1968 No. 601

ROAD TRAFFIC

The Goods Vehicles (Plating and Testing) Regulations 1968

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The Minister of Transport (hereinafter referred to as "the Minister") in exercise of his powers under sections 9 and 14(8) of the Road Safety Act 1967(a) and of all other powers him enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the Road Traffic Act 1960(b), as applied by section 29(6) of the said Act of 1967, hereby makes the following Regulations:—

PART I—GENERAL

Commencement and citation

1. These Regulations shall come into operation on the 1st August 1968, and may be cited as the Goods Vehicles (Plating and Testing) Regulations 1968.

Interpretation

2.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"the 1960 Act" means the Road Traffic Act 1960;

"the 1967 Act" means the Road Safety Act 1967;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations 1966(c), as amended(d);

"articulated vehicle" and "registered" have the same meanings respectively as in the Construction and Use Regulations;

"examination appointment card" means a notice mentioned in Regulation 13, 19(3), 25(4), 26(4), 30, 32(3), 40 or 41;

"first examination", in relation to a vehicle, means an examination being both an examination for plating and a first goods vehicle test;

"Ministry plate" means a plate issued by the Minister for a goods vehicle following the issue or amendment of a plating certificate under these Regulations and in the form in, and containing the particulars required by, Schedule 11 to the Construction and Use Regulations;

"Part II re-test", in relation to a vehicle, means an examination, being both an examination for plating and a goods vehicle test, carried out on a vehicle under Part II of these Regulations subsequent to a first examination of that vehicle;

"Part III re-test", in relation to a vehicle, means a goods vehicle test carried out on a vehicle under Part III of these Regulations subsequent to a periodical test of that vehicle;

"Part IV test", in relation to a vehicle, means a re-examination carried out on a vehicle under Part IV of these Regulations;

"periodical test", in relation to a vehicle, means a goods vehicle test carried out by virtue of Part III of these Regulations on a vehicle in respect of which a goods vehicle test certificate has been issued for that vehicle on a first examination thereof or as a result of a Part II re-test following that examination or as a result of an appeal under Regulation 25, 26 or 52 following that examination or re-test;

"re-test", in relation to a vehicle, means either a Part II re-test or a Part III re-test;

"plated particulars" means those particulars which are required to be shown in a Ministry plate by Schedule 11 to the Construction and Use

(a) 1967 c. 30. (b) 8 & 9 Eliz. 2. c. 16. (c) S.I. 1966/1288 (1966 III, p. 3493).
(d) The relevant amending instruments are S.I. 1967/1270, 1665, 1666, 1753, 1968/426, 602 (1967 II, p. 3698; III, p. 4563; 4567; 4667; 1968 I, p. 1114, 1415).

Regulations and "plated weights" means such of the plated particulars relating to gross weight, axle weight for each axle and train weight required to be shown in column (2) of the said plate;

"Scottish based vehicle" means a motor vehicle having a base or centre in Scotland from which the use of the vehicle on a journey is normally commenced;

"semi-trailer" means a trailer which is constructed or adapted to form part of an articulated vehicle;

"tester" means a person appointed by the Minister to carry out or assist in the carrying out of examinations for plating or of goods vehicle tests under the directions of a goods vehicle examiner;

"the standard lists" means lists—

(*a*) prepared by the Minister after consultation with representative organisations of the motor manufacturing and road transport industries and other connected organisations;

(*b*) published by Her Majesty's Stationery Office on the 21st February 1968, and on the 12th and 29th March 1968; and

(*c*) showing as respects goods vehicles of a make, model and type specified in the lists and complying in the case of motor vehicles with certain particulars relating to the engine, transmission, brakes and dimensions so specified and in the case of trailers with certain particulars relating to type of coupling, dimensions, brakes and tyres so specified (the said particulars being hereinafter referred to in these Regulations as the "constructional particulars") the gross weight for, and the axle weight for each axle of, vehicles of that make, model and type and, in the case of motor vehicles constructed or adapted to form part of an articulated vehicle, the train weight for vehicles of that make, model and type, the said weights being weights at or below which the Minister considers vehicles of that make, model and type could safely be driven on roads having regard to—

(i) the weights at which vehicles of that make, model and type were originally designed to operate; and

(ii) in the case of motor vehicles the requirements as to brakes of Regulations 11, 43 and 48 of the Construction and Use Regulations prior to their amendment by the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1968 (which requirements relate to vehicles for which plating certificates have not been issued);

(iii) in the case of trailers the requirements of Regulation 60 of the Construction and Use Regulations; and

(iv) in the case of trailers the provisions of Schedule 1 as respects braking force for trailers;

"vehicle testing station" means a station provided by the Minister under section 24 of the 1967 Act.

(2) In these Regulations, any reference to a vehicle of a make, model and type shall, in relation to a trailer, include a reference to a vehicle of a make and bearing a serial number.

(3) For the purpose of these Regulations, in counting the number of axles of a vehicle, where the centres of the areas of contact between all the wheels and the road surface can be included between any two vertical planes at right angles to the longitudinal axis of the vehicle less than 3 feet 4 inches apart, those wheels shall be treated as constituting one axle.

(4) Any reference in these Regulations to a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations except where otherwise expressly provided.

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

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 registered before the 1st January 1968 or, if not so registered, manufactured before that date and not registered before the 1st January 1969, and constructed or adapted for the purpose of forming part of an articulated vehicle ;

(*b*) other heavy motor cars registered before the 1st January 1968 ;

(*c*) other motor cars registered before the 1st January 1968, the weight of which unladen exceeds 30 hundredweight ;

(*d*) other heavy motor cars manufactured before the 1st January 1968 and not registered before the 1st January 1969 ;

(*e*) other motor cars manufactured before the 1st January 1968 and not registered before the 1st January 1969, the weight of which unladen exceeds 30 hundredweight ;

(*f*) semi-trailers manufactured before the 1st January 1968 ;

(*g*) other trailers manufactured before the 1st January 1968 and 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.

Prescribed statutory requirements for goods vehicle tests

4.—(1) Subject to the provisions of these Regulations, every goods vehicle to which these Regulations apply submitted for a goods vehicle test in accordance with the provisions of these Regulations shall be examined for the purpose of ascertaining whether, where that vehicle is a motor vehicle, the construction and use requirements specified in Part I of Schedule 3 (except any such requirement as, by virtue of any provision in the regulation containing that requirement, does not apply to that vehicle) are complied with in the case of that vehicle and, where that vehicle is a trailer, the construction and use requirements specified in Part II of the said Schedule (except as aforesaid) are complied with in the case of that trailer.

(2) The statutory requirements specified in Schedule 3 are in these Regulations referred to as " the prescribed construction and use requirements " and for the purposes of these Regulations the applicability of any such statutory requirement to a vehicle at the date of its goods vehicle test shall not be affected by Regulation 4(8A) of the Construction and Use Regulations.

Supervision of tests

5. Subject to the provisions of these Regulations, every examination for plating and every goods vehicle test shall be carried out by or under the direction of a goods vehicle examiner.

Authority to drive

6. A vehicle examiner or a tester by whom is carried out a first examination of a vehicle, a re-test of a vehicle, a periodical test of a vehicle

(a) 52 & 53 Vict. c. 63.

or a Part IV test of a vehicle, an area mechanical engineer by whom is carried out a re-examination of a vehicle on an appeal under section 9(3) of the 1967 Act and an officer appointed by the Minister to carry out a re-examination of a vehicle under section 9(4) of the 1967 Act are authorised to drive the vehicle, whether on a road or elsewhere.

Duties of driver of goods vehicle

7. The driver of a goods vehicle submitted for a first examination of the vehicle, a re-test of the vehicle, a periodical test of the vehicle, a Part IV test of the vehicle, or a re-examination of the vehicle on an appeal under section 9(3) or (4) of the 1967 Act shall, except so far as permitted to be absent by the person carrying out any such examination, be present throughout the whole of the said first examination, re-test, periodical test, Part IV test or re-examination, as the case may be, and shall drive the vehicle when directed to do so, and shall operate the controls in accordance with any directions given to him, by that person, and a contravention of a requirement of this Regulation is hereby declared to be an offence.

Conditions subject to which vehicles accepted for examinations

8.—(1) In this Regulation and the next succeeding Regulation, except where the context otherwise requires—

"examination" means either a first examination of a vehicle, a re-test of a vehicle, a periodical test of a vehicle, a Part IV test of a vehicle or a re-examination of a vehicle under section 9(3) or (4) of the 1967 Act;

"examiner" means, in relation to an examination being either a first examination of a vehicle, a re-test of a vehicle, a periodical test of a vehicle or a Part IV test of a vehicle, a goods vehicle examiner, and, in relation to a re-examination under section 9(3) of the 1967 Act, an area mechanical engineer, and in relation to a re-examination under section 9(4) of the 1967 Act the officer appointed by the Minister to carry out that re-examination.

(2) The conditions, subject to which goods vehicles, being motor vehicles, will be accepted for an examination are the following conditions set out in this Regulation.

(3) An examiner shall not be under an obligation to proceed with the carrying out of an examination of a goods vehicle, being a motor vehicle, in any of the following cases, that is to say—

(*a*) if a vehicle is not submitted for the examination within thirty minutes after the time fixed under these Regulations for the examination;

(*b*) where on the submission of a vehicle for the examination the applicant for the examination does not, after being requested to do so, produce the examination appointment card (if any) relating to the examination, and either the registration book relating to the vehicle or other evidence as to the date of its first registration or, in the case of a vehicle not registered before the 1st January 1969, evidence as to its date of manufacture;

(*c*) where on the submission of a vehicle for an examination the particulars relating to the vehicle and shown in any application form relevant to that examination are found to be substantially incorrect;

(*d*) where the vehicle is one as respects which it has been stated in the said application form it is to be used on roads to draw a trailer and in the last examination appointment card preceding the examination it was requested that the vehicle be accompanied by a trailer which is

to be drawn by the vehicle, and the vehicle is not accompanied by such a trailer;

(*e*) where the vehicle is not marked with the chassis or serial number shown in the registration book relating to that vehicle, or where if no such number is so shown or exists, the vehicle is not marked with an identification mark which shall have been allotted to the vehicle by the Minister in the examination appointment card relating to the first examination of the vehicle, or where that number or mark is not permanently affixed to the chassis or the main structure of the vehicle in a conspicuous and easily accessible position so as to be readily legible;

(*f*) where the vehicle or any part thereof or any of its equipment or any trailer by which it is accompanied or any part of the trailer or any of its equipment is in such a dirty or dangerous condition as to make it unreasonable for the examination to be carried out in accordance with the provisions of these Regulations or of any directions given under section 9(7) of the 1967 Act, or where the applicant for the examination does not produce any certificate, required by the last examination appointment card preceding the examination, that a vehicle used for carrying toxic, corrosive or inflammable loads has been properly cleaned or otherwise rendered safe;

(*g*) where an examiner is not able with the facilities and apparatus available to that examiner at the vehicle testing station or other place at which the examination would otherwise be carried out to complete the examination without the vehicle being driven and the vehicle is not when submitted for examination provided with fuel and oil to enable it to be driven to such extent as may be necessary for the purposes of the carrying out of the examination;

(*h*) where on the submission of a vehicle for the examination that vehicle or any trailer which accompanies it is not in such a condition as respects the presence thereon or the absence thereon of a load as may have been specified for the purposes of that examination in the last examination appointment card preceding that examination.

9.—(1) The conditions, subject to which goods vehicles, being trailers, will be accepted for an examination are the following conditions set out in this Regulation.

