

## 1969 No. 52

## ROAD TRAFFIC

**The Motor Vehicles (Construction and Use) (Amendment)  
Regulations 1969**

<i>Made</i> - - -	13th January 1969
<i>Laid before Parliament</i>	23rd January 1969
<i>Coming into Operation</i>	1st February 1969

The Minister of Transport, in exercise of his powers under section 64(1) of the Road Traffic Act 1960(a), as amended by section 51 of and Schedule 4 to the Road Traffic Act 1962(b) and of all other powers him enabling in that behalf, 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 shall come into operation on 1st February 1969, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations 1969.

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

(3) In these Regulations the expression “the Principal Regulations” means the Motor Vehicles (Construction and Use) Regulations 1966(d), as amended (e).

2. The Principal Regulations shall have effect as though—

(1) in Regulation 3, after paragraph (1), there were inserted the following paragraphs:—

“(1A) For the purpose of these Regulations, in determining when a motor vehicle is first used, the date of such first use shall be taken to be such date as is the earliest of the undermentioned relevant dates applicable to that vehicle:—

(a) in the case of a vehicle registered under the Roads Act 1920(f), the Vehicles (Excise) Act 1949(g) or the Vehicles (Excise) Act 1962(h), the relevant date is the date on which it was first so registered; and

(b) in each of the following cases—

(i) in the case of a vehicle which is being or has been used under a trade licence as defined in section 12 of the Vehicles (Excise) Act 1962 (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

(a) 8 & 9 Eliz. 2. c. 16.

(b) 10 & 11 Eliz. 2. c. 59.

(c) 52 & 53 Vict. c. 63.

(d) S.I. 1966/1288 (1966 III, p. 3493).

(e) The relevant amending instruments are S.I. 1967/1665, 1968/362, 426 (1967 III, p. 4563; 1968 I, p. 1013, 1114).

(f) 10 & 11 Geo. 5. c. 72.

(g) 12, 13 & 14 Geo. 6. c. 89.

(h) 10 & 11 Eliz. 2. c. 13.

- (ii) in the case of a vehicle belonging, or which has belonged, to the Crown which is or was used or appropriated for use for naval, military or air force purposes;
- (iii) in the case of a vehicle belonging, or which has belonged, to a visiting force or a headquarters or defence organisation to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965(a) applies;
- (iv) in the case of a vehicle, being a vehicle which has been used on roads outside Great Britain and which has been imported into Great Britain, and
- (v) in the case of a vehicle, being a vehicle which has been used otherwise than on roads after being sold or supplied by retail and before being registered;

the relevant date is the date of manufacture of the vehicle.

In sub-sub-paragraph (v) of this paragraph "sold or supplied by retail" means sold or supplied otherwise than to a person acquiring solely for the purpose of resale or re-supply for a valuable consideration."; and

(2) in each Regulation, other than the excepted provisions, wherever the word "registered" occurs, for that word there were substituted the words "first used".

For the purposes of this paragraph "the excepted provisions" means the provisions of Regulations 3(1), 3(1A), 4(5), 4(9), 48(8), 51, 52(4), 64 and 115, and the provisions of Regulations 69(4), 70(3), and 71(4) only in so far as they contain a definition of "a temporarily imported vehicle" or of "a temporarily imported motor vehicle".

3. Where by virtue of a substitution of the words "first used" for the word "registered" effected by paragraph (2) of the last preceding Regulation, a provision of the Principal Regulations applies to a motor vehicle to which that provision had not previously applied, nothing in the Principal Regulations shall be taken as applying that provision to that motor vehicle before the date of the coming into operation of these Regulations.

Given under the Official Seal of the Minister of Transport the 13th January 1969.

*Richard Marsh,*  
Minister of Transport.

(L.S.)

### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1966 so as to require certain motor vehicles—

- (1) which are used without being registered under the Vehicles (Excise) Act 1962 to comply with certain of the Regulations which do not at present apply to unregistered motor vehicles;
- (2) which are not registered under that Act for a considerable time after manufacture to comply after registration with requirements of the Regulations which are appropriate to their date of manufacture.

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(a) S.I. 1965/1536 (1965 II, p. 4462).