which month falls the first anniversary of the date on which it was registered.

(5) Every goods vehicle to which these Regulations apply, being a trailer but not a trailer mentioned in Regulation 10 or in the foregoing provisions of this Regulation, shall—

(*a*) if it has been sold or supplied by retail by the end of the calendar year in which it was manufactured, be submitted for a first examination not later than the end of the calendar month in which month falls the first anniversary of the date on which it was first sold or supplied by retail; or

(*b*) if it has not been sold or supplied by retail by the end of the calendar year in which it was manufactured, be submitted for a first examination in the next following calendar year not later than the 31st December of that year.

(6) Nothing in the foregoing provisions of this Regulation shall be taken to prevent the Minister authorising a goods vehicle being submitted for a first examination on or after the date by which it is required by those provisions to be submitted for such an examination.".

8. After Regulation 12 (Time within which applications to be made) there shall be inserted the following Regulation:—

"12A. Every application for a first examination of a goods vehicle to which these Regulations apply, being a vehicle to which paragraph (3), (4) or (5) of Regulation 10A applies, shall be made at least one month before the date the applicant desires to submit the vehicle for a first examination and on or after a date not being earlier than 3 months before the last day by which it is required by that paragraph to be submitted for a first examination:

Provided that such an application may be accepted and dealt with, notwithstanding it was not made in accordance with the foregoing provisions of this Regulation, if the Minister is satisfied there were reasonable grounds for the application not having been so made.".

9. Regulation 19 (Application for Part II re-tests) shall have effect as though in paragraph (3)—

(*a*) for the words "the Goods Vehicle Centre, Swansea,", there were substituted the words "such vehicle testing station as he shall select"; and

(*b*) after the words "such application shall be made" there were added the words "not later than 7 days before the date on which the re-test is required".

10. Regulation 23 (Particulars to be contained in test certificates and notifications of refusal thereof) shall have effect as from the 1st October 1969 as though, in paragraph (3), sub-paragraph (*c*) were omitted.

11. Regulation 27 (Dates by which goods vehicles to be submitted for periodical tests) shall have effect as though—

(*a*) in paragraph (1)—

(i) in sub-paragraph (*a*) for the words "sub-paragraphs (*b*) and (*c*)" there were substituted the words "sub-paragraph (*b*)";

(ii) for sub-paragraphs (*b*) and (*c*) there were substituted the following sub-paragraph—

"(*b*) where a vehicle is submitted for a first periodical test earlier than two months before the last date in the first renewal period by which it is required by sub-paragraph (*a*) of this paragraph to be submitted for that test and following that test or a Part III re-test a goods vehicle test certificate is issued for the vehicle during a month before the month in which falls the said last date, then the vehicle shall be submitted for a periodical test not later than the end of the next month in a calendar year in which month falls the anniversary of the date of issue of the said certificate and not later than the end of the month in each following calendar year in which month falls the said anniversary.".

(*b*) in paragraph (2), for the words from "in each following calendar year" to the end thereof, there were substituted the words "not later than the end of the month in each following calendar year in which month falls the said anniversary.";

(*c*) in paragraph (3), for the words from "in each following calendar year" to the end thereof, there were substituted the words "not later than the end of the month in each following calendar year in which month falls the anniversary of the date of issue of the said certificate.";

(*d*) in paragraph (4)—

(i) after the words "being a trailer" there were inserted the words "manufactured before 1st January 1968"; and

(ii) for the words from "in each succeeding renewal period" to the end thereof, there were substituted the words "not later than the end of the relevant month in each succeeding renewal period.";

(*e*) in paragraph (5)—

(i) after the words "being a trailer" there were inserted the words "manufactured before 1st January 1968"; and

(ii) for the words "in each following calendar year not later than the end of the relevant month.", there were substituted the words "not later than the end of the relevant month in each following calendar year.".

12. After Regulation 27 there shall be inserted the following Regulation:—

"27A.—(1) A goods vehicle to which these Regulations apply, other than a vehicle mentioned in the last preceding Regulation, in respect of which its first goods vehicle test certificate has been issued in any calendar year, shall be submitted for a periodical test not later than the end of the month in each following calendar year in which month falls the anniversary of the date of issue of the said certificate.

(2) Nothing in the foregoing provisions of this Regulation shall be taken to prevent the Minister from authorising a goods vehicle to which these Regulations apply being submitted for a periodical test on or after the date by which that goods vehicle is required by those provisions to be submitted for such a test.".

13. For Regulation 29 (Time within which applications for periodical tests to be made) there shall be substituted the following Regulation:—

"Time within which applications to be made

29. Every application for a periodical test of a goods vehicle to which these Regulations apply shall be made at least one month before the date the applicant desires to submit the vehicle for a periodical test and on or after a date not being earlier than 3 months before the last day by which the periodical test for that vehicle is by Regulation 27 or 27A required to be carried out:

Provided that such an application may be accepted and dealt with, notwithstanding it was not made in accordance with the foregoing provisions of this Regulation, if the Minister is satisfied that there were reasonable grounds for the application not having been so made.".

14. Regulation 32 (Application for Part III re-tests) shall have effect as though in paragraph (3)—

(*a*) for the words "the Goods Vehicle Centre, Swansea,", there were substituted the words "such vehicle testing station as he shall select"; and

(*b*) after the words "such application shall be made" there were added the words "not later than 7 days before the date on which the re-test is required".

15. Regulation 36 (Period of validity of goods vehicle test certificate issued on periodical tests) shall have effect as though after the words "Regulation 27" there were added the words "or Regulation 27A".

16. Regulation 52 (Provision as to Crown Vehicles) shall have effect as though in paragraph (2) after the number "12,", there were inserted the number "12A,".