(2) An examiner shall not be under an obligation to proceed with the carrying out of an examination of a goods vehicle, being a trailer, in any of the following cases, that is to say—

(*a*) if a trailer is not submitted for the examination within thirty minutes after the time fixed under these Regulations for the examination;

(*b*) where on the submission of a trailer for the examination, the applicant for the examination does not, after being requested to do so, produce the examination appointment card (if any) relating to the examination and evidence as to the date of manufacture of the trailer;

(*c*) where on the submission of a trailer for an examination the particulars relating to the trailer and shown in any application form relevant to that examination are found to be substantially incorrect;

(*d*) where the trailer is not accompanied by a motor vehicle suitable as to its construction and equipment for drawing that trailer;

(*e*) where the trailer is not marked with an identification mark which shall have been allotted to the trailer by the Minister in the examination

appointment card (if any) relating to the first examination of the trailer or shall have otherwise been allotted to the trailer by the Minister under these Regulations prior to that first examination, or where that mark is not permanently affixed to the chassis or the main structure of the trailer in a conspicuous and easily accessible position so as to be readily legible;

(*f*) where the trailer or any part thereof or any of its equipment or any motor vehicle which accompanies it or any part of that vehicle or any of its equipment is in such a dirty or dangerous condition as to make it unreasonable for the examination to be carried out in accordance with the provisions of these Regulations or of any directions given under section 9(7) of the 1967 Act, or where the applicant for the examination does not produce any certificate, required by the last examination appointment card preceding the examination, that a vehicle used for carrying toxic, corrosive or inflammable loads has been properly cleaned or otherwise rendered safe;

(*g*) where an examiner is not able with the facilities and apparatus available to that examiner at the vehicle testing station or other place at which the examination would otherwise be carried out to complete the examination without the motor vehicle which accompanies the trailer being driven and that motor vehicle is not provided with fuel and oil to enable it to be driven to such extent as may be necessary for the purposes of the carrying out of the examination;

(*h*) where an examiner is not able with the facilities and apparatus available to that examiner at the vehicle testing station or other place at which the examination would otherwise be carried out to complete the examination without the motor vehicle which accompanies the trailer being driven on a public road and that motor vehicle cannot be so used without contravention of section 7 of the Vehicles (Excise) Act 1962(a), because no licence under that Act is in force for the vehicle;

(*i*) where on the submission of a trailer for the examination that trailer is not in such a condition as respects the presence thereon or the absence thereon of a load as may have been specified for the purposes of that examination in the last examination appointment card (if any) preceding that examination or shall have otherwise been requested by the Minister under these Regulations.

PART II—REGULATIONS GOVERNING FIRST EXAMINATIONS

Dates by which vehicles to be submitted for first examinations

10.—(1) Every goods vehicle to which these Regulations apply, being a motor vehicle of a class specified in column 1 of Part I of Schedule 4 but not being a Scottish based vehicle, 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 motor vehicle of a class specified in column 1 of Part II of Schedule 4 and being a Scottish based vehicle, 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 trailer of a class specified in column 1 of Part III 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.

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

(4) Nothing in the foregoing provisions of this Regulation shall be taken to prevent the Minister authorising a goods vehicle of a class specified in Schedule 4 being submitted for a first examination on or after the date by which a goods vehicle of that class is required by those provisions to be submitted for such an examination.

Manner of making applications for first examinations and fees therefor

11.—(1) Subject to the provisions of these Regulations, any person wishing to have a first examination carried out on a goods vehicle to which these Regulations apply shall make an application for that purpose in accordance with the following provisions of this Regulation to the Minister at the Goods Vehicle Centre, Swansea:

Provided that such an application may be made in the case of a trailer direct to a vehicle testing station, if the written consent of the Minister (which consent may provide for the marking of, and load to be carried by, a trailer on its examination) to the application being so made has first been obtained from that Centre, and upon the receipt of the application the person in charge of the station shall arrange a date and time for the first examination to be carried out.

(2) Every such application shall be made on a form approved by the Minister, shall contain the particulars required by that form and shall be accompanied by a fee of the amount shown in column 2 of Part I of Schedule 5 in relation to the class of vehicle specified in column 1 in that Part.

Time within which applications to be made

12. Every application for a first examination of a goods vehicle to which these Regulations apply and of a class specified in Schedule 4 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 the date specified in relation to that class in column 2 of Schedule 4:

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.

Notice of place and time for first examinations

13.—(1) As soon as reasonably practicable after the date of the receipt of an application for a first examination for a vehicle to which these Regulations apply, the Minister shall send to the applicant for that examination a notice stating the address of the vehicle testing station at which the examination is to take place and the date and time reserved by the Minister for that examination:

Provided that the Minister shall not be required to send to the applicant such a notice in a case where the application is made direct to a vehicle testing station by virtue of Regulation 11.

(2) In stating any address, date or time under the provisions of the last paragraph the Minister shall so far as is reasonably practicable have regard to any preference as to that address, date or time expressed by the applicant in the application made by him for the first examination of the vehicle.

Examination for plating

14. For the purpose of determining the plated weights for a goods vehicle submitted for an examination for plating, a goods vehicle examiner shall first cause the vehicle to be examined in order to determine whether

it is a vehicle of a make, model and type to which the standard lists apply, whether the constructional particulars relating to that make, model and type are substantially complied with by the vehicle and whether the weights shown in the lists are applicable to the vehicle, and for this purpose the examiner shall have regard to—

(*a*) the particulars as respects the vehicle shown in the application mentioned in Regulation 11 relating to the vehicle ; and

(*b*) any information which may have been supplied by the Minister subsequent to the publication of the standard lists as to the applicability of any of the weights shown in those lists.

15. In the event of it being determined by the goods vehicle examiner that the goods vehicle submitted for an examination for plating is one of a make, model and type and otherwise one to which the weights shown in the standard lists are applicable there shall be determined in respect of the vehicle—

(*a*) as its plated weights relating to gross weight and axle weight for each axle the equivalent weights shown as design weights in the standard lists for vehicles of that make, model and type :

Provided that if the use on roads of the vehicle at any such equivalent weight as is mentioned in this paragraph would render—

(i) a motor vehicle, when not drawing a trailer, liable to be used in contravention of Regulation 70 of the Construction and Use Regulations ;

(ii) a trailer, to which Regulation 71(3) of the said Regulations does not apply, liable to be used in contravention of Regulation 71(1) and (2) ;

(iii) a trailer, to which the said Regulation 71(3) does apply, when drawn by a prior 1968 vehicle as defined in Regulation 71(4) of the said Regulations, liable to be used in contravention of the said Regulation 71(3) ; or

(iv) a motor vehicle or trailer liable to be used in contravention of Regulation 74 or 123 of the said Regulations,

then such equivalent weight shall for the purpose of the determination of a plated weight under this Regulation be reduced to such extent as is necessary to ensure compliance with any such Regulation ;

(*b*) if the vehicle is a motor vehicle constructed or adapted to form part of an articulated vehicle, as its plated weight relating to train weight, the equivalent weight shown as a design weight in the standard lists for vehicles of that make, model and type :

Provided that, if any such equivalent weight is in excess of 32 tons in the case of a motor vehicle, being a prior 1968 vehicle as defined in Regulation 73(3) of the Construction and Use Regulations or in the case of any other motor vehicle in excess of 24 tons, then such equivalent weight shall for the purpose of the determination of a plated weight relating to train weight under this Regulation be reduced in the first mentioned case to 32 tons and in the second mentioned case to 24 tons.

16.—(1) In the event of it being determined by the goods vehicle examiner that the goods vehicle submitted for an examination for plating is not one of a make, model and type or otherwise one to which the weights shown in the standard lists are applicable, he shall determine the plated weights.

(2) In reaching the determination under the last paragraph as respects a goods vehicle, the goods vehicle examiner shall have regard—

(*a*) to any information which may have been supplied by the Minister as to the plated weights which have been determined for similar vehicles under these Regulations as a result of an examination thereof for plating;

(*b*) to its design, construction and equipment and the stresses to which it is likely to be subject when in use on roads;

(*c*) to any information which may be available about the weights at which the vehicle was originally designed to be driven on roads;

(*d*) in a case where the vehicle or its equipment has, or appears to have been, altered since the date of its manufacture, to the likely effect of any such alteration in making the vehicle fit to be driven safely on roads at weights different from those at which it appears to the examiner the vehicle was originally designed to be so driven;

(*e*) in the case of the vehicle being a motor vehicle, to the requirements as to brakes specified in the definition of "standard lists" in Regulation 2(1);

(*f*) in the case of the vehicle being a trailer, to the requirements of Regulation 60 of the Construction and Use Regulations;

(*g*) in the case of the vehicle being a trailer, to the provisions of Schedule 1 as respects braking force for trailers; and

(*h*) to the need for the vehicle to comply with the requirements of Regulations 70, 71, 74 and 123 of the Construction and Use Regulations and with the requirement that no plated weight relating to train weight for a motor vehicle constructed or adapted to form part of an articulated vehicle shall exceed, in the case of a motor vehicle, being a prior 1968 vehicle as defined in Regulation 73(3) of the Construction and Use Regulations, 32 tons or, in any other case 24 tons.

17. After the determination of the plated weights for a goods vehicle submitted for an examination for plating, there shall be issued for that vehicle a plating certificate, unless there is a refusal for the vehicle of a goods vehicle test certificate.

Provision for goods vehicle test

18.—(1) After an examination for plating in respect of a goods vehicle has been carried out, a goods vehicle examiner shall arrange for the vehicle to undergo a goods vehicle test.

(2) After a goods vehicle test has been completed as respects a vehicle there shall be issued—

(*a*) where the vehicle is found to comply with the prescribed construction and use requirements, a goods vehicle test certificate and also a plating certificate for that vehicle, and

(*b*) where the vehicle is found not to comply with the prescribed construction and use requirements, a notification of the refusal of a goods vehicle test certificate and in that event no plating certificate shall be issued for the vehicle.

Application for Part II re-tests

19.—(1) Where under Regulation 18(2)(*b*) a notification of the refusal of a goods vehicle test certificate is issued for a vehicle and accordingly no

plating certificate is issued for the vehicle, it may be submitted and, if need be, from time to time be submitted at a vehicle testing station for a Part II re-test in accordance with the following provisions of this Regulation.

(2) Where it is desired to submit a vehicle for a Part II re-test at the same vehicle testing station as that at which it was submitted for its first examination within a period of fourteen days after the date it was submitted for that examination, the applicant for the re-test shall first make arrangements in writing or otherwise with the person in charge of the station for a date and time at which the vehicle is to be submitted for the re-test.

(3) Where it is desired to submit a vehicle for a Part II re-test (not being a re-test falling within the next paragraph) at the vehicle testing station mentioned in the last preceding paragraph but otherwise than within the period therein mentioned or at a vehicle testing station different from that at which it was submitted for its first examination, the applicant for the re-test shall first make a written application to the Goods Vehicle Centre, Swansea, for a time at which the vehicle may be submitted for the re-test and every such application shall be made on a form approved by the Minister and shall contain the particulars required by that form, and upon receipt of the application the Minister shall send to the applicant a notice stating where and when the re-test is to take place and in this connection shall have regard so far as is reasonably practicable to any preference expressed by the applicant as to when and where the re-test should take place.

(4) Where it is desired to submit a vehicle for a further Part II re-test at the same vehicle testing station as that at which it was submitted for a re-test under the last preceding paragraph within a period of 14 days after the date it was submitted for the last mentioned re-test, the applicant for the further Part II re-test shall first make arrangements in writing or otherwise with the person in charge of the station for a date and time at which the vehicle is to be submitted for that re-test.

