

SCHEDULES

SCHEDULE 3

MODIFICATION OF ENACTMENTS EXTENDED TO NORTHERN IRELAND

PART I

THE VEHICLES (EXCISE) ACT 1971

Schedules

- 20 In Part I of Schedule 1 (annual rate of duty on certain mechanically propelled vehicles) after paragraph 3 there shall be added the following paragraph—
- “4 In its application to Northern Ireland, this Part of this Schedule shall have effect as if—
- (a) in paragraph 2(a), for “1933” there were substituted “1935”; and
 - (b) in paragraph 3, in the definition of “weight unladen”, for “section 190(2) of the Road Traffic Act 1988” there were substituted “Article 2(3) of the Road Traffic (Northern Ireland) Order 1981”.”
- 21 In Schedule 2 (annual rates of duty on hackney carriages) at the end of Part I there shall be added the following paragraph—
- “5 (1) A vehicle falling within this Schedule shall not be chargeable with duty at the rate appropriate to a hackney carriage unless a licence granted under Article 61 of the Road Traffic (Northern Ireland) Order 1981 is in force with respect to that vehicle.
- (2) This paragraph applies only to Northern Ireland.”
- 22 In Schedule 4 (annual rates of duty on goods vehicles) at the end of Part I there shall be added the following paragraph—
- “16 (1) This Schedule shall apply to Northern Ireland subject to the following modifications.
- (2) Any reference to a plated gross weight or a plated train weight shall be construed as if it were a reference to a relevant maximum weight or a relevant maximum train weight.
 - (3) Paragraph 5 above shall have effect as if for sub-paragraph (1) there were substituted the following paragraph—
- “(1) This paragraph applies to a goods vehicle—
- (a) which has a relevant maximum weight or a relevant maximum train weight exceeding 3,500 kilograms or, in the case of a vehicle which has neither a relevant maximum weight nor a

Status: This is the original version (as it was originally enacted).

relevant maximum train weight, a design weight exceeding 3,500 kilograms; and

- (b) which is for the time being authorised for use on roads by virtue of an order under Article 29(3) of the Road Traffic (Northern Ireland) Order 1981 (authorisation of special vehicles).”

- (4) Paragraph 9 above shall have effect as if for sub-paragraphs (1) and (2) there were substituted the following sub-paragraphs—

“(1) Any reference in this Schedule to the relevant maximum weight of a goods vehicle or trailer is a reference—

- (a) where the vehicle or trailer is required by regulations under Article 28 of the Road Traffic (Northern Ireland) Order 1981 to have a maximum gross weight in Great Britain for the vehicle or trailer marked on a plate attached to the vehicle or trailer, to the maximum gross weight in Great Britain marked on such a plate;
- (b) where a vehicle or trailer on which the maximum gross weight in Great Britain is marked by the same means as would be required by regulations under the said Article 28 if those regulations applied to the vehicle or trailer, to the maximum gross weight in Great Britain so marked on the vehicle or trailer;
- (c) where a maximum gross weight is not marked on a vehicle or trailer as mentioned in paragraph (a) above, to the notional maximum gross weight of the vehicle or trailer ascertained in accordance with the Goods Vehicles (Ascertainment of Maximum Gross Weights) Regulations (Northern Ireland) 1976 (or any regulations replacing those regulations, whether with or without amendments).

- (2) Any reference in this Schedule to the relevant maximum train weight of a vehicle is a reference to the maximum gross weight which may not be exceeded in Great Britain for an articulated vehicle consisting of the vehicle in question and any semi-trailer which may be drawn by it.”

- (5) Paragraph 15(1) above shall have effect as if in the definition of “unladen weight” for the words from “the Road” to “that Act” there were substituted “the Road Traffic (Northern Ireland) Order 1981 by virtue of Article 2(3) of that Order”.”

- 23 In Schedule 4A (duty on vehicles used for carrying or drawing exceptional loads) at the end there shall be added the following paragraph—

“5 In its application to Northern Ireland, this Schedule shall have effect as if—

- (a) in paragraph 1 above for the words referring to section 44 of the Road Traffic Act 1988 there were substituted “Article 29(3) of the Road Traffic (Northern Ireland) Order 1981”;
- (b) in paragraph 4 above—
 - (i) in the definition of “exceptional load” for the words referring to section 41 of the Road Traffic Act 1988 there were substituted “Article 28 of the Road Traffic (Northern Ireland) Order 1981”; and

- (ii) in the definition of “specified amount” for the words from “Road Traffic” to “that Act” there were substituted “Road Traffic (Northern Ireland) Order 1981 have the same meanings as in that Order”.