
STATUTORY INSTRUMENTS

1969 No. 418

ROAD TRAFFIC

**The Motor Vehicles (Production of Test Certificates)
Regulations 1969**

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|-------------------------------|-------|-----------------|
| <i>Made</i> | - - - | 18th March 1969 |
| <i>Laid before Parliament</i> | | 2nd April 1969 |
| <i>Coming into Operation</i> | | 1st May 1969 |

The Minister of Transport, in exercise of his powers under section 66(6) of the Road Traffic Act 1960(a) and section 4(3) of the Road Traffic (Amendment) Act 1967(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 and of that section as applied by section 9(3) of the said Act of 1967, hereby makes the following Regulations :—

1. These Regulations shall come into operation on the 1st May 1969 and may be cited as the Motor Vehicles (Production of Test Certificates) Regulations 1969.

2. The Motor Vehicles (Production of Test Certificates) Regulations 1962(c) are hereby revoked.

3. The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purpose of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were an Act of Parliament thereby repealed.

4. Where an application is made for a licence under the Vehicles (Excise) Act 1962(e) for a vehicle to which section 66 of the Road Traffic Act 1960 applies (not being a vehicle to which that section applies by virtue of section 4(1) of the Road Traffic (Amendment) Act 1967), the licence shall not be granted except after either—

- (a) the production of an effective test certificate, or
- (b) the making of such a declaration as is specified in the Schedule to these Regulations by the person making the application.

5.—(1) This Regulation applies to a vehicle which—

- (a) is not a vehicle to which section 66 of the Road Traffic Act 1960 applies, unless that section applies by virtue of section 4(1) of the Road Traffic (Amendment) Act 1967, and

(a) 8 & 9 Eliz. 2. c. 16.
(d) 52 & 53 Vict. c. 63.

(b) 1967 c. 70.
(e) 10 & 11 Eliz. 2. c. 13.

(c) S.I. 1962/1127 (1962.II, p. 1294).

(b) has been used on roads (whether in Great Britain or elsewhere), but excluding for this purpose any use of the vehicle before it is sold or supplied by retail.

(2) Where an application is made for a licence under the Vehicles (Excise) Act 1962 for a vehicle to which this Regulation applies, and 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 an effective test certificate ; or
- (b) the owner of the vehicle declares in writing the year in which the vehicle was manufactured, and a period of ten years or such shorter period as may be specified in an order under section 66(3) of the Road Traffic Act 1960 from the date of manufacture has not expired ; or
- (c) the person making the application makes such a declaration as is specified in the Schedule to these Regulations.

Given under the Official Seal of the Minister of Transport the 18th March 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

SCHEDULE

FORM OF DECLARATION

I DECLARE that the vehicle, of which the registration mark is..... and for which I have made application for a licence for the period commencing and ending, is not intended to be used during the period for which the licence is to be in force except—

- (a) for a purpose prescribed in Regulation 5(2) of the Motor Vehicles (Tests) (Exemption) Regulations 1969(a), or
- (b) in an area prescribed in Regulation 6 of the Motor Vehicles (Tests) (Exemption) Regulations 1969, being an area to which that Regulation applies.

Usual signature

Name (in full)

Address

Date

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke and re-enact the Motor Vehicles (Production of Test Certificates) Regulations 1962, and provide that where an application is made for an excise licence for a vehicle which was registered more than three years previously the applicant must, before the licence will be granted, produce a current test certificate or declare that the proposed use of the vehicle does not need a test certificate. (Regulations 2 and 4).

Under section 4 of the Road Traffic (Amendment) Act 1967 obligatory test certificates are needed as from 1st May 1969 (being the date on which that

(a) S.I. 1969/419.

section comes into force by virtue of the Road Traffic (Amendment) Act 1967 (Commencement No. 2) Order 1969 (S.I. 1969/434)) for motor vehicles which have been used before being registered and which were manufactured more than three years previously. These Regulations also provide that where an application is made for an excise licence for a vehicle which has not been registered more than three years previously, but which has been used before being registered, the applicant must, before the licence will be granted, produce a current test certificate, declare that the vehicle was manufactured not more than three years previously, or declare that its proposed use does not need a test certificate. (Regulation 5).

S T A T U T O R Y I N S T R U M E N T S

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