Fees for Part II re-tests

20.—(1) The fee payable for a Part II re-test of a vehicle carried out in accordance with arrangements made under Regulation 19(2) or (4) shall be of the amount specified in paragraph 1 of Part II of Schedule 5:

Provided that no fee shall be payable for such a re-test of a vehicle submitted within the relevant time, if it is the first re-test of the vehicle carried out following the first examination of the vehicle or following an earlier Part II re-test of the vehicle in respect of which a fee has been paid under this Regulation.

In this paragraph "relevant time" means the same day as that on which the said first examination or the said Part II re-test was completed or the next following day on which the vehicle testing station is open.

(2) The fee payable under the last preceding paragraph shall be paid to the Minister on the submission of the vehicle for the Part II re-test to be carried out in accordance with the arrangements made under Regulation 19(2) or (4), and may be paid in cash.

(3) The fee payable for a Part II re-test of a vehicle carried out by virtue of Regulation 19(3) shall be of the amount specified in paragraph 2 of Part II of Schedule 5.

(4) The said fee shall be paid to the Minister at the same time as the written application mentioned in Regulation 19(3) is made.

Part II re-tests

21.—(1) Where a vehicle is submitted for a Part II re-test at a vehicle testing station in accordance with the arrangements mentioned in Regulation 19(2) or (4) a goods vehicle examiner shall—

(*a*) in a case where after examination of the vehicle he is satisfied that no alteration has been made to the vehicle or its equipment which would render the plated weights, where determined under Regulation 15, for the vehicle on its first examination inapplicable, determine for the vehicle as its plated weights the weights so determined ;

(*b*) in a case where he is not so satisfied, determine the plated weights for the vehicle having regard to the matters specified in Regulation 16(2) ;

(*c*) in a case where at the first examination of the vehicle or at its last Part II re-test the plated weights were determined under Regulation 16, determine the plated weights for the vehicle having regard to the matters specified in Regulation 16(2) ; and

(*d*) in carrying out a goods vehicle test be under an obligation only to examine the vehicle for the purpose of ascertaining whether it complies with such of the particular items of the prescribed construction and use requirements as respects which it was shown in the last notification of a refusal of a test certificate not to comply.

(2) Where a goods vehicle examiner finds that the vehicle complies with such of the particular items of the prescribed construction and use requirements mentioned in sub-paragraph (*d*) of the last preceding paragraph and has no reason to believe that the prescribed construction and use requirements as respects other items are not complied with in relation to the vehicle, there shall be issued a goods vehicle test certificate and also a plating certificate for the vehicle.

(3) Where a goods vehicle examiner does not find that the vehicle complies with the particular items of the prescribed construction and use requirements mentioned in sub-paragraph (*d*) of paragraph (1) of this Regulation or finds that the prescribed construction and use requirements as respects other items are not complied with in relation to the vehicle, there shall be issued a notification of the refusal of a test certificate and in that event no plating certificate shall be issued for the vehicle.

(4) Where a vehicle is submitted for a re-test at a vehicle testing station as a result of the application mentioned in Regulation 19(3) a goods vehicle examiner shall—

(*a*) in a case where after examination of the vehicle he is satisfied that no alteration has been made to the vehicle or its equipment which would render the plated weights, where determined under Regulation 15, for the vehicle on its first examination inapplicable, determine for the vehicle as its plated weights the weights so determined ;

(*b*) in a case where he is not so satisfied, determine the plated weights for the vehicle having regard to the matters specified in Regulation 16(2) ;

(*c*) in a case where at the first examination of the vehicle or at its last re-test, the plated weights were determined under Regulation 16, determine the plated weights for the vehicle having regard to the matters specified in Regulation 16(2) ; and

(*d*) arrange for the vehicle to undergo a goods vehicle test.

(5) Where the goods vehicle test mentioned in the last preceding paragraph has been completed as respects the vehicle there shall be issued—

(*a*) where the vehicle is found to comply with the prescribed construction and use requirements, a goods vehicle test certificate and also a plating certificate for that vehicle ; and

(*b*) where the vehicle is found not to comply with the prescribed construction and use requirements, a notification of the refusal of a goods vehicle test certificate and in that event no plating certificate shall be issued for the vehicle.

Particulars to be contained in plating certificates

22. Every plating certificate issued for a vehicle under the foregoing provisions of these Regulations shall contain—

(*a*) particulars of the plated weights determined for that vehicle under Regulation 15, 16 or 21 ;

(*b*) where any such plated weight determined under Regulation 15 is less than the equivalent weight shown as a design weight in the standard lists, particulars of that equivalent weight ;

(*c*) where any such plated weight determined under Regulation 16 or having regard to the matters specified in Regulation 16(2) is less than the weight that would have been otherwise determined but for sub-paragraph (*h*) of paragraph (2) of Regulation 16, particulars of the last mentioned weight which shall be shown as a design weight ;

(*d*) particulars of the other plated particulars ascertained from the application mentioned in Regulation 11 and an inspection of the vehicle ;

(*e*) particulars of any alteration in the vehicle or its equipment which is required by these Regulations to be notified to the Minister ;

(*f*) particulars of the sizes of the tyres fitted to the wheels of the vehicle at the time of the issue of the certificate, and of the particular conditions, if any, in which a vehicle when used on roads at or below its plated weights and fitted with those tyres properly maintained should as respects such tyres so maintained be driven ;

(*g*) the date on which it is issued and the number allotted by the Minister to the vehicle testing station at which it is issued ;

and shall be signed by the goods vehicle examiner who carried out, or under whose direction was carried out, the examination for plating or shall be signed on behalf of that examiner by a person authorised in that behalf by the examiner.

Particulars to be contained in test certificates and notifications of refusal thereof

23.—(1) Every goods vehicle test certificate issued for a vehicle under the foregoing provisions of these Regulations shall contain—

(*a*) a statement that the vehicle was found to comply with the prescribed construction and use requirements ; and

(*b*) the period of validity of the certificate.

(2) Every notification of the refusal of a goods vehicle test certificate issued for a vehicle under the foregoing provisions of these Regulations shall contain a written notification of the refusal of a goods vehicle test certificate and of the grounds of such refusal.

(3) In addition to the particulars required by paragraph (1) or (2) of this Regulation, every such goods vehicle test certificate and every such notification of the refusal of a goods vehicle test certificate shall contain the following particulars—

(*a*) in the case of a certificate or notification issued for a motor vehicle, the registration mark (if any) exhibited on the vehicle or, if no such mark is so exhibited, the chassis or serial number marked on the vehicle or,

if no such number is so marked, the identification mark which shall have been allotted to the vehicle by the Minister in the examination appointment card relating to the first examination of the vehicle ;

(*b*) in the case of a certificate or notification issued for a trailer, the identification mark which shall have been allotted to the trailer by the Minister in the examination appointment card (if any) relating to the first examination of the trailer or shall have otherwise been allotted to the trailer by the Minister under these Regulations ;

(*c*) the name and address of the applicant for the goods vehicle test to which the certificate or notification relates ;

(*d*) the date on which the certificate or the notification is issued and the number allotted by the Minister to the vehicle testing station at which it is issued ;

and shall be signed by the goods vehicle examiner who carried out, or under whose direction was carried out, the goods vehicle test or shall be signed on behalf of that examiner by a person authorised in that behalf by the examiner.

Period of validity of first goods vehicle test certificate

24. Where a goods vehicle test certificate is issued for a goods vehicle, as a result of a first examination or a Part II re-test of that vehicle or an appeal under Regulation 25 or 26, the certificate shall be valid from the date of its issue until the last day (inclusive of that day) by which that vehicle is required by virtue of Part III of these Regulations to be submitted for a periodical test.

Appeals to area mechanical engineer

25.—(1) Any person aggrieved by a determination made on a first examination of a vehicle or a Part II re-test of a vehicle by the person in charge of the examination may appeal to an area mechanical engineer appointed by the Minister to act for the traffic area in which that examination was made.

(2) Any such appeal shall be lodged at the office of the traffic area not later than 10 days from the date of the determination.

(3) Every appeal shall be made on a form approved by the Minister and shall contain the particulars required by that form and shall be accompanied by a fee of fifteen pounds.

(4) As soon as reasonably practicable after the date of the receipt of the appeal, the area mechanical engineer shall send a notice stating where and when a re-examination for the purposes of determining the issues raised on the appeal is to take place addressed to the appellant at the address of the appellant stated in the form of appeal.

(5) The place to be selected by the area mechanical engineer for the re-examination for the purposes of the appeal may be either a vehicle testing station or such other place as he may consider convenient for the purpose of carrying out that re-examination.

(6) The vehicle shall be submitted for the re-examination at the place and time specified in the notice sent to the appellant under paragraph (4) of this Regulation, unless arrangements are made with the agreement of the area mechanical engineer for the carrying out of the examination at some other place and time.

(7) On the submission of a goods vehicle for a re-examination for the purposes of an appeal the person submitting the vehicle for the re-examination

shall, if requested to do so by the area mechanical engineer, produce to that officer—

(*a*) if the appeal relates to a determination made on an examination for plating, as a result of which a plating certificate was issued, that certificate;

(*b*) if the appeal relates to a determination made on a goods vehicle test, the notification of the refusal of a goods vehicle test certificate issued as a result of that test.

(8) On the submission of a goods vehicle for a re-examination for the purposes of an appeal, the person submitting the vehicle for the re-examination shall, if requested to do so by the area mechanical engineer, give that officer such information as he may reasonably require relating to any alteration made or repairs carried out, or any accident or other event occurring, since the date of the determination appealed against, which may have affected the vehicle or its equipment.

(9) The said area mechanical engineer shall not be required to proceed with the carrying out of the re-examination unless the person submitting the vehicle for the re-examination complies with the provisions of paragraphs (7) and (8) of this Regulation and nothing in this paragraph shall be taken to be in derogation of the provisions of Regulation 8 or 9.

(10) Upon completion of the said re-examination the area mechanical engineer shall make such determination in the matter as he thinks fit, and may—

(*a*) where the appeal relates to a determination made on an examination for plating as respects which a plating certificate was issued, either determine that such certificate was properly issued or issue a different plating certificate upon the surrender of the first mentioned certificate;

(*b*) if the appeal relates to a determination made on a goods vehicle test, issue either a goods vehicle test certificate and a plating certificate for the vehicle or a notification of the refusal of a goods vehicle test certificate stating the grounds thereof and in that event no plating certificate shall be issued for the vehicle.

(11) Plating certificates, goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate issued under the foregoing provisions of this Regulation shall contain—

(*a*) the same particulars as are appropriate in the case of plating certificates, goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate mentioned in Regulation 22 or 23, subject nevertheless to such modifications as may be appropriate and subject in the case of a plating certificate to that certificate showing particulars of the plated weights determined for that vehicle by the area mechanical engineer carrying out the examination for the purpose of the appeal;

(*b*) in the case of a plating certificate—

(i) where the vehicle is of a make, model and type and otherwise one to which the standard lists apply and any plated weight so determined by the area mechanical engineer is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight; and

(ii) where any plated weight so determined is less than the weight that would have been otherwise determined under Regulation 16(2) but for sub-paragraph (*h*) of paragraph (2) of Regulation 16,

particulars of the last mentioned weight which shall be shown as a design weight; and

shall be signed by that area mechanical engineer.

Appeals to Minister

26.—(1) Any person aggrieved by the determination of an area mechanical engineer under the last foregoing Regulation may appeal to the Minister.

(2) Any such appeal shall be lodged at the Goods Vehicle Centre, Swansea, not later than 14 days from the date of the determination and shall be accompanied by a fee of twenty-five pounds.

