
STATUTORY INSTRUMENTS

1981 No. 1694

The Motor Vehicles (Tests) Regulations 1981

PART I GENERAL

Commencement and citation

1. These Regulations shall come into operation on 31st December 1981 and may be cited as the Motor Vehicles (Tests) Regulations 1981.

Commencement Information

I1 Reg. 1 in force at 31.12.1981, see reg. 1

Revocation

2. The Regulations specified in Schedule 4 are hereby revoked.

Commencement Information

I2 Reg. 2 in force at 31.12.1981, see reg. 1

Interpretation

3.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“the 1972 Act” means the Road Traffic Act 1972;

“the 1981 Act” means the Public Passenger Vehicles Act 1981;

[^{F1}“the 1988 Act” means the Road Traffic Act 1988;]

[^{F2}“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986];

[^{F3}the Lighting Regulations” means “the Road Vehicles Lighting Regulations 1989];

[^{F4}“agricultural motor vehicle”], “articulated bus”, “articulated vehicle”, “dual-purpose vehicle”, [^{F5}“exhaust system”], [^{F6}“minibus”], [^{F7}“Ministry plate”], “pedestrian controlled vehicle”, “track laying” and “works truck” have the meanings given by [^{F8}regulation 3(2)] of the Construction and Use Regulations;

“authorisation” means any authorisation in writing by the Secretary of State of an individual, persons in partnership, or a company to carry out examinations of such classes of motor vehicles as may be specified therein;

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[^{F9}“child restraint”, “disabled person’s belt”, “forward-facing seat” and “seat belt” have the meanings given by regulation 47(8) of the Construction and Use Regulations;]

[^{F10}“communication” includes a communication comprising sounds or images or both and a communication effecting a payment;]

[^{F11}“Community Recording Equipment Regulation” has the meaning given in section 85 of the Road Traffic Act 1988;]

“company” means a body corporate;

[^{F12}“design gross weight” means—

- (a) in the case of a vehicle equipped with a Ministry plate, the weight shown thereon as the design weight, or, if no weight is so shown thereon, the weight shown thereon as the weight not to be exceeded in Great Britain;
- (b) in the case of a vehicle which is not equipped with a Ministry plate, but which is equipped with a plate in accordance with regulation 66 of the Construction and Use Regulations, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 8 to those Regulations; and
- (c) in any other case, the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden;]

[^{F13}“designated council” means a council designated by the Secretary of State for the purposes of sections 45 (tests of satisfactory condition of vehicles) and 46 (particular aspects of regulations under section 45) of the 1988 Act;]

[^{F10}“electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

- (a) by means of a telecommunications system (within the meaning of the Telecommunications Act 1984); or
- (b) by other means but while in an electronic form;]

[^{F14}“examination” means an examination of a motor vehicle for the purposes of section 45 of the 1988 Act;]

“examiner” means an individual, persons in partnership, or a company authorised by the Secretary of State in accordance with these Regulations to carry out examinations;

“firm” has the meaning given by section 4 of the Partnership Act 1890;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, including a living van but excluding—

- (i) [^{F15}a dual-purpose vehicle,
- (ii) a motor caravan, and
- (iii) a play bus,]

[^{F16}“goods vehicle testing station” means a station provided by the Secretary of State under section 52(2) of the Road Traffic Act 1988;]

[^{F10}“inspector” means a person appointed by a designated council for the purposes of sections 45 and 46 of the 1988 Act;]

“large passenger-carrying vehicle” means a motor vehicle which is constructed or adapted to carry more than twelve seated passengers in addition to the driver, and which is not a public service vehicle;

“light motor bicycle” means a motor bicycle of which the cylinder capacity of the engine does not exceed 200 cubic centimetres;

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“light motor vehicle” means a motor vehicle with three ^{F17}... wheels the unladen weight of which does not exceed 450 kilograms;

“living van” means a vehicle, whether mechanically propelled or not, which is used as living accommodation by one or more persons, and which is also used for the carriage of goods or burden which are not needed by such one or more persons for the purpose of their residence in the vehicle;

“Ministry Inspector” means any certifying officer or public service vehicle examiner appointed under section 56(1) and any examiner appointed under section 7 of the 1981 Act;

