

SCHEDULE

Article 3

AMENDMENTS OF THE 1976 ACT

1. In section 2 (provisions as to examination and testing), in subsection (1)—
 - (a) in paragraph (a) there shall be added at the end “or of a certification plate”; and
 - (b) in paragraph (b) after “certificate” there shall be inserted “or plate”.
2. In section 3 (provisions supplementary to section 2)—
 - (a) in subsection (1)—
 - (i) in paragraph (f) after “certificates” there shall be inserted “and plates”;
 - (ii) in paragraph (g) after “certificates” there shall be inserted “or duplicates of plates”;
 - (iii) after paragraph (g) there shall be inserted—

“(gg) the position and the manner in which certification plates are to be affixed;”

; and
 - (iv) in paragraphs (i), (k), (l) and (m) after “certificate” there shall be inserted “or plate”; and
 - (b) in subsection (3) after “documents” there shall be inserted “or plates”.
3. In section 6 (powers of entry and inspection)—
 - (a) in subsection (2)(b) after “certificate of compliance” there shall be inserted “or certification plate”; and
 - (b) after subsection (2) there shall be inserted—

“(2A) Subsection (2)(c) above shall not apply in relation to any vehicle or container to which a valid certification plate is affixed in accordance with regulations under this Act; but an examiner may, at any time and on production if so required of his authority, detain any such vehicle or container for the purpose of inspecting the plate and copying the particulars contained in it.”.
4. In section 7 (offences as to use of transport equipment) for subsection (1)(a) there shall be substituted—

“(a) without there being either a certificate of compliance in force for that equipment or a valid certification plate affixed to it in accordance with regulations under this Act,”.
5. In section 9 (forgery of certificates of compliance) after subsection (1) there shall be inserted the following subsections—
 - “(2) Any person who, with intent to deceive—
 - (a) forges, or alters, or uses or lends to, or allows to be used by, any other person, a certification plate, or
 - (b) makes or has in his possession a plate so closely resembling a certification plate as to be calculated to deceive,shall be guilty of an offence and shall be liable as mentioned in paragraphs (i) and (ii) of subsection (1) above.
 - (3) In the application of subsection (2) above to England, Wales and Northern Ireland “forges” means makes a false plate in order that it may be used as genuine.”.
6. In section 10 (false statements and withholding material information in subsection (1) after “certificate of compliance” there shall be inserted “or a certification plate”.

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7. In section 11 (power to prohibit driving of foreign goods vehicles) for subsection (1)(a) there shall be substituted—

- “(a) the vehicle is required to comply with regulations under this Act and—
- (i) there is not produced to him in respect of the vehicle a certificate of compliance, and
 - (ii) no valid certification plate is affixed to it in accordance with regulations under this Act; or”

8. In section 19 (Interpretation) in subsection (1) after the definition of “certificate of compliance” there shall be inserted—

““certification plate” means a plate issued under section 2 of this Act, and includes a duplicate plate issued under section 3 of this Act and a plate recognised under that section;”.