(3) Every appeal shall be made on a form approved by the Minister and shall contain the particulars required by that form.

(4) As soon as reasonably practicable after the date of the receipt of the appeal, the Minister shall send a notice stating where and when a re-examination for the purposes of determining the issues raised on appeal is to take place addressed to the appellant at the address of the appellant stated in the form of appeal.

(5) The place to be selected by the Minister for the re-examination for the purposes of the appeal may be either a vehicle testing station or such other place as he may consider convenient for the purpose of carrying out that re-examination.

(6) The vehicle shall be submitted for re-examination at the place and time specified in the notice sent to the appellant under paragraph (4) of this Regulation, unless arrangements are made with the agreement of the Minister for the carrying out of the re-examination at some other place and time.

(7) On the submission of a goods vehicle for a re-examination for the purposes of an appeal the person submitting the vehicle for the re-examination shall, if requested to do so by the officer appointed by the Minister to re-examine the vehicle, produce to that officer—

(*a*) if the appeal relates to a determination made by an area mechanical engineer in connection with any such plating certificate as is mentioned in Regulation 25(10), that certificate;

(*b*) if the appeal relates to a determination made by an area mechanical engineer in connection with a notification of the refusal of a goods vehicle test certificate issued under Regulation 25(10)(*b*), that notification.

(8) On the submission of a goods vehicle for a re-examination for the purposes of an appeal, the person submitting the vehicle for the re-examination shall, if requested to do so by the officer appointed by the Minister to re-examine the vehicle, give that officer such information as he may reasonably require relating to any alteration made or repairs carried out, or any accident or other event occurring, since the date of the determination appealed against, which may have affected the vehicle or its equipment.

(9) The said officer shall not be required to proceed with the carrying out of the re-examination unless the person submitting the vehicle for the re-examination complies with the provisions of paragraphs (7) and (8) of this Regulation and nothing in this paragraph shall be taken to be in derogation of the provisions of Regulation 8 or 9.

(10) Upon completion of the said re-examination the Minister shall make such determination on the basis of the re-examination as he thinks fit, and may—

(*a*) where the appeal relates to a determination made in connection with an examination for plating as respects which a plating certificate was issued, either determine that such certificate was properly issued or issue a different plating certificate upon surrender of the first mentioned certificate ; and

(*b*) where the appeal relates to a determination made by an area mechanical engineer in connection with a notification of the refusal of a goods vehicle test certificate, issue either a goods vehicle test certificate and a plating certificate for the vehicle or a notification of the refusal of a goods vehicle test certificate stating the grounds thereof and in that event no plating certificate shall be issued for the vehicle.

(11) Plating certificates, goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate issued under the foregoing provisions of this Regulation shall contain—

(*a*) the same particulars as are appropriate in the case of plating certificates, goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate mentioned in Regulation 22 or 23, subject nevertheless to such modifications as may be appropriate and subject in the case of a plating certificate to that certificate showing particulars of the plated weights determined for that vehicle by the Minister ;

(*b*) in the case of a plating certificate—

(i) where the vehicle is of a make, model and type and otherwise one to which the standard lists apply and any plated weight so determined by the Minister is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight ; and

(ii) where any plated weight so determined is less than the weight that would have been otherwise determined under Regulation 16(2) but for sub-paragraph (*h*) of paragraph (2) of Regulation 16, particulars of the last mentioned weight which shall be shown as a design weight ; and

shall be signed on behalf of the Minister by an officer appointed by him for the purpose.

PART III—REGULATIONS GOVERNING GOODS VEHICLE TESTS REQUIRED TO BE CARRIED OUT AT INTERVALS

Dates by which goods vehicles to be submitted for periodical tests

27.—(1) A goods vehicle to which these Regulations apply and registered before the 1st January 1968, being a motor vehicle in respect of which a goods vehicle test certificate has been issued prior to the 1st April 1970—

(*a*) shall be submitted for a periodical test, subject to the provisions of sub-paragraphs (*b*) and (*c*) of this paragraph, not later than the end of the month in the first renewal period in which month falls the anniversary of the date on which it was registered and not later than the end of the month in each succeeding renewal period in which month falls the said anniversary ;

(*b*) where a vehicle is submitted for a first periodical test before the 1st April 1970 earlier than two months before the last date in the first

renewal period by which it is required by sub-paragraph (*a*) of this Regulation to be submitted for that test, then it shall be submitted for a periodical test in the first renewal period not later than the end of the month, and in each succeeding renewal period not later than the end of the month in each such period, which corresponds with the same month in which it was submitted for the first periodical test;

(*c*) where a vehicle is submitted for a first periodical test on or after the 1st April 1970 earlier than two months before the last date in the first renewal period by which it is required by sub-paragraph (*a*) of this Regulation to be submitted for that test, then it shall be submitted for a periodical test in each succeeding renewal period not later than the end of the month in that period corresponding with the same month in the first renewal period in which it was submitted for the first periodical test.

For the purposes of this paragraph and paragraph (4) of this Regulation, "the first renewal period" means the period of twelve months beginning on the 1st April 1970 and "succeeding renewal period" means a period of twelve months beginning on the 1st April in 1971 or on the 1st April in each calendar year thereafter.

(2) A goods vehicle to which these Regulations apply and registered before the 1st January 1968, being a motor vehicle in respect of which its first goods vehicle test certificate has been issued during a month after the 31st March 1970, 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 on which it was registered and in each following calendar year not later than the end of the month in which falls the said anniversary.

(3) A goods vehicle to which these Regulations apply and to which paragraph 4 of Part I of Schedule 4 or paragraph 3 of Part II of that Schedule applies, being a motor vehicle in respect of which its first goods vehicle test certificate has been issued in any calendar year shall be submitted for a periodical test in each following calendar year not later than the end of the month in which falls the anniversary of the date of issue of that first goods vehicle test certificate.

(4) A goods vehicle to which these Regulations apply, being a trailer in respect of which its first goods vehicle test certificate has been issued prior to the 1st April 1970, shall be submitted for a periodical test not later than the end of the relevant month in the first renewal period, and in each succeeding renewal period not later than the end of the relevant month in that period.

(5) A goods vehicle to which these Regulations apply, being a trailer in respect of which its first goods vehicle test certificate has been issued during a month after the 31st March 1970, shall be submitted for a periodical test not later than the end of the next relevant month in a calendar year, and in each following calendar year not later than the end of the relevant month.

For the purposes of paragraphs (4) and (5), "relevant month" means the month indicated by the last figure or the two last figures where they are 10, 11 or 12 included in the Ministry of Transport identification mark which was allotted to the trailer by the Minister in the examination appointment card (if any) relating to the first examination of the trailer or shall have otherwise been allotted to the trailer by the Minister under these Regulations prior to that first examination.

(6) Nothing in the foregoing provisions of this Regulation shall be taken to prevent the Minister authorising a goods vehicle to which these Regula-

tions 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.

Manner of making applications for periodical tests and fees therefor

28.—(1) Subject to the provisions of these Regulations, any person wishing to have a periodical test carried out on a goods vehicle to which these Regulations apply shall make an application for the purpose in accordance with the following provisions of this Regulation to the Minister at the Goods Vehicle Centre, Swansea:

Provided that such an application may be made in the case of a trailer direct to a vehicle testing station, if the written consent of the Minister (which consent may provide for the load to be carried by a trailer on the examination) to the application being so made has first been obtained from that Centre and upon receipt of the application the person in charge of the station shall arrange a date and time for the periodical test to be carried out.

(2) Every such application shall be on a form approved by the Minister and shall be accompanied by a fee of the amount shown in column 2 in Part III of Schedule 5 in relation to the class of vehicle specified in column 1 in that Part.

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 not earlier than 3 months nor later than two weeks before the last day by which the periodical test for that vehicle is by Regulation 27 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.

Notice of place and time for periodical test

30.—(1) As soon as reasonably practicable after the date of the receipt of an application for a periodical test for a vehicle to which these Regulations apply, the Minister shall send to the applicant for that test a notice stating the address of the vehicle testing station at which the test is to take place and the date and time reserved by the Minister for that test:

Provided that the Minister shall not be required to send to the applicant such a notice in a case where the application is made direct to a vehicle testing station by virtue of Regulation 28.

(2) In stating any address, date or time under the provisions of the last paragraph the Minister shall so far as is reasonably practicable have regard to any preference as to that address, date or time expressed by the applicant in the application made by him for the periodical test of the vehicle.

Provision for periodical test

31.—(1) On the submission of a goods vehicle to which these Regulations apply for a periodical test, a goods vehicle examiner shall arrange for the vehicle to undergo the test.

(2) After a periodical test has been carried out on a vehicle, a goods vehicle examiner shall—

(*a*) where it is found to comply with the prescribed construction and use requirements, issue a goods vehicle test certificate, and

(*b*) where it is found not to comply with the prescribed construction and use requirements, issue a notification of the refusal of a goods vehicle test certificate.

Application for Part III re-tests

32.—(1) Where under Regulation 31(2)(*b*) a notification of the refusal of a goods vehicle test certificate is issued for a vehicle, it may be submitted and, if need be, from time to time be submitted at a vehicle testing station for a Part III re-test in accordance with the following provisions of this Regulation.

(2) Where it is desired to submit a vehicle for a Part III re-test at the same vehicle testing station as that at which it was submitted for the last periodical test within a period of fourteen days after the date it was submitted for that periodical test, the applicant for the Part III re-test shall first make arrangements in writing or otherwise with the person in charge of the station for a date and time at which the vehicle is to be submitted for the re-test.

(3) Where it is desired to submit a vehicle for a Part III re-test (not being a re-test falling within the next paragraph) at the vehicle testing station mentioned in the last preceding paragraph but otherwise than within the period therein mentioned or at a vehicle testing station different from that at which it was submitted for the last periodical test, the applicant for the Part III re-test shall first make a written application to the Goods Vehicle Centre, Swansea, for a date and time at which the vehicle may be submitted for the re-test and every such application shall be made on a form approved by the Minister, and upon receipt of the application the Minister shall send to the applicant a notice stating where and when the re-test is to take place and in this connection shall have regard so far as is reasonably practicable to any preference expressed by the applicant as to when and where the re-test should take place.

(4) Where it is desired to submit a vehicle for a further Part III re-test at the same vehicle testing station as that at which it was submitted for a Part III re-test under the last preceding paragraph within a period of 14 days after the date it was submitted for the last mentioned re-test, the applicant for the further Part III re-test shall first make arrangements in writing or otherwise with the person in charge of the station for a date and time at which the vehicle is to be submitted for the further re-test.

Fees for Part III re-tests

33.—(1) The fee payable for a Part III re-test of a vehicle carried out in accordance with arrangements made under Regulation 32(2) or (4) shall be of the amount specified in paragraph 1 of Part IV of Schedule 5:

Provided that no fee shall be payable for such a re-test of a vehicle submitted within the relevant time, if it is the first re-test of the vehicle carried out following the last periodical test of the vehicle or following an earlier Part III re-test of the vehicle in respect of which a fee has been paid under this Regulation.

In this paragraph "relevant time" means the same day as that on which the said periodical test or the said Part III re-test was completed or the next following day on which the vehicle testing station is open.

(2) The fee payable under the last preceding paragraph shall be paid to the Minister on the submission of the vehicle for the Part III re-test to be carried out in accordance with the arrangements made under Regulation 32(2) or (4) and may be paid in cash.

(3) The fee payable for a Part III re-test of a vehicle carried out by virtue of Regulation 32(3) shall be of the amount specified in paragraph 2 of Part IV of Schedule 5.