“motor bicycle” means a two wheeled motor cycle, whether having a sidecar attached to it or not;

“motor caravan” means a motor vehicle (not being a living van) which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users;

“normal working week” means—

- (a) in relation to an examiner, the times of the week which in the application of that examiner to the Secretary of State for an authorisation are specified as the times of the week during which that examiner will accept vehicles for examination or such other times of the week as may subsequently be substituted for times so specified by the examiner with the consent of the Secretary of State;
- (b) in relation to a designated council, the times of the week notified to the Secretary of State by that council as the times of the week during which they will accept vehicles for examination; and
- (c) in relation to the Secretary of State, the times of the week during which at any vehicle testing station of the Secretary of State he will accept vehicles for examination;

[^{F18c}“out of hours” means at any time either—

- (a) on any day which is a Saturday, Sunday, Good Friday, Christmas Day or a Bank holiday (as defined in the Banking and Financial Dealings Act 1971); or
- (b) on any other day, other than between—
 - (i) 8.00 am and 5.00 pm on a Monday to Thursday inclusive, or
 - (ii) 8.00 am and 4.30 pm on a Friday;]

[^{F19c}“play bus” means a motor vehicle which was originally constructed to carry more than 12 passengers but which has been adapted primarily for the carriage of playthings for children (including articles required in connection with the use of those things);]

[^{F10c}“proper officer”, in relation to a designated council in England or Wales, has the meaning given by section 270(3) of the Local Government Act 1972;]

“public service vehicle” has the meaning given by section 1(1)(a) of the 1981 Act;

“the prescribed statutory requirements” has the meaning given by Regulation 4(2);

[^{F10c}“section 66A examiner” means an examiner appointed under section 66A (appointment of vehicle examiners) of the 1988 Act;]

“serial number”, in relation to a vehicle the chassis of which has not been constructed separately from its superstructure, means the number given to, and for the purpose of identifying, the vehicle by its manufacturer;

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[^{F10}“the records” means the records of the results of examinations for the purposes of section 45 of the 1988 Act maintained by the Secretary of State (or caused by him to be maintained); and “the electronic record” means such of those records as is maintained in electronic form;]

^{F20} ...

[^{F21}“vehicle testing station” means premises at which the Secretary of State has authorised an examiner to carry out examinations, premises provided by a designated council or the Secretary of State for carrying out examinations, or premises for the time being designated by the Secretary of State under section 8(3) of the 1981 Act]; and

[^{F10}“VOSA” means the Vehicle and Operator Services Agency].

- (2) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered section is a reference to the section bearing that number in the 1972 Act;
 - (b) a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations, and
 - (c) a numbered paragraph is a reference to the paragraph bearing that number in the Regulations in which the reference appears.

(3) For the purposes of these Regulations the unladen weight of a vehicle shall be computed in accordance with Schedule 6 to the Vehicles (Excise) Act 1971.

(4) In calculating for the purposes of the definition of “large passenger carrying vehicle” the number of seated passengers which the vehicle is constructed or adapted to carry a length of at least 400 millimetres measured horizontally along the front of each seat shall be allowed for the accommodation of each such passenger. Where a continuous seat is fitted with arms for the purpose of separating the seating spaces and the arms are so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this paragraph as though it were not fitted with arms.

(5) For the purposes of these Regulations the provisions of [^{F22}Regulation 3(3)] of the Construction and Use Regulations shall apply for determining when a motor vehicle is first used.

[^{F23}(6) References in these Regulations to the making, by electronic communication, of entries in the electronic record include references to causing entries to be made in that record (either by electronic communication or by other means notified by the Secretary of State).]

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|-----------|---|
| F1 | Words in reg. 3(1) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 3(1)(a) (with reg. 1(3)) |
| F2 | Words in reg. 3(1) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), 3(a)(i) |
| F3 | Words in reg. 3(1) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), 3(a)(ii) |
| F4 | Words in reg. 3(1) inserted (1.3.1985) by The Motor Vehicles (Tests) (Amendment) Regulations 1985 (S.I. 1985/45), regs. 1, 3 |
| F5 | Words in reg. 3(1) inserted (26.6.2000) by The Motor Vehicles (Tests) (Amendment) Regulations 2000 (S.I. 2000/1432), regs. 1, 3 |
| F6 | Word in reg. 3(1) inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, 3(a)(i) |
| F7 | Words in reg. 3(1) inserted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), 3(a)(iii) |
| F8 | Words in reg. 3(1) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, 3(a)(ii) |
| F9 | Words in reg. 3(1) inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, 3(b) |

