1969 No. 954

ROAD TRAFFIC

The Goods Vehicles (Production of Test Certificates) Regulations 1969

Made - - -	*14th July* 1969
Laid before Parliament	*22nd July* 1969
Coming into Operation	*1st August* 1969

The Minister of Transport, in exercise of his powers under section 14(9) of the Road Safety Act 1967(**a**), as amended by section 148 of the Transport Act 1968(**b**) and by section 18(2) of the Vehicle and Driving Licences Act 1969(**c**), and of all other enabling powers, after consultation with representative organisations in accordance with the provisions of section 260(2) of the Road Traffic Act 1960(**d**) as applied by section 29(6) of the said Act of 1967, hereby makes the following Regulations :—

1. These Regulations shall come into operation on the 1st August 1969, and may be cited as the Goods Vehicles (Production of Test Certificates) Regulations 1969.

2.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them :—

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

"the Plating and Testing regulations" means the Goods Vehicles (Plating and Testing) Regulations 1968(**e**), as amended (**f**).

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

3. Where application is made on or after 1st October 1969 and before 1st April 1970 for a licence under the Vehicles (Excise) Act 1962(**h**) for any motor vehicle, being a goods vehicle to which section 14(2) of the 1967 Act applies and of a class specified in paragraph 1, 2 or 3 in Part I of, or in paragraph 1 or 2 in Part II of, Schedule 4 to the Plating and Testing regulations, the licence shall not be granted unless—

(*a*) there is produced an effective goods vehicle test certificate in force for the vehicle ; or

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(**a**) 1967 c.30.
(**b**) 1968 c.73.
(**c**) 1969 c.27.
(**d**) 8 & 9 Eliz. 2. c.16.
(**e**) S.I. 1968/601 (1968 I, p.1372).
(**f**) The relevant amending instrument is S.I. 1968/1854 (1968 III, p. 4880).
(**g**) 52 & 53 Vict. c.63.
(**h**) 10 & 11 Eliz. 2. c.13.

(*b*) such a declaration as is specified in the Schedule to these Regulations is made; or

(*c*) there is produced in respect of the vehicle a certificate of temporary exemption issued by virtue of Regulation 57 of the Plating and Testing regulations which exempts the vehicle from the provisions of section 14(2) of the 1967 Act for a period which includes the date on which the licence is to come into force.

4. Without prejudice to the provisions of the last preceding Regulation, where application is made on or after 1st April 1970 for a licence under the Vehicles (Excise) Act 1962 for any motor vehicle, being a goods vehicle to which section 14(2) of the 1967 Act applies and of a class specified in Part I or II of Schedule 4 to the Plating and Testing regulations, the licence shall not be granted unless—

(*a*) there is produced an effective goods vehicle test certificate in force for the vehicle; or

(*b*) such a declaration as is specified in the Schedule to these Regulations is made; or

(*c*) there is produced in respect of the vehicle a certificate of temporary exemption issued by virtue of Regulation 57 of the Plating and Testing regulations which exempts that vehicle from the provisions of section 14(2) of the 1967 Act for a period which includes the date on which the licence is to come into force.

Given under the Official Seal of the Minister of Transport the 14th July 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

SCHEDULE

Form of Declaration

I DECLARE that the vehicle, of which the registration mark/chassis or serial number/identification mark is.....and for which I have made application for a licence for the period commencing.....and ending....., is not intended to be used during the period for which the licence is to be in force except—

(*a*) for a purpose prescribed in Regulation 53(4) of the Goods Vehicles (Plating and Testing) Regulations 1968, or

(*b*) in an area prescribed in Regulation 55 of the Goods Vehicles (Plating and Testing) Regulations 1968, being an area to which that Regulation applies.

Usual signature .....

Full Name (block letters) .....

Address .....

.....

.....

In the case of a partnership, limited company or other legal entity state capacity in which declaration is made and name of that partnership, company or entity

Capacity .....

Name .....

Date .....

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that where application is made for a licence under the Vehicles (Excise) Act 1962 for a motor vehicle, being a goods vehicle required under section 14(2) of the Road Safety Act 1967 to have a goods vehicle test certificate and of a class specified in Schedule 4 to the Goods Vehicles (Plating and Testing) Regulations 1968, the applicant must, before the licence will be granted, produce either a goods vehicle test certificate relating to the vehicle which shall be in force on the date on which the licence is to come into force or a certificate of temporary exemption exempting the vehicle from the provisions of section 14(2) of the above Act of 1967 for a period which includes the date on which the licence is to come into force, or also make the declaration prescribed by the Regulations as to proposed limited use of the vehicle. The Regulations have effect in two stages:—

(*a*) on and after 1st October 1969, the foregoing requirements preliminary to the grant of a licence will apply to the goods vehicles concerned in the case of those not based in Scotland, if they were first registered before 1st January 1961, or in the case of those so based, if they were first registered before 1st January 1958 (Reg. 3);

(*b*) on and after 1st April 1970, those requirements will apply to all the goods vehicles concerned, being motor vehicles either registered before 1st January 1968 or, if manufactured before that date, not registered before 1st January 1969 (Reg. 4).