(4) The said fee shall be paid to the Minister at the same time as the written application mentioned in Regulation 32(3) is made.

Part III re-tests

34.—(1) Where a vehicle is submitted for a Part III re-test at a vehicle testing station in accordance with the arrangements mentioned in Regulation 32(2) or (4), a goods vehicle examiner shall in carrying out a goods vehicle test be under an obligation only to examine the vehicle for the purpose of ascertaining whether it complies with such of the particular items of the prescribed construction and use requirements as respects which it was shown in the last notification of a refusal of a test certificate not to comply.

(2) Where a goods vehicle examiner finds that the vehicle complies with such of the particular items of the prescribed construction and use requirements mentioned in the preceding paragraph and has no reason to believe that the prescribed construction and use requirements as respects other items are not complied with in relation to the vehicle, there shall be issued a goods vehicle test certificate.

(3) Where a goods vehicle examiner does not find that the vehicle complies with the particular items of the prescribed construction and use requirements mentioned in paragraph (1) of this Regulation or finds that the prescribed construction and use requirements as respects other items are not complied with in relation to the vehicle, there shall be issued a notification of the refusal of a test certificate.

(4) Where a vehicle is submitted for a re-test at a vehicle testing station as a result of the application mentioned in Regulation 32(3) a goods vehicle examiner shall arrange for the vehicle to undergo a goods vehicle test.

(5) Where the goods vehicle test mentioned in the last preceding paragraph has been completed as respects a vehicle there shall be issued—

(*a*) where the vehicle is found to comply with the prescribed construction and use requirements, a goods vehicle test certificate ; and

(*b*) where the vehicle is found not to comply with the prescribed construction and use requirements, a notification of the refusal of a goods vehicle test certificate.

Form of certificates etc.

35. Goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate issued under Regulation 31 or 34 shall contain the same particulars as are appropriate in the case of goods vehicle test certificates and notifications of the refusal of a goods vehicle test certificate mentioned in Regulation 23 and shall be signed in the same manner as is provided in Regulation 23.

Period of validity of goods vehicle test certificate issued on periodical tests

36. Where a goods vehicle test certificate is issued for a goods vehicle, as a result of a periodical test of a vehicle, a Part III re-test of that vehicle or an appeal under Regulation 37, the certificate shall be valid from the date of its issue until the last day (inclusive of that day) by which that vehicle is required by virtue of Regulation 27 to be submitted again for a periodical test.

Appeals following periodical tests

37.—(1) Any person aggrieved by a determination made on a periodical test of a vehicle or a Part III re-test of a vehicle by the person in charge of that periodical test or that Part III re-test may appeal to an area mechanical engineer appointed by the Minister to act for the traffic area in which that periodical test or, as the case may be, that Part III re-test was made.

(2) The provisions of Regulation 25(2) to (11) shall apply in relation to any appeal under the last paragraph as they apply in relation to an appeal under that Regulation relating to a determination made on a goods vehicle test, and for the purposes of such application of the said provisions each reference in Regulation 25(10)(*b*) to a plating certificate shall be treated as being omitted.

(3) Any person aggrieved by the determination of an area mechanical engineer under the preceding paragraphs of this Regulation may appeal to the Minister.

(4) The provisions of Regulation 26(2) to (11) shall apply in relation to any appeal under the last preceding paragraph as they apply in relation to an appeal under that Regulation relating to a determination made by an area mechanical engineer in connection with a notification of the refusal of a goods vehicle test certificate issued under Regulation 25(10)(*b*), and for the purposes of such application of the said provisions the reference in Regulation 26(7)(*b*) to Regulation 25(10)(*b*) shall be treated as a reference to Regulation 25(10)(*b*) as applied by paragraph (2) of this Regulation and each reference in Regulation 26(10)(*b*) to a plating certificate shall be treated as being omitted.

PART IV—REGULATIONS GOVERNING NOTIFIABLE ALTERATIONS, AMENDMENTS OF PLATING CERTIFICATES AND RE-EXAMINATIONS IN CONNECTION THEREWITH

Interpretation

38. In this Part of the Regulations "notifiable alteration", in relation to a goods vehicle to which these Regulations apply, means—

(*a*) an alteration made in the structure or fixed equipment of the vehicle which varies the carrying capacity of the vehicle;

(*b*) an alteration, otherwise than by way of replacement of a part, adversely affecting any part of a braking system with which the vehicle is equipped or of the means of operation of that system; or

(*c*) any other alteration made in the structure or fixed equipment of the vehicle which materially renders the vehicle unsafe to travel on roads at any weight equal to any plated weight shown in the plating certificate for that vehicle.

Minister to be informed of notifiable alterations

39. On a notifiable alteration being made to a goods vehicle to which these Regulations apply and in respect of which a plating certificate has been issued under these Regulations, particulars of that alteration shall be sent on a form approved by the Minister to the Minister at the Goods Vehicle Centre, Swansea, before the vehicle to which the alteration has been made is used on roads, and any such form may also contain a request by the sender thereof (hereinafter referred to as "the sender") for an amendment to be made as respects a plated weight shown on the plating certificate for the said vehicle.

Provision as to re-examination

40.—(1) Where particulars of a notifiable alteration made to a goods vehicle are sent to the Minister in the form mentioned in the last preceding Regulation and such a request as is therein mentioned is made in the form, the Minister shall require the vehicle to be submitted for a re-examination

at a place, date and time specified in a notice sent by him to the sender and in this connection shall have regard so far as is reasonably practicable to any preference expressed by the sender as to when and where the re-examination should take place.

(2) Where particulars of a notifiable alteration made to a goods vehicle are sent to the Minister in the said form and no such request is made therein, the Minister shall determine whether the vehicle shall be required to be re-examined.

(3) In the event of the Minister determining under the last preceding paragraph—

(*a*) that no re-examination of the vehicle is required, he shall notify in writing the sender accordingly ; or

(*b*) that a re-examination of the vehicle is required, he shall by notice inform the sender accordingly and in such notice specify the place, date and time at which the vehicle is to be submitted for the re-examination and in this connection shall have regard so far as is reasonably practicable to any preference expressed by the sender as to when and where the re-examination should take place.

41.—(1) Where otherwise than by reason of a notifiable alteration, any particular (with reference to a plated weight or any other matter) contained in a plating certificate for a goods vehicle to which these Regulations apply may have become no longer applicable to that vehicle, an application on a form approved by the Minister may be made to him at the Goods Vehicle Centre, Swansea, for the purpose of having the vehicle re-examined with a view to having that particular amended.

(2) On receipt of the said form, the Minister shall require the vehicle to be submitted for a re-examination at a place, date and time specified in a notice sent by him to the person forwarding the said form (which person is also hereinafter referred to as "the sender") and in this connection shall have regard so far as is reasonably practicable to any preference expressed by the sender as to when and where the re-examination should take place.

Fee for re-examination

42. Where such a request as is mentioned in Regulation 39 is contained in the form mentioned in that Regulation or where an application mentioned in Regulation 41 is made, a fee of five pounds shall be sent to the Minister with that form or, as the case may be, with that application.

Conditions subject to which vehicles accepted for re-examination

43. A goods vehicle examiner shall not be under an obligation to proceed with the carrying out of a re-examination of a vehicle under this Part of the Regulations where on the submission of a vehicle for the re-examination the sender does not, after being required to do so, produce to the examiner the plating certificate relating to the vehicle, and nothing in this paragraph shall be taken to be in derogation of Regulation 8 or 9.

Re-examination

44.—(1) On the submission of a vehicle for a re-examination under this Part of the Regulations, a goods vehicle examiner shall in a case where the re-examination is carried out by reason of a notifiable alteration examine the vehicle for the purpose of determining to what extent that notifiable alteration has rendered the plated weights shown in the plating certificate relating to that vehicle no longer appropriate and in any other case examine the

vehicle for the purpose of determining to what extent any particular contained in the said plating certificate is no longer applicable.

(2) On the completion of the re-examination, the goods vehicle examiner shall either—

(*a*) notify in writing the sender that—

(i) the said notifiable alteration has not rendered the plated weights shown in the said plating certificate no longer appropriate, or

(ii) the said particular is still applicable;

(*b*) amend the plating certificate to show any new plated weights or any new particular which the examiner has determined for the vehicle; or

(*c*) if he thinks fit issue a new plating certificate in the place of the plating certificate produced under Regulation 43 which shall be marked as cancelled by the vehicle examiner.

(3) Any goods vehicle examiner amending or cancelling a plating certificate shall authenticate the amendment or cancellation by showing on the certificate his name, the address of the place at which the certificate was amended or cancelled and the date of such amendment or cancellation.

(4) Where a new plating certificate is issued for a vehicle it shall contain—

(*a*) particulars of any plated weights determined for the vehicle under this Regulation;

(*b*) where the vehicle is of a make, model and type and otherwise one to which the standard lists apply and any such plated weight so determined is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight;

(*c*) where any such plated weight so determined is less than the weight that would have been otherwise determined under Regulation 16(2) but for sub-paragraph (*h*) of paragraph (2) of Regulation 16, particulars of the last mentioned weight which shall be shown as a design weight;

(*d*) any other new particular determined for the vehicle under this Regulation;

(*e*) subject as aforesaid, the same particulars as are appropriate in the case of the plating certificate mentioned in Regulation 22, but with such modifications as may be appropriate.

(5) A new plating certificate shall be signed by the goods vehicle examiner who carried out or under whose direction the re-examination was carried out or shall be signed on behalf of that examiner by a person authorised in that behalf by that examiner.

Appeals following re-examinations

45.—(1) Any person aggrieved by a determination made on a re-examination of a vehicle under this Part of the Regulations by the person in charge of that re-examination may appeal to an area mechanical engineer appointed by the Minister to act for the traffic area in which that re-examination took place.

(2) The provisions of Regulation 25(2) to (9) shall apply in relation to an appeal under the last paragraph as they apply to an appeal under that Regulation, but for the purposes of such application of the said provisions paragraph (7) of Regulation 25 shall have effect as though sub-paragraphs (*a*) and (*b*) were omitted and for those paragraphs there were substituted a reference to any plating certificate relevant to the appeal.

(3) Upon completion of the re-examination of the vehicle for the purposes of the appeal, the area mechanical engineer shall make such determination in the matter as he thinks fit and may issue a different plating certificate upon the surrender of any plating certificate previously issued for the vehicle.

(4) Any different plating certificate issued under the last preceding paragraph shall contain—

(*a*) the same particulars as are appropriate in the case of the plating certificate mentioned in Regulation 22, subject nevertheless to such modifications as may be appropriate and subject to the certificate showing particulars of the plated weights determined for that vehicle by the area mechanical engineer carrying out the re-examination for the purposes of the appeal in a case where any such plated weight is so determined ;

(*b*) where the vehicle is of a make, model and type and otherwise one to which the standard lists apply and any such plated weight so determined is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight ;

(*c*) where any such plated weight so determined is less than the weight that would have been otherwise determined under Regulation 16(2) but for sub-paragraph (*h*) of paragraph (2) of Regulation 16, particulars of the last mentioned weight which shall be shown as a design weight ;

and shall be signed by that area mechanical engineer.

(5) Any person aggrieved by the determination of an area mechanical engineer under paragraph (3) of this Regulation may appeal to the Minister.

(6) The provisions of Regulation 26(2) to (9) shall apply in relation to an appeal under the last preceding paragraph as they apply in relation to an appeal under that Regulation, but for the purposes of such application of the said provisions paragraph (7) of Regulation 26 shall have effect as though sub-paragraphs (*a*) and (*b*) were omitted and for those paragraphs there were substituted a reference to any plating certificate relevant to the appeal.

