1961 No. 1643

ROAD TRAFFIC

MOTOR VEHICLES

The Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations, 1961

Made - - - -	*25th August*, 1961
Laid before Parliament	*4th September*, 1961
Coming into Operation	*11th September*, 1961

The Minister of Transport, in exercise of his powers under section 64 of the Road Traffic Act, 1960(a), and of all other powers him enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of subsection (2) of section 260 of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the eleventh day of September, 1961, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations, 1961.

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

2. The Motor Vehicles (Construction and Use) Regulations, 1955(c), as amended(d), shall have effect as though for paragraph (1) and sub-paragraph (*a*) of paragraph (2) of Regulation 106 there were substituted the following paragraph and sub-paragraph respectively:—

"(1) Any police constable in uniform, and any person for the time being appointed by the Minister of Transport as a certifying officer or public service vehicle examiner under Part III of the Road Traffic Act, 1960, or under any enactment repealed by that Act, or as an examiner appointed under Part IV of that Act or under any enactment so repealed, or appointed by the commissioner of police of the metropolis to examine and inspect public carriages for the purposes of the Metropolitan Public Carriage Act, 1869(e), who shall produce his authority, if required, is hereby empowered to test and inspect the brakes, silencers, steering gear, tyres, lighting equipment and reflectors of any motor vehicle or trailer on any premises where that motor vehicle or trailer is, subject however to the consent of the owner of the premises.

(2) (*a*) The power conferred by this Regulation to test and inspect the brakes, silencers, steering gear, tyres, lighting equipment and reflectors of a vehicle on any premises where the vehicle is shall not be exercised unless either the owner of the vehicle consents or notice of the date and

(a) 8 & 9 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63. (c) S.I. 1955/482 (1955 II. p. 2242). (d) S.I. 1956/540, 1957/359, 971, 1959/1936, 2231, 1960/1065, 1961/1313, 1587 (1956 II. p. 2004; 1957 II, pp. 1976, 1985; 1959 II, pp. 2352, 2361; 1960 III, p. 2960; 1961 II, pp. 2542, 3247). (e) 32 & 33 Vict. c. 115.

time at which it is proposed to carry out the test and inspection has been given to him in accordance with the provisions of the next succeeding sub-paragraph.".

Given under the Official Seal of the Minister of Transport this twenty-fifth day of August, 1961.

(L.S.)

L. J. Dunnett,
Secretary to
the Ministry of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend Regulation 106 of the Motor Vehicles (Construction and Use) Regulations, 1955, in the following respects:—

(1) The Regulation, which provided for the testing and inspection of any brakes, silencers or steering gear fitted to a motor vehicle or trailer, now provides in addition for the testing and inspection of the tyres, lighting equipment and reflectors of motor vehicles and trailers.

(2) The Regulation now provides for testing and inspection to take place only at any premises where the vehicles are. It no longer provides for testing and inspection on a road, provision for this being made by section 67 of the Road Traffic Act, 1960.