

**1976 No. 1701****FEES AND CHARGES****The Agricultural or Forestry Tractors (Type Approval) (Fees)  
Regulations 1976**

<i>Made - - - -</i>	<i>13th October 1976</i>
<i>Laid before Parliament</i>	<i>21st October 1976</i>
<i>Coming into Operation</i>	<i>11th November 1976</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(a) and of all other enabling powers, with the consent of the Treasury, hereby make the following Regulations:—

*Citation and commencement*

**1.** These Regulations may be cited as the Agricultural or Forestry Tractors (Type Approval) (Fees) Regulations 1976 and shall come into operation on 11th November 1976.

*Interpretation*

**2.—(1)** In these Regulations, except where the context otherwise requires—

“Community Directive” means a Directive issued by the Council or Commission of the European Communities concerning the approximation of the laws of member States on the type approval of tractors, being a Directive mentioned in Schedule 1 to these Regulations;

“Minister” means in relation to England and Wales and Northern Ireland, the Minister of Agriculture, Fisheries and Food, and in relation to Scotland, the Secretary of State;

“official testing station” means premises established or approved by the Minister for the testing of tractors for the purposes of a Community Directive;

“test” includes a series of tests of a tractor required to be carried out for the purposes of any one Community Directive;

“tractor” means an agricultural or forestry tractor to which the Agricultural or Forestry Tractors (Type Approval) Regulations 1975(b) apply.

(2) Subject to paragraph (1) of this Regulation, expressions used in these Regulations and in the Agricultural or Forestry Tractors (Type Approval) Regulations 1975 have the same meanings in these Regulations as in those.

(3) Any reference in these Regulations to any enactment or statutory instru-

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(a) 1973 c. 51.

(b) S.I. 1975/1475 (1975 III, p. 4880).

ment is a reference to that enactment or instrument as amended by any subsequent enactment or instrument.

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

*Fees for tests—standard scale*

3. Subject to the provisions of these Regulations, the fee to be paid for the carrying out or supervision by or on behalf of the Minister of a test of a tractor in connection with the issue of a type approval certificate for the purpose of a Community Directive specified in column 2 of Part B of Schedule 1 to these Regulations shall be—

- (a) where the test is to be carried out at an official testing station by an officer of the Minister or a person appointed by the Minister to act on his behalf, the aggregate of—
  - (i) the amount specified as the First Item in Part A of Schedule 1; and
  - (ii) the amount or the aggregate of the amounts specified in column 4 of Part B of Schedule 1 in relation to such of the tests specified in column 3 of that Part as is or are to be carried out; or
- (b) where the test is to be carried out on other premises under the supervision of an officer of the Minister or a person appointed by the Minister to act on his behalf, the aggregate of—
  - (i) the amount specified as the Second Item in Part A of Schedule 1; and
  - (ii) the amount or the aggregate of the amounts specified in column 5 of Part B of Schedule 1 in relation to such of the tests specified in column 3 of that Part as is or are to be carried out.

*Fees—consecutive tests*

4. Where two or more tractors of the same type but embodying minor variations are submitted by one applicant with a view to tests being carried out consecutively on each tractor and the circumstances are such that all the tests can be carried out without the testing apparatus being set up afresh after each test, the fee to be paid for the carrying out of each test after the first one shall be such proportion of the fee payable for the first test as the Minister thinks to be appropriate in view of the work involved in carrying out such subsequent test.

*Fees—partial tests*

5.—(1) Where in consequence of an alteration in the design specification of a tractor in relation to which a type approval certificate has been issued for the purpose of a Community Directive specified in column 2 of Part B of Schedule 1 to these Regulations a further test of the tractor is needed with a view to the issue of a modification of a type approval certificate, but the alteration is not so extensive as to require that the further test shall be as complete and exhaustive as the original test, the fee to be paid for the carrying out of the further test shall be such proportion of the fee payable for the original test as the Minister thinks to be appropriate in view of the nature and extent of the further test.

(2) Where two or more tractors of the same type but embodying minor variations are submitted by one applicant and, in the circumstances, it is un-

necessary to submit each individual tractor to a complete test, the fee to be paid for the carrying out of a partial test on a tractor shall be such proportion of the fee payable for a complete test as the Minister thinks to be appropriate in view of the nature and extent of the partial test.

*Fees—issue of documents*

6. The fee for the issue of a document of a type specified in column 2 of Schedule 2 to these Regulations shall be the amount specified in relation to that document in column 3 of that Schedule.

*Payment of fees*

7.—(1) The fee for the carrying out or supervision of a test of a tractor shall be paid when application is made for the issue of the type approval certificate for the tractor.

(2) The fee for the issue of a document of a type specified in column 2 of Schedule 2 to these Regulations shall be paid—

- (a) in a case where the test of a tractor is required before the document is issued, when the applicant is notified of the result of the test; and
- (b) in any other case, when application is made for the issue of the document.