(7) Upon completion of the re-examination for the purposes of the appeal, the Minister shall make such determination on the basis of the re-examination as he thinks fit and may issue a different plating certificate upon the surrender of any plating certificate previously issued for the vehicle.

(8) Any different plating certificate issued under the last preceding paragraph shall contain—

(*a*) the same particulars as are appropriate in the case of the plating certificate mentioned in Regulation 22, subject nevertheless to such modifications as may be appropriate and subject to the certificate showing particulars of the plated weights determined for that vehicle by the Minister in a case where any such plated weight is so determined ;

(*b*) where the vehicle is of a make, model and type and otherwise one to which the standard lists apply and any such plated weight so determined is less than the equivalent weight shown as a design weight in such lists, particulars of that equivalent weight ;

(*c*) where any such plated weight so determined is less than the weight that would have been otherwise determined under Regulation 16(2) but for sub-paragraph (*h*) of paragraph (2) of Regulation 16, particulars of the last mentioned weight which shall be shown as a design weight ;

and shall be signed on behalf of the Minister by an officer appointed by him for the purpose.

PART V—MISCELLANEOUS MATTERS

Method of payment of fees

46. Except where by these Regulations provision is made for fees to be payable to the Minister in cash, all fees payable to the Minister under these Regulations shall be paid by cheque, money order or postal order.

General provision as to fees

47.—(1) Where any fee payable in accordance with the foregoing provisions of these Regulations on an application for a first examination of a vehicle, a re-test of a vehicle to be carried out by virtue of Regulation 19(3) or Regulation 32(3), a periodical test of a vehicle or a Part IV test of a vehicle has been paid to the Minister at the Goods Vehicle Centre, Swansea, or at a vehicle testing station, the said fee shall be payable notwithstanding the vehicle is not submitted for any such examination (hereinafter referred to as " the original examination ") on the day and within thirty minutes after the time fixed under these Regulations for that examination.

(2) Where at the time of the notice hereinafter mentioned a request is made for another examination of the same kind as the original examination to be carried out at another time, the said fee may be treated as payable in respect of that other examination:—

(*a*) if the applicant for the original examination has not less than 14 days (or not less than 3 days in the case of a Part IV test) before the day fixed under these Regulations for the carrying out of the original examination given the Minister notice (whether in writing or otherwise) at the said Goods Vehicle Centre that the applicant does not propose to submit the vehicle for examination on the said day; or

(*b*) if the said applicant satisfies the Minister that the vehicle could not be submitted for the original examination on the day and within 30 minutes of the time fixed for the carrying out of the original examination owing to an accident involving the vehicle arising not more than 14 days (or not more than 3 days in the case of a Part IV test) before the said time and of which notice is given to the Minister whether in writing or otherwise within 3 days of the happening thereof.

48. Where any fee payable in accordance with the foregoing provisions of these Regulations for a first examination of a vehicle, a re-test of a vehicle, a periodical test of a vehicle or a Part IV test of a vehicle or a re-examination of the vehicle under section 9(3) or (4) of the 1967 Act has been paid to the Minister, the said fee shall be payable notwithstanding any such examination is not carried out by reason of any of the provisions contained in Regulation 8 or 9 so, however, that nothing in this Regulation shall be taken as affecting the provisions of Regulation 47(2).

Particular provision as to fees on appeal

49.—(1) After the completion of a re-examination for the purposes of an appeal under section 9(3) or (4) of the 1967 Act the Minister may repay to the appellant, as he thinks fit, either the whole or part of the fee paid on the appeal, where it appears to him there were substantial grounds for contesting the whole or part of the determination appealed from.

(2) A fee payable on an appeal in accordance with the foregoing provisions of these Regulations shall be payable notwithstanding that the vehicle is not submitted for re-examination in accordance with Regulation 25(6) or 26(6) or in accordance with either such Regulation as applied by any other Regulation contained in these Regulations:

Provided that, if the appellant has before the time fixed under the said Regulation 25 or 26 or under either such Regulation as so applied for the carrying out of the re-examination given the Minister not less than two clear days' notice (whether in writing or otherwise) at the office at which his appeal was lodged that the appellant does not propose to submit the vehicle for re-examination at that time, the appeal shall be treated for the purposes of this Regulation as one in respect of which no fee is payable and any amount previously paid in respect of such a fee shall be repaid by the Minister to the appellant unless another time is arranged for the carrying out of the re-examination.

Applications for replacements for plates, plating certificates and test certificates

50.—(1) If a Ministry plate, plating certificate or a goods vehicle test certificate has been lost or defaced, an application for the issue of a replacement for the plate or certificate lost or defaced may be made in writing to the Goods Vehicle Centre, Swansea.

(2) On the receipt of such an application and being paid a fee of one pound, where the application relates to a Ministry plate or a plating certificate, or ten shillings, where the application relates to a goods vehicle test certificate, the Minister shall issue to the applicant a replacement for the plate or certificate to which the application relates and any such replacement shall have the same effect as the plate or certificate which it replaces.

Provision as to notices under Regulations

51.—(1) Except as otherwise provided in these Regulations, every notice under these Regulations shall be in writing and may be given by post.

(2) For the purposes of calculating the period of any notice which may be given under these Regulations Saturdays, Sundays and public holidays shall be excluded from that period.

PART VI—REGULATION RELATING TO CROWN VEHICLES

Provision as to Crown Vehicles

52.—(1) In relation to goods vehicles in the public service of the Crown which are registered or are liable to be registered under the Vehicles (Excise) Act 1962, being goods vehicles to which these Regulations apply, and to trailers in the public service of the Crown while drawn by goods vehicles (whether or not in the public service of the Crown) which are required to be so registered, being trailers to which these Regulations apply, these Regulations shall apply subject to the modifications hereinafter contained in this Regulation.

(2) A first examination of a vehicle, a periodical test of a vehicle or a Part IV test of a vehicle may be made by or under the direction of an examiner (hereinafter referred to as an "authorised examiner") authorised for the purpose by the Minister instead of by or under the direction of a goods vehicle examiner, and in relation to any such examination made by an authorised examiner these Regulations shall apply as if—

(*a*) Regulations 5, 8, 9, 11, 12, 13, 19, 25, 28, 29, 30, 32, 37 and 45 were omitted;

(*b*) subject to the preceding sub-paragraph, any reference in the Regulations to a goods vehicle examiner were a reference to an authorised examiner and any reference in the Regulations to a vehicle testing station were a reference to premises approved by the Minister as suitable for the carrying out of examinations under these Regulations by authorised examiners;

(*c*) in Regulation 14(*a*) and Regulation 22(*d*) the reference to the application therein mentioned were a reference to a form approved by the Minister for the purpose of an application for an examination under these Regulations by an authorised examiner; and

(*d*) in Regulation 23(3)(*a*) and (*b*) and in Regulation 27(5) the reference to the identification mark were a reference to an identification mark allotted by the Minister for the purpose of an examination under these Regulations by an authorised examiner.

(3) Any person aggrieved by a determination of an authorised examiner on a first examination of a vehicle, a periodical test of a vehicle or a Part IV test of a vehicle may appeal to the Minister and on the appeal the Minister shall cause the vehicle to be re-examined by an officer appointed by him for the purpose and may make such determination on the basis of the re-examination as he thinks fit and, where appropriate, may issue a plating certificate, a goods vehicle test certificate or a notification of the refusal of a goods vehicle test certificate.

PART VII—EXEMPTIONS

Exemption from s. 14(1) *of the* 1967 *Act of the use of vehicles for certain purposes*

53.—(1) The use of a goods vehicle to which these Regulations apply for any of the purposes specified in the following provisions of this Regulation is exempted from section 14(1) of the 1967 Act.

(2) The use of a vehicle—

(*a*) for the purpose of submitting it by previous arrangement for, or bringing it away from, an examination under Part II of these Regulations or under section 9(3) or (4) of the 1967 Act; or

(*b*) in the course of any such examination for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been carried out, or of carrying out any part of the examination, the person so using it being a goods vehicle examiner or a person carrying out the examination under his direction or a person driving the vehicle in pursuance of a requirement to do so under these Regulations; or

(*c*) where a goods vehicle test certificate is refused on such an examination—

(i) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy the defects on the grounds of which the certificate was refused; or

(ii) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up.

(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, for the purpose of delivering it at, or bringing it away from, a place where work of repair or inspection is to be or has been done on it for the purposes of enabling the prescribed construction and use requirements to be complied with, or to be ascertained as complied with, in the case of the vehicle.

(4) The use of a vehicle for or in connection with any purpose for which it is authorised to be used on roads by an order under section 64(4) of the 1960 Act, being an order authorising that vehicle or any class or description of vehicles comprising that vehicle to be so used notwithstanding that it

does not comply with the prescribed construction and use requirements or with such of the said requirements as are specified in the said order.

(5) The use of a vehicle for the purpose of removing it in pursuance of section 20 of the Civic Amenities Act 1967(**a**), of moving or removing it in pursuance of regulations under section 20 of the Road Traffic Regulation Act 1967(**b**) as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967(**c**), or of removing it from a parking place in pursuance of an order under section 31(1) of the Road Traffic Regulation Act 1967, an order relating to a parking place designated under section 35 thereof, or a provision of a designation order having effect by virtue of section 39(2) thereof.

(6) The use of a vehicle, which has been detained or seized by a police constable, for police purposes connected with such detention or seizure.

(7) The use by an Officer of Customs and Excise, or by any other person authorised generally or specially in that behalf in writing by the Commissioners of Customs and Excise, of any vehicle removed, detained, seized or condemned as forfeited under any provision of the Customs and Excise Act 1952(**d**).

Exemption from s. 14(2) *of the* 1967 *Act of the use of vehicles for certain purposes*

54.—(1) The use of a goods vehicle to which these Regulations apply for any of the purposes specified in the following provisions of this Regulation is exempted from section 14(2) of the 1967 Act.

(2) The use of a vehicle—

(*a*) for the purpose of submitting it by previous arrangement for, or bringing it away from, an examination under Part II, III or IV of these Regulations or under section 9(3) or (4) of the 1967 Act ; or

(*b*) in the course of any such examination for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been carried out, or of carrying out any part of the examination, the person so using it being a goods vehicle examiner or a person carrying out the examination under his direction or a person driving the vehicle in pursuance of a requirement to do so under these Regulations ; or

(*c*) where a goods vehicle test certificate is refused on such an examination—

(i) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy the defects on the grounds of which the certificate was refused ; or

(ii) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up.

(3) The use of a vehicle for any of the purposes specified in paragraphs (3) to (7) of the last preceding Regulation.

Exemption from s. 14(1) *and* (2) *of the* 1967 *Act of the use of vehicles in certain areas*

55.—(1) The use of a goods vehicle to which these Regulations apply in any area to which this Regulation applies is exempted from section 14(1) and (2) of the 1967 Act.

(**a**) 1967 c. 69. (**b**) 1967 c. 76. (**c**) S.I. 1967/1900 (1967 III, p. 5191).
(**d**) 15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.

(2) This Regulation applies to any island and to any area mainly surrounded by water, being an island or area from which motor vehicles not constructed for special purposes can at no time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicles:

Provided that this Regulation does not apply to any of the following islands, namely, the Isle of Wight, the islands of Lewis, Mainland (Orkney), Mainland (Shetland) and Skye or to any other island or area from which motor vehicles not constructed for special purposes can either at all times or at some times be conveniently driven to a road in any of the aforesaid islands by reason of the existence of a bridge, tunnel, ford or other way suitable for the passage of such motor vehicles.