17. Regulation 53 (Exemption from s.14(1) of the 1967 Act of the use of vehicles for certain purposes) shall have effect as though for paragraph (3) there were substituted the following paragraphs:—

"(3) The use of a vehicle unladen when driven, or drawn by a vehicle driven, under a trade licence issued under section 12 of the Vehicles (Excise) Act 1962(a).

(3A) The use of a vehicle imported into Great Britain whilst it is being driven, or being drawn by another vehicle, after arrival in Great Britain on the journey from the place where it has arrived in Great Britain to a place where it is to be kept by the person importing the vehicle or by any other person on whose behalf the vehicle has been imported.

In this paragraph the reference to a vehicle being imported into Great Britain refers, in the case of a vehicle which has been so imported more than once, to the first such importation, and in determining for the purposes of this paragraph when a vehicle was first so imported any such importation as is referred to in paragraph 24 of Schedule 2 shall be disregarded.".

18. In Schedule 1, at the end thereof, there shall be added the following paragraph:—

"3. The minimum braking force capable of being developed by the brakes of a trailer manufactured on or after 1st January 1968 should in the case of—

(*a*) a trailer, not being a semi-trailer, be .5W;

(*b*) a semi-trailer be .4W.".

(a) 10 & 11 Eliz. 2. c. 13.

19. In Schedule 3—

(*a*) in Part I—

(i) in paragraph 19 for the words "Regulation 45(6)" there shall be substituted the words "Regulation 45(5), (6)";

(ii) in paragraph 20 for the words "Regulation 50(6)" there shall be substituted the words "Regulation 50(5), (6)";

(*b*) in Part II, in paragraph 7 for the words "Regulation 62(1)" there shall be substituted the words "Regulation 62(1) and (2)(*a*) and (*c*)".

20. In Schedule 4, at the end thereof, there shall be added the following Parts:—

PART IV

Dates relating to motor vehicles

1. Class of vehicle	2. Date on or after which application may be made for first examination	3. Date by which to be submitted for first examination
1. Vehicles registered in the month of April 1968 or April 1969	1st February 1970	1st May 1970
2. Vehicles registered in the month of May 1968 or May 1969	1st March 1970	1st June 1970
3. Vehicles registered in the month of June 1968 or June 1969	1st April 1970	1st July 1970
4. Vehicles registered in the month of July 1968 or July 1969	1st May 1970	1st August 1970
5. Vehicles registered in the month of August 1968 or August 1969	1st June 1970	1st September 1970
6. Vehicles registered in the month of September 1968 or September 1969	1st July 1970	1st October 1970
7. Vehicles registered in the month of October 1968 or October 1969	1st August 1970	1st November 1970
8. Vehicles registered in the month of November 1968 or November 1969	1st September 1970	1st December 1970
9. Vehicles registered in the month of December 1968 or December 1969	1st October 1970	1st January 1971
10. Vehicles registered in the month of January 1968 or January 1969	1st November 1970	1st February 1971
11. Vehicles registered in the month of February 1968 or February 1969	1st December 1970	1st March 1971
12. Vehicles registered in the month of March 1968 or March 1969	1st January 1971	1st April 1971
13. Vehicles manufactured during 1968 or 1969 and not registered before 1st January 1970	1st October 1970	1st January 1971

PART V

Dates relating to trailers manufactured on or after 1st January 1968 and first sold or supplied by retail on or after that date and before 1st January 1970

1. Class of vehicle	2. Date on or after which application may be made for first examination	3. Date by which to be submitted for first examination
1. First sold or supplied by retail in the month of April 1968 or April 1969	1st February 1970	1st May 1970
2. First sold or supplied by retail in the month of May 1968 or May 1969	1st March 1970	1st June 1970
3. First sold or supplied by retail in the month of June 1968 or June 1969	1st April 1970	1st July 1970
4. First sold or supplied by retail in the month of July 1968 or July 1969	1st May 1970	1st August 1970
5. First sold or supplied by retail in the month of August 1968 or August 1969	1st June 1970	1st September 1970
6. First sold or supplied by retail in the month of September 1968 or September 1969	1st July 1970	1st October 1970
7. First sold or supplied by retail in the month of October 1968 or October 1969	1st August 1970	1st November 1970
8. First sold or supplied by retail in the month of November 1968 or November 1969	1st September 1970	1st December 1970
9. First sold or supplied by retail in the month of December 1968 or December 1969	1st October 1970	1st January 1971
10. First sold or supplied by retail in the month of January 1968 or January 1969	1st November 1970	1st February 1971
11. First sold or supplied by retail in the month of February 1968 or February 1969	1st December 1970	1st March 1971
12. First sold or supplied by retail in the month of March 1968 or March 1969	1st January 1971	1st April 1971

Given under the Official Seal of the Minister of Transport the 16th September 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Goods Vehicles (Plating and Testing) Regulations 1968 (hereafter referred to as "the 1968 Regulations"). The principal changes are:—

1. Regulation 3 of the 1968 Regulations which sets out the classes of goods vehicles to which those Regulations apply is now extended so as to bring within the plating and testing scheme for goods vehicles certain heavy motor cars, motor cars and trailers, irrespective of when they were registered or manufactured (Regulation 4);

2. Regulation 7 prescribes the dates by which the goods vehicles now brought within the plating and testing scheme are to be submitted for their first examinations under the 1968 Regulations;

3. Additional conditions are added to those subject to which goods vehicles will be accepted for examinations (Regulations 5 & 6);

4. Provision is introduced enabling certain applications for re-tests of vehicles to be made direct to vehicle testing stations instead of to the Goods Vehicle Centre, Swansea (Regulations 9 & 14);

5. Changes are made in the provisions of the 1968 Regulations which exempt goods vehicles when used for certain purposes from the need to have a plating certificate and a goods vehicle test certificate (Regulation 17).