

Draft Order in Council laid before Parliament under paragraph 2(1)(a) of the Schedule to the Northern Ireland Act 2000, for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2004 No. (N.I.)

NORTHERN IRELAND

The Vehicle Testing (Temporary Exemptions) (Northern Ireland) Order 2004

Made - - - - 2004
Coming into operation 2004

At the Court at Buckingham Palace, the ** day of ** 2004
Present,
The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order in Council has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1(1) of the Schedule to the Northern Ireland Act 2000 (c. 1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title, commencement and interpretation

1.—(1) This Order may be cited as the Vehicle Testing (Temporary Exemptions) (Northern Ireland) Order 2004.

(2) This Order comes into operation on the expiration of 7 days from the day on which it is made.

(3) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

Certificates of temporary exemption

2.—(1) In Article 63 of the Road Traffic (Northern Ireland) Order 1995 (NI 18) (obligatory test certificates for certain motor vehicles) after paragraph (7) insert—

“(7A) The Department may by regulations make provision for the issue, in such circumstances as may be prescribed, of a certificate of temporary exemption in respect of

a vehicle, exempting that vehicle from paragraph (1) for such period as may be specified in the certificate.”.

(2) In Article 64 of that Order—

(a) paragraph (4) (which provides for the issue of certificates of temporary exemption in respect of certain public service vehicles) is repealed; and

(b) in paragraph (5) for “so adapted” substitute “adapted to carry more than 8 passengers”.

(3) In Article 72 of that Order (regulations prohibiting the grant of excise licences for certain vehicles except on compliance with certain conditions) in paragraph (2) after sub-paragraph (b) insert—

“(bb) there is produced in respect of the vehicle a certificate of temporary exemption issued by virtue of paragraph (7A) of Article 63 which exempts that vehicle from the provisions of paragraph (1) of that Article for a period which includes the date on which the licence is to come into force; or”.

(4) In Article 180 of the [Road Traffic \(Northern Ireland\) Order 1981 \(NI 1\)](#) (production of documents) at the end add—

“(9) In paragraphs (2) and (4)—

(a) a reference to a test certificate includes a reference to a certificate of temporary exemption issued by virtue of paragraph (7A) of Article 63 of the Order of 1995; and

(b) a reference to a goods vehicle test certificate includes a reference to a certificate of temporary exemption issued by virtue of paragraph (5) of Article 69 of that Order.”.

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enables regulations to be made for the issue of certificates of temporary exemption, exempting vehicles from the requirements of Article 63(1) of the Road Traffic (Northern Ireland) Order 1995 (under which it is an offence to use a motor vehicle if no vehicle test certificate has been issued within the previous 12 months).