Exemption from s. 14(5) *of the* 1967 *Act*

56. The following class of goods vehicles, namely, motor vehicles not constructed or adapted to form part of an articulated vehicle, is exempted from section 14(5) of the 1967 Act.

Given under the Official Seal of the Minister of Transport the 10th April 1968.

(L.S.)

Richard Marsh,
Minister of Transport.

SCHEDULE 1 (see Regulations 2(1) and 16(2))

Provisions as to Braking Force for Trailers

1. In this Schedule—

the letter "W" represents—

(*a*) in the case of a trailer so designed that part of the weight of the trailer is imposed on the drawing vehicle, the axle weight, or, as the case may be, the sum of the axle weights which is or are to be determined for the trailer on an examination for plating;

(*b*) in any other case the gross weight of the trailer which is to be so determined.

2. The minimum braking force capable of being developed by the brakes of a trailer manufactured before 1st January 1968 should in the case of—

(*a*) a trailer, not being a semi-trailer, be .4W;

(*b*) a semi-trailer for which a gross weight of 6 tons or more is to be determined for the vehicle on an examination for plating, be .35W;

(*c*) a semi-trailer for which a gross weight of less than 6 tons is to be so determined, be .32W.

SCHEDULE 2 (see Regulation 3)

Classes of Vehicle to which Regulations do not apply

1. Dual-purpose vehicles not constructed or adapted to form part of an articulated vehicle.
2. Mobile cranes as defined in Schedule 3 to the 1962 Act.
3. Break-down vehicles.
4. Engineering plant.
5. Trailers being drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam.

6. Tower wagons as defined in Schedule 4 to the 1962 Act.
7. Road construction vehicles as defined in section 6(8) of the 1962 Act and road rollers.
8. Vehicles designed for fire fighting or fire salvage purposes.
9. Works trucks, straddle carriers used solely as works trucks, and works trailers.
10. Electrically-propelled motor vehicles.
11. Motor vehicles used solely for clearing frost, ice or snow from roads by means of a snow plough or similar contrivance, whether forming part of the vehicle or not.
12. Vehicles constructed or adapted for, and used solely for spreading material on roads to deal with frost, ice or snow.
13. Motor vehicles used for no other purpose that the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled.
14. Living vans.
15. Vehicles constructed or adapted for, and used primarily for the purpose of, carrying equipment permanently fixed to the vehicle which equipment is used for medical, dental, veterinary, health, educational, display or clerical purposes, such use not directly involving the sale, hire or loan of goods from the vehicle.
16. Trailers which have no other brakes than a parking brake and brakes which automatically come into operation on the over-run of the trailer.
17. Vehicles exempted from duty under the 1962 Act by virtue of section 6(6) of that Act and any trailer drawn by such a vehicle.
18. Land implements, land locomotives and land tractors.
19. Agricultural trailers drawn on roads only by a land tractor.
20. Vehicles to which paragraph 5 or paragraph 6 of Schedule 13 to the 1960 Act applies.
21. Vehicles used solely for the purposes of funerals.
22. Goods vehicles to which any of the prescribed construction and use requirements do not apply by virtue of either of the following provisions of the Construction and Use Regulations namely—
    (*a*) Regulation 4(3) (which relates to vehicles proceeding to a port for export);
    (*b*) Regulation 4(7) (which relates to vehicles in the service of a visiting force or of a headquarters).
23. Vehicles equipped with new or improved equipment or types of equipment and used, solely by a manufacturer of vehicles or their equipment or by an importer of vehicles, for or in connection with the test or trial of any such equipment.
24. Motor vehicles temporarily in Great Britain to which a registration mark is assigned under paragraph (1) of Regulation 2 of the Motor Vehicles (International Circulation) Regulations 1965(a), or under provisions applying in Northern Ireland and corresponding to the provisions of that paragraph or under Regulation 4(2) of the said Regulations, a period of twelve months not having elapsed since the mark was so assigned.
25. Motor vehicles for the time being licensed under the Vehicles (Excise) Act (Northern Ireland) 1954(b).
26. Vehicles having a base or centre in any of the following islands, namely, Arran, Bute, Great Cumbrae, Islay, Mull or North Uist from which the use of the vehicle on a journey is normally commenced.
27. Trailers temporarily in Great Britain a period of twelve months not having elapsed since the vehicle in question was last brought into Great Britain.

(a) S.I. 1965/329 (1965 I, p. 1067). (b) 1954 c. 17 (N.I.).

28. Track laying vehicles.

29. Steam propelled vehicles.

30. Motor vehicles registered before 1st January 1940 used unladen and not drawing a laden trailer, and trailers manufactured before 1st January 1940 and used unladen.

31. Vehicles designed for use, and used solely by a local authority or highway authority or a person acting in pursuance of a contract with such an authority, for the purpose of street cleansing, the collection or disposal of refuse, the collection or disposal of the contents of gullies or cesspools or the testing of weighbridges.

32. Vehicles designed and used for the purpose of servicing or controlling aircraft, while so used on an aerodrome within the meaning of the Airports Authority Act 1965(a) or on roads to such extent as is essential for the purpose of proceeding directly from one part of such an aerodrome to another part thereof or, subject as aforesaid, outside such an aerodrome unladen and not drawing a laden trailer.

33. Vehicles provided for police purposes and maintained in workshops approved by the Minister as suitable for such maintenance, being vehicles provided in England and Wales by a police authority or the Receiver for the metropolitan police district, or, in Scotland, by a police authority or a joint police committee.

INTERPRETATION

In this Schedule the following expressions have the meanings hereby respectively assigned to them:—

"the 1962 Act" means the Vehicles (Excise) Act 1962;

"agricultural trailer", "dual-purpose vehicle", "land implement", "land locomotive", "land tractor", "straddle carrier", "track laying" and "works trailer" have the same meanings respectively as in Regulation 3(1) of the Construction and Use Regulations;

"break-down vehicle" means a motor vehicle on which is mounted apparatus designed to lift a disabled vehicle;

"engineering plant" means movable plant or equipment being a motor vehicle or trailer (not constructed primarily to carry a load) especially designed and constructed for the special purposes of engineering operations;

"works truck" means a motor vehicle designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.

SCHEDULE 3 (see Regulation 4)

THE PRESCRIBED CONSTRUCTION AND USE REQUIREMENTS

PART I

The construction and use requirements which are prescribed for the purposes of a goods vehicle test in the case of a motor vehicle are the requirements specified in each of the following sections:—

Section 1

The requirements contained in the following provisions of the Construction and Use Regulations:—

1. Regulation 81 (relating to maintenance of silencer).

2. Regulation 83 (relating to the use of vehicles so as not to emit smoke).

(a) 1965 c. 16.

3. Regulation 118 (relating to Ministry plate).
4. Regulation 75(1) in so far as that Regulation provides that a motor vehicle and all parts and accessories of such vehicle shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the vehicle or on a road and in so far as that provision relates to the following parts and accessories of a motor vehicle provided thereon, namely:—
   (*a*) spare wheel carrier
   (*b*) means of attaching trailer
   (*c*) the chassis
   (*d*) the wiring of the electrical system
   (*e*) engine mounting
   (*f*) fuel tank and fuel pipes
   (*g*) the propeller shaft and its associated couplings and bearings
   (*h*) exhaust system
   (*i*) battery.

Section II

The requirements contained in the following provisions of the Construction and Use Regulations:—

5. Regulation 79(1) (relating to steering gear).
6. Regulation 82 (relating to maintenance of tyres).
7. Regulation 123 (relating to strength of tyres).
8. Regulation 75(1) in so far as that Regulation provides that a motor vehicle and all parts and accessories of such vehicle shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the vehicle or on a road and in so far as that provision relates to the following parts and accessories of a motor vehicle provided thereon, namely:—
   (*a*) wheels
   (*b*) the suspension system
   (*c*) axles
   (*d*) shock absorbers.

Section III

The requirements contained in the following provisions of the Construction and Use Regulations:—

9. Regulation 13 (speedometer).
10. Regulation 16 (relating to view to the front).
11. Regulation 17 (relating to mirrors).
12. Regulation 19 (relating to windscreen wiper).
13. Regulation 20(1) and 20(3) (relating to audible warning instrument).
14. Regulation 77 (relating to maintenance of glass).
15. Regulation 79(2) (relating to maintenance of windscreen wiper).
16. Regulation 75(1) in so far as that Regulation provides that a motor vehicle and all parts and accessories of such vehicle shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the vehicle or on a road and in so far as that provision relates to the following parts and accessories of a motor vehicle provided thereon, namely:—
   (*a*) bumpers
   (*b*) wings
   (*c*) the cab

(*d*) the driving seat

(*e*) the body

(*f*) driving controls other than those of brakes and steering

(*g*) cab steps or step rings

(*h*) glass or other transparent material.

Section IV

The requirements contained in the following provisions of the Construction and Use Regulations:—

17. Regulation 11 (relating to parking brakes).

18. Regulation 12 (relating to vacuum or pressure braking systems).

19. Regulation 43(6) and (7) (relating to brakes).

20. Regulation 48(6) and (7) (relating to brakes).

21. Regulation 78(1) (relating to maintenance of brakes).

Section V

The requirement contained in the following provision of the Construction and Use Regulations:—

22. Regulation 75(1) in so far as that Regulation provides that a motor vehicle and all parts and accessories of such vehicle shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the vehicle or on a road and in so far as that provision relates to direction indicators provided on the vehicle.

The requirements contained in the following provisions of the Road Transport Lighting Act 1957(**a**) and the Road Vehicles Lighting Regulations 1964(**b**), as amended(**c**):—

23. Section 1(1) and (2) of the said Act (relating to lights and reflectors).

24. Regulations 4, 5, 8, 9, 13 and 20 of the said Regulations.

25. The requirements contained in the Road Vehicles (Headlamps) Regulations 1967(**d**).

PART II

The construction and use requirements which are prescribed for the purposes of a goods vehicle test in the case of a trailer are the requirements specified in each of the following sections:—

Section I

The requirements contained in the following provisions of the Construction and Use Regulations:—

1. Regulation 118 (relating to Ministry plate).

2. Regulation 75(1) in so far as that Regulation provides that a trailer and all parts and accessories of such trailer shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the trailer or on a road and in so far as that provision relates to the following parts and accessories of a trailer provided thereon, namely:—

(*a*) spare wheel carrier

(*b*) means of attachment to another vehicle

(*c*) the chassis

(*d*) the wiring of the electrical system.

(**a**) 5 & 6 Eliz. 2. c. 51. (**b**) S.I. 1964/205 (1964 I, p. 345).
(**c**) The relevant amending instruments are S.I. 1965/870, 1966/30, 1967/1934 (1965 I, p. 2367; 1966 I, p. 45; 1967 III, p. 5387).
(**d**) S.I. 1967/1933 (1967 III, p. 5382).

Section II

The requirements contained in the following provisions of the Construction and Use Regulations:—

3. Regulation 82 (relating to maintenance of tyres).

4. Regulation 123 (relating to strength of tyres).

5. Regulation 75(1) in so far as that Regulation provides that a trailer and all parts and accessories of such trailer shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the trailer or on a road and in so far as that provision relates to the following parts and accessories of a trailer provided thereon, namely:—

(*a*) wheels

(*b*) the suspension system

(*c*) axles and steering gear

(*d*) shock absorbers.

Section III

The requirement contained in the following provision of the Construction and Use Regulations:—

6. Regulation 75(1) in so far as that Regulation provides that a trailer and all parts and accessories of such trailer shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the trailer or on a road and in so far as that provision relates to the following parts and accessories of a trailer provided thereon, namely:—

(*a*) bumpers

(*b*) wings

(*c*) the body

(*d*) glass or other transparent material.

