



Road Traffic Act 1972

1972 CHAPTER 20

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

General provisions

52 Regulations prohibiting the grant of excise licences for certain vehicles except on compliance with certain conditions

- (1) The Secretary of State may by regulations provide that where application is made for a licence under the Vehicles (Excise) Act 1971 for a vehicle to which section 44 of this Act applies and, in the case of an application relating to a vehicle to which that section applies by virtue of subsection (2)(b) thereof, it appears from the application that the vehicle has been used on roads (whether in Great Britain or elsewhere) before the date of the application, the licence shall not be granted unless—
 - (a) there is produced such evidence as may be prescribed of the granting of an effective test certificate or (if it is so prescribed) there is produced such a certificate or there is furnished to the Secretary of State a copy thereof, or
 - (b) there is made such a declaration as may be prescribed that the vehicle is not intended to be used during the period for which the licence is to be in force except for a purpose prescribed under subsection (6), or in an area prescribed under subsection (7), of the said section 44, or
 - (c) in the case of an application relating to a vehicle to which the said section 44 applies by virtue of subsection (2)(b) thereof, the owner of the vehicles declares in writing the year in which the vehicle was manufactured, and the specified period from the date of manufacture has not expired.
- (2) The Secretary of State may by regulations provide that where application is made for a licence under the said Act of 1971 for a goods vehicle to which section 46(2) or 51(1) of this Act applies, the licence shall not be granted unless—
 - (a) on any application, after the relevant date within the meaning of the said section 46(2), for a licence for a vehicle to which the said section 46(2) applies,

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there is produced evidence that an effective goods vehicle test certificate is in force for the vehicle;

- (b) on the first application, after the day appointed by regulations made by virtue of the said section 51(1), for a licence for a vehicle of any class to which those regulations apply, there is produced evidence that there is or are one or more certificates in force for the vehicle under section 47 of this Act from which it appears that the vehicle complies with all the relevant type approval requirements prescribed by those regulations;

or unless there is made such a declaration as may be prescribed that the vehicle is not intended to be used during the period for which the licence is to be in force except for a purpose or in an area prescribed under paragraph (a) of section 46(5) or 51(5) of this Act or unless there is produced in respect of the vehicle a certificate of temporary exemption issued by virtue of paragraph (b) of the said section 46(5) or paragraph (c) of the said section 51(5) which exempts that vehicle from the provisions of section 46(2) or 51(1) of this Act, as the case may be, for a period which includes the date on which the licence is to come into force.

- (3) Regulations under subsection (2) above may be made so as to apply to such classes only of vehicles as may be specified in the regulations.
- (4) Section 44(11) shall apply for the purposes of this section as it applies for the purposes of that section.
- (5) In this section—

" effective test certificate " means, in relation to an application for a licence for a vehicle, a test certificate relating to the vehicle and issued within the appropriate period before the date on which the licence is to come into force;

" effective goods vehicle test certificate " means, in relation to an application for a licence for a vehicle, a goods vehicle test certificate relating to the vehicle which will be in force on the date on which the licence is to come into force;

and " appropriate period " and " specified period " have the same meanings as they respectively have in section 44 of this Act.