STATUTORY INSTRUMENTS

1972 No. 898

ROAD TRAFFIC

The Motor Vehicles (Tests) (Amendment) Regulations 1972

Made - - -	15*th June* 1972
Laid before Parliament	26*th June* 1972
Coming into Operation	17*th July* 1972

The Secretary of State for the Environment, in exercise of his powers under section 65(1), (2) and (6) of the Road Traffic Act 1960(**a**) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the said Act of 1960, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Motor Vehicles (Tests) (Amendment) Regulations 1972 and shall come into operation on 17th July 1972.

(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 (Tests) Regulations 1968(**c**), as amended (**d**), shall have effect as though—

(1) in Regulation 15(2), for sub-paragraph (*a*) there were substituted the following sub-paragraph—

"(*a*) every test certificate shall be in the form in, and contain the particulars required by Schedule 4 to these Regulations so, however, that a certificate may contain in its heading the words "MINISTRY OF TRANSPORT" instead of the words "DEPARTMENT OF THE ENVIRONMENT", and";

(2) in Regulation 19(1) for the fees shown as "87 new pence" and "£1·25" there were substituted respectively the fees of "£1·00" and "£1·70";

(3) in Regulation 23(2), at the end there were added the words "notwithstanding that the words 'Department of the Environment' may have been substituted in the duplicate for the words 'Ministry of Transport'.";

(4) in Schedule 2—

(*a*) in paragraph (1)—

(i) for the words "paragraph (1) of Regulation 11" there were substituted the words "paragraphs (1) and (2) of Regulation 11";

(**a**) 1960 c. 16. (**b**) 1889 c. 63.
(**c**) S.I. 1968/1714 (1968 III, p. 4607).
(**d**) The relevant amending instruments are S.I. 1969/1171, 1971/165 (1969 II, p. 3443; 1971 I, p. 512).

(ii) for the words "(4) of Regulation 45" there were substituted the words "(4) and (5) of Regulation 45";

(iii) for the words "(4) and sub-paragraph (*a*) of paragraph (8) of Regulation 50" there were substituted the words "(4) and (5) and sub-paragraph (*a*) of paragraph (8) of Regulation 50";

(*b*) in paragraph (3) for the words "Regulations 11, 14, 15, 21, 22 and 23 of the Road Vehicles Lighting Regulations 1964(**a**), as amended." there were substituted the words "Regulations 11, 24, 25, 31 and 32 of the Road Vehicles Lighting Regulations 1971(**b**).";

(*c*) in paragraph (5) for the words "Regulation 53" there were substituted the words "Regulation 12C", and after the word "Regulations", there were inserted the words "as amended (**c**)";

(5) in Schedule 3, in paragraph 10(2)(*a*) for the words "the Road Vehicles Lighting Regulations 1964" there were substituted the words "the Road Vehicles Lighting Regulations 1971";

(6) in Schedule 4, for the words "MINISTRY OF TRANSPORT" there were substituted the words "DEPARTMENT OF THE ENVIRONMENT";

(7) in Schedule 5—

(*a*) in Part I for the amounts shown in column 2 of the Table as "87 new pence", "£1·25", "81 new pence" and "£1·19" there were substituted respectively "£1·00", "£1·70", "94 new pence" and "£1·64";

(*b*) in Part II,

(i) in paragraph 2 for the definition of "earlier examination" there were substituted the following definition—

" 'earier examination' means an examination of a motor vehicle in respect of which a fee of £1·64 or 94 new pence has been paid in accordance with the provisions of Parts I and III of this Schedule and includes such an examination in respect of which prior to 17th July 1972 a fee of £1·19 or 81 new pence was paid in accordance with the said provisions as then applicable;";

(ii) in proviso (*a*) to paragraph 4, for the words "20 new pence" and "30 new pence" there were substituted respectively the words "23 new pence" and "41 new pence";

(iii) in proviso (*b*) to paragraph 4, for the words of "20 new pence" and "30 new pence" there were substituted respectively the words of "23 new pence" and "41 new pence";

(iv) for the Table therein contained there were substituted the following Table:—

(**a**) S.I. 1964/205 (1964 I, p. 345). (**b**) S.I. 1971/694 (1971 I, p. 1833).
(**c**) The relevant amending instrument is S.I. 1971/979 (1971 II, p. 2841).

"TABLE

1 Description of examination	2 Amount of Fee
1. Examiner's re-test of a motor cycle not having a sidecar attached thereto, where a test certificate is issued where, after an earlier examination, no test certificate was issued because the prescribed statutory requirements were not complied with in respect of—	
(i) one of the relevant items	75 new pence*
(ii) two of the relevant items	52 new pence*
(iii) three of the relevant items	29 new pence*
2. Examiner's re-test of any other motor vehicle to which these Regulations apply where a test certificate is issued where, after an earlier examination, no test certificate was issued because the prescribed statutory requirements were not complied with in respect of—	
(i) only the seat belt requirements	£1·70
(ii) one of the relevant items	£1·29*
(iii) two of the relevant items	88 new pence*
(iv) three of the relevant items	47 new pence*
3. Examiner's re-test of a motor cycle not having a sidecar attached thereto, where a test certificate is not issued where, after an earlier examination, no test certificate was issued because the prescribed statutory requirements were not complied with in respect of—	
(i) one of the relevant items	69 new pence*
(ii) two of the relevant items	46 new pence*
(iii) three of the relevant items	23 new pence
4. Examiner's re-test of any other motor vehicle to which these Regulations apply where a test certificate is not issued where, after an earlier examination, no test certificate was issued because the prescribed statutory requirements were not complied with in respect of—	
(i) only the seat belt requirements	£1·64
(ii) one of the relevant items	£1·23*
(iii) two of the relevant items	82 new pence*
(iv) three of the relevant items	41 new pence
5. Examiner's special re-test of any motor vehicle to which these Regulations apply, where a test certificate is issued.	6 new pence."

Signed by authority of the Secretary of State

John Peyton,
Minister for Transport Industries,
Department of the Environment.

15th June 1972.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Tests) Regulations 1968. The principal changes are by—

(1) Regulation 2(2) and (7) to increase the various fees payable under the 1968 Regulations for examinations of motor vehicles and in connection with appeals;

(2) Regulation 2(4) and (5) to alter the references to certain statutory requirements in relation to which motor vehicles are examined.

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