Section IV

The requirements contained in the following provisions of the Construction and Use Regulations:—

7. Regulation 60(1) (relating to brakes).

8. Regulation 78(1)(*a*) (relating to maintenance of brakes).

Section V

The requirement contained in the following provision of the Construction and Use Regulations:—

9. Regulation 75(1) in so far as that Regulation provides that a trailer and all parts and accessories of such trailer shall at all times be in such condition that no danger is caused or is likely to be caused to any person in or on the trailer or on a road and in so far as that provision relates to direction indicators provided on the trailer.

The requirements contained in the following provisions of the Road Transport Lighting Act 1957 and the Road Vehicles Lighting Regulations 1964, as amended:—

10. Section 1(1)(*b*) and (2) of the said Act (relating to lights and reflectors).

11. Regulations 13 and 20 of the said Regulations.

SCHEDULE 4 (see Regulation 10)

DATES BY WHICH GOODS VEHICLES TO WHICH THESE REGULATIONS APPLY ARE REQUIRED TO BE SUBMITTED FOR FIRST EXAMINATION

PART I

Dates relating to motor vehicles other than Scottish based 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 before 1st January 1958, the weight of which unladen exceeds 3 tons	1st August 1968...	1st December 1968
2. Vehicles registered before 1st January 1958, the weight of which unladen exceeds 30 cwt. but does not exceed 3 tons	1st October 1968	1st February 1969
3. Vehicles registered on or after 1st January 1958 and before 1st January 1961	1st December 1968	1st April 1969
4. Vehicles manufactured before 1st January 1968 and not registered before 1st January 1969	1st January 1969	1st April 1969
5. Vehicles registered in the month of April in any of the calendar years 1961 to 1967 inclusive	1st February 1969	1st May 1969
6. Vehicles registered in the month of May in any of the calendar years 1961 to 1967 inclusive	1st March 1969 ...	1st June 1969
7. Vehicles registered in the month of June in any of the calendar years 1961 to 1967 inclusive	1st April 1969 ...	1st July 1969
8. Vehicles registered in the month of July in any of the calendar years 1961 to 1967 inclusive	1st May 1969 ...	1st August 1969
9. Vehicles registered in the month of August in any of the calendar years 1961 to 1967 inclusive	1st June 1969 ...	1st September 1969
10. Vehicles registered in the month of September in any of the calendar years 1961 to 1967 inclusive	1st July 1969 ...	1st October 1969
11. Vehicles registered in the month of October in any of the calendar years 1961 to 1967 inclusive	1st August 1969...	1st November 1969

SCHEDULE 4—*continued*

PART I—*continued*

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
12. Vehicles registered in the month of November in any of the calendar years 1961 to 1967 inclusive	1st September 1969	1st December 1969
13. Vehicles registered in the month of December in any of the calendar years 1961 to 1967 inclusive	1st October 1969	1st January 1970
14. Vehicles registered in the month of January in any of the calendar years 1961 to 1967 inclusive	1st November 1969	1st February 1970
15. Vehicles registered in the month of February in any of the calendar years 1961 to 1967 inclusive	1st December 1969	1st March 1970
16. Vehicles registered in the month of March in any of the calendar years 1961 to 1967 inclusive	1st January 1970	1st April 1970

PART II

Dates relating to motor vehicles being Scottish based 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 before 1st January 1958, the weight of which unladen exceeds 3 tons	1st November 1968	1st February 1969
2. Vehicles registered before 1st January 1958, the weight of which unladen exceeds 30 cwt. but does not exceed 3 tons	1st January 1969	1st April 1969
3. Vehicles manufactured before 1st January 1968 and not registered before 1st January 1969	1st January 1969	1st April 1969
4. Vehicles registered in the month of April in any of the calendar years 1958 to 1967 inclusive	1st February 1969	1st May 1969

SCHEDULE 4—*continued*
PART II—*continued*

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
5. Vehicles registered in the month of May in any of the calendar years 1958 to 1967 inclusive	1st March 1969 ...	1st June 1969
6. Vehicles registered in the month of June in any of the calendar years 1958 to 1967 inclusive	1st April 1969 ...	1st July 1969
7. Vehicles registered in the month of July in any of the calendar years 1958 to 1967 inclusive	1st May 1969 ...	1st August 1969
8. Vehicles registered in the month of August in any of the calendar years 1958 to 1967 inclusive	1st June 1969 ...	1st September 1969
9. Vehicles registered in the month of September in any of the calendar years 1958 to 1967 inclusive	1st July 1969 ...	1st October 1969
10. Vehicles registered in the month of October in any of the calendar years 1958 to 1967 inclusive	1st August 1969...	1st November 1969
11. Vehicles registered in the month of November in any of the calendar years 1958 to 1967 inclusive	1st September 1969	1st December 1969
12. Vehicles registered in the month of December in any of the calendar years 1958 to 1967 inclusive	1st October 1969	1st January 1970
13. Vehicles registered in the month of January in any of the calendar years 1958 to 1967 inclusive	1st November 1969	1st February 1970
14. Vehicles registered in the month of February in any of the calendar years 1958 to 1967 inclusive	1st December 1969	1st March 1970
15. Vehicles registered in the month of March in any of the calendar years 1958 to 1967 inclusive	1st January 1970	1st April 1970

SCHEDULE 4—*continued*

PART III

Dates relating to trailers

1. Class of trailer	2. Date on or after which application may be made for first examination	3. Date by which to be submitted for first examination
1. Trailers manufactured before 1st January 1959	1st November 1968	1st February 1969
2. Trailers manufactured on or after 1st January 1959 and before 1st January 1960	1st December 1968	1st March 1969
3. Trailers manufactured on or after 1st January 1960 and before 1st January 1961	1st January 1969	1st April 1969
4. Trailers manufactured on or after 1st January 1961 and before 1st January 1962	1st February 1969	1st May 1969
5. Trailers manufactured on or after 1st January 1962 and before 1st January 1963	1st March 1969 ...	1st June 1969
6. Trailers manufactured on or after 1st January 1963 and before 1st January 1964	1st April 1969 ...	1st July 1969
7. Trailers manufactured on or after 1st January 1964 and before 1st January 1965	1st May 1969 ...	1st August 1969
8. Trailers manufactured on or after 1st January 1965 and before 1st January 1966	1st June 1969 ...	1st September 1969
9. Trailers manufactured on or after 1st January 1966 and before 1st January 1967	1st July 1969 ...	1st November 1969
10. Trailers manufactured on or after 1st January 1967 and before 1st January 1968	1st September 1969	1st January 1970

SCHEDULE 5 (see Regulations 11, 20, 28 and 33)

FEES PAYABLE ON EXAMINATIONS

PART I

Fees payable on first examinations

1. *Class of vehicle*	2. *Amount of fee*
1. Motor vehicle with 2 axles	£5
2. Motor vehicle with 3 axles	£6
3. Motor vehicle with 4 or more axles	£7
4. Trailer with 1 axle	£3
5. Trailer with 2 or more axles	£4

PART II

Fees payable on Part II re-tests

1. Subject to Regulation 20(1), the fee for a Part II re-test of a vehicle carried out under Regulation 19(2) or (4) shall be £2, together with an additional amount of £1 for each section (in excess of one) in which falls a prescribed construction and use requirement with which the vehicle was found not to comply when last undergoing either a first examination or a Part II re-test, so, however, that no such fee shall exceed the fee which would be payable for that vehicle were that vehicle submitted for a Part II re-test to be carried out under Regulation 19(3).
2. The fee for a Part II re-test of a vehicle carried out under Regulation 19(3) shall be of the same amount as was payable in respect of a first examination of that vehicle.

PART III

Fees payable on periodical tests

1. *Class of vehicle*	2. *Amount of fee*
1. Motor vehicle with 2 axles	£5
2. Motor vehicle with 3 axles	£6
3. Motor vehicle with 4 or more axles	£7
4. Trailer with 1 axle	£3
5. Trailer with 2 or more axles	£4

PART IV

Fees payable on Part III re-tests

1. Subject to Regulation 33(1), the fee for a Part III re-test of a vehicle carried out under Regulation 32(2) or (4) shall be £2, together with an additional amount of £1 for each section (in excess of one) in which falls a prescribed construction and use requirement with which the vehicle was found not to comply when last undergoing either a periodical test or a Part III re-test, so, however, that no such fee shall exceed the fee which would be payable for that vehicle were that vehicle submitted for a Part III re-test to be carried out under Regulation 32(3).
2. The fee for a Part III re-test of a vehicle carried out under Regulation 32(3) shall be of the same amount as was payable in respect of a periodical test of that vehicle.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for the examination at vehicle testing stations provided by the Minister of Transport of goods vehicles of prescribed classes for the purpose of determining particulars (including particulars as to maximum weights) applicable to those vehicles and for the purpose of ascertaining whether the vehicles comply with prescribed construction and use requirements. By the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1968 (S.I. 1968/602) provision is made for the particulars (hereafter referred to as " the plated particulars ") determined for a vehicle on such an examination to be marked on it by means of a plate and for weights so determined not to be exceeded.

Regulation 3 specifies the classes of goods vehicles, being motor vehicles or trailers, to which the Regulations apply and provides that vehicles of the classes set out in Schedule 2 will not be liable to examination.

Regulation 4 and Schedule 3 prescribe the construction and use requirements in relation to which a vehicle is to be examined.

Part II of the Regulations governs " first examinations " of a vehicle. These are examinations for determining the plated particulars for a vehicle and comprise a goods vehicle test, which is an examination for the purpose of ascertaining whether it complies with the prescribed construction and use requirements. Where a vehicle is found to comply with these requirements, Regulations 18 and 21 provide for the issue of a goods vehicle test certificate, and a plating certificate which by virtue of Regulation 22 is to contain the plated particulars determined for that vehicle. Regulation 10 and Schedule 4 specify the dates by which goods vehicles to which these Regulations apply are to be submitted for first examinations. These dates are relevant in relation to subsections (1) and (2) of section 14 of the Road Safety Act 1967 which respectively make it an offence for goods vehicles to which these Regulations apply to be used on roads on or after those dates without a plating certificate and a goods vehicle test certificate being in force.

Part III of the Regulations contains provision for vehicles for which a first goods vehicle test certificate has been issued to be submitted for subsequent goods vehicle tests at intervals. In particular, Regulation 27 fixes the dates by which vehicles are to be submitted for these tests.

Part IV of the Regulations requires certain alterations to a vehicle or its fixed equipment to be notified to the Minister. Under section 14(6) of the Road Safety Act 1967 it is an offence to use on a road a goods vehicle when such an alteration has been made to it and not been notified to the Minister. Part IV also provides in certain cases for re-examinations of vehicles to be carried out and for new plating certificates to be issued, when a notifiable alteration has been made to the vehicle or any particulars contained in its plating certificate may have become no longer applicable to the vehicle.

Part V of the Regulations deals with various matters and, in particular, matters concerning the fees which are payable in respect of examinations and the amounts of which are, in general, specified in Schedule 5. The amount of fees payable for appeals against determinations on examinations are set out in Regulations 25(3) and 26(2).

Part VI of the Regulations contains modifications of the Regulations for the purpose of their application to examinations of Crown vehicles.

Part VII contains exemptions from section 14(1) and (2) of the Road Safety Act 1967 of vehicles used for certain purposes or in certain areas and also exempts a class of motor vehicles from section 14(5) of the 1967 Act (which provides that a goods vehicle for which a plating certificate has been issued must not draw a trailer unless a maximum laden weight for that vehicle and trailer is shown in that certificate).