*Refund of fees*

8.—(1) Subject to Regulation 9 below, if the applicant for the issue of a type approval certificate for a tractor—

- (a) after he has been notified of the time and place for the test, withdraws his application, or
- (b) does not submit the tractor for the test at the time and place fixed therefor,

the Minister shall refund to him the fee which he has paid under these Regulations but subject to a deduction ascertained in manner following in respect of the work involved in dealing with the application and making arrangements for the test—

- (i) if the Minister is notified of the withdrawal or of the intention not to submit the tractor for the test not less than 7 days before the date fixed for the test, the deduction shall be £10, or 5 per cent. of the fee payable for the test (whichever is the less); and
- (ii) in any other case, the deduction shall be £50 where the fee payable for the test is £100 or more, or 50 per cent. of the fee payable for the test where that fee is less than £100.

(2) If an appointment for the test of a tractor is cancelled at the instance of the Minister and no alternative appointment acceptable to the applicant is offered to him, the Minister shall refund to the applicant the whole of the fee paid by him.

(3) Where a refund has been made under paragraph (1) or (2) above to an applicant, he shall pay the fee prescribed by these Regulations when he applies for a new appointment for the test of the tractor in question.

*Submission of alternative tractor for test*

9. Where an applicant for the issue of a type approval certificate for a tractor

does not wish or is unable to submit that tractor for test at the time and place appointed but is able to submit for test at that time and place some other tractor which can conveniently be fitted into the programme of tests being carried out at that place and in respect of which he has made an application for a type approval certificate he shall be entitled, subject to any adjustment by way of refund or additional payment so as to secure that the appropriate fee is paid for the test which actually takes place, to have the sum which he originally paid applied in payment of the fee for that test instead of receiving a refund under Regulation 8(1) above, but in that event he shall pay the appropriate fee prescribed by these Regulations when he applies for a new appointment for the test which he originally sought.

*Application of fees*

10. All fees received under these Regulations shall be paid into the Consolidated Fund.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 7th October 1976.

(L.S.)

*John Silkin,*  
Minister of Agriculture,  
Fisheries and Food.

11th October 1976.

*Bruce Millan,*  
Secretary of State for Scotland.

We consent to the making of  
these Regulations.  
13th October 1976.

*David Stoddart,*  
*J. Dormand,*  
Two of the Lords Commissioners  
of Her Majesty's Treasury.

## Regulation 3

## SCHEDULE 1

## FEES FOR TESTING AGRICULTURAL OR FORESTRY TRACTORS

## PART A—BASIC FEES

First Item (see Regulation 3(a)(i)) £55

Second Item (see Regulation 3(b)(i)) £85

## PART B—SUPPLEMENTARY FEES

1 Fee Number	2 Directive	3 Subject matter of tests	4 Fee for test at official testing station	5 Fee for test at other premises
			£	£
1	74/151 EEC (Annex I)	Maximum permissible laden weight.	70	35
2	74/151 EEC (Annex II)	Location and fitting of rear registration plate.	40	35
3	74/151 EEC (Annex III)	Tank for liquid fuel.	40	35
4	74/151 EEC (Annex IV)	Ballast weights.	40	35
5	74/151 EEC (Annex V)	Audible warning device.	50	35
6	74/151 EEC (Annex VI)	Permissible sound level.	60	35
7	74/152 EEC	Maximum design speed.	75	45
8	74/152 EEC	Load platform.	40	35
9	74/346 EEC	Rear view mirror.	65	40
10	74/347 EEC	Field of vision.	155	115
11	75/321 EEC	Steering equipment.	140	100
12	75/322 EEC	Radio interference suppressor.	—	—
13	75/323 EEC	Power connection for lighting and light signalling devices on the trailer.	40	35

## Regulation 6

## SCHEDULE 2

## FEES FOR THE ISSUE OF DOCUMENTS

1 Fee Number	2 Description of document	3 Fee for each document
14	Type approval certificate.	£ 20
15	Modification of a type approval certificate.	35
16	Duplicate of a type approval certificate or modification.	20

## EXPLANATORY NOTE

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

These Regulations prescribe the fees payable for the testing of agricultural or forestry tractors and the issue of documents in connection with the type approval of such tractors for the purposes of Community Directives. The standard scale of fees for tests is prescribed by Regulation 3 and Schedule 1. Provision is made in Regulations 4 and 5 for adjustments in the fees payable in certain circumstances.

The fees for the issue of documents are prescribed by Regulation 6 and Schedule 2.

Regulation 7 indicates when the fees are to be paid. Regulation 8 provides for the refund of fees in cases where an arranged test does not take place. Regulation 9 provides for the case where an alternative tractor is submitted for testing.

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