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- F10** Words in reg. 3(1) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(e)** (with reg. 1(3))
- F11** Words in reg. 3(1) inserted (1.8.1991) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(b), **3**
- F12** Words in reg. 3(1) inserted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **3(a)(iv)**
- F13** Words in reg. 3(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(b)** (with reg. 1(3))
- F14** Words in reg. 3(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(c)** (with reg. 1(3))
- F15** Words in reg. 3(1) substituted (1.11.1983) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1983 (S.I. 1983/1434), regs. 1, **3**
- F16** Words in reg. 3(1) substituted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(2)**
- F17** Words in reg. 3(1) omitted (1.11.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(a), **8**
- F18** Words in reg. 3(1) inserted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(4)**
- F19** Words in reg. 3(1) inserted (1.12.1982) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1982 (S.I. 1982/1477), regs. 1, **3**
- F20** Words in reg. 3(1) omitted (1.6.2003) by virtue of The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(d)** (with reg. 1(3))
- F21** Words in reg. 3(1) substituted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(3)**
- F22** Words in reg. 3(5) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **3(b)**
- F23** Reg. 3(6) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(2)** (with reg. 1(3))

Commencement Information

- I3** Reg. 3 in force at 31.12.1981, see reg. 1

The prescribed statutory requirements

4.—^{F24}(1)

^{F25}(2) The prescribed statutory requirements for the purposes of section 45(1) of the Road Traffic Act 1988 are in relation to any vehicle in a Class specified in an item in column 2 of the Table the requirements specified in that item in column 3 of the Table, and in these Regulations those requirements are referred to as “the prescribed statutory requirements”.

TABLE

(1) Item	(2) Class	(3) Requirements
1	I and II	Paragraph 1 of Schedule 2
2	III	Paragraph 2 of Schedule 2
3	IV	Paragraph 3 of Schedule 2
^{F26} 3A	IVA	Paragraph 3A of Schedule 2]
4	V	Paragraph 4 of Schedule 2

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(1) Item	(2) Class	(3) Requirements
[^{F27} 4A	VA	Paragraph 4A of Schedule 2]
5	VI	Paragraph 5 of Schedule 2
[^{F28} 5A	VIA	Paragraph 5A of Schedule 2]
6	VII	Paragraph 6 of Schedule 2]

(3) Subject to the provisions of these Regulations, every vehicle to which these Regulations apply and which is submitted for examination in accordance with the provisions of these Regulations shall be examined for the purpose of ascertaining whether those of the prescribed statutory requirements which are applicable to the vehicle have been complied with at the date of the examination.

^{F29}(4)

F24	Reg. 4(1) omitted (18.3.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 4(a)
F25	Reg. 4(2) substituted (1.1.1992) by The Motor Vehicles (Tests) (Amendment) (No. 4) Regulations 1991 (S.I. 1991/2229) , regs. 1(1)(a), 9
F26	Words in reg. 4(2) Table inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672) , regs. 1, 4(a)
F27	Words in reg. 4(2) Table inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672) , regs. 1, 4(b)
F28	Words in reg. 4(2) Table inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672) , regs. 1, 4(c)
F29	Reg. 4(4) omitted (18.3.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253) , regs. 1(b), 4(c)
Commencement Information	
I4	Reg. 4 in force at 31.12.1981, see reg. 1

Classification of Vehicles and Application of Regulations

5.—(1) For the purposes of these Regulations motor vehicles to which they apply are classified as follows:—

Class I:	Light motor bicycles
[^{F30} Class II:	motor bicycles]
[^{F30} Class III:	Light motor vehicles other than motor bicycles]
[^{F31} Class IV:	Motor cars and heavy motor cars not being vehicles within Classes III, IVA, V, VA, VI, VIA or VII
Class IVA:	Minibuses, other than vehicles to which paragraph (4) applies, not being vehicles within Classes III, V, VA, VI or VIA, in respect of which any forward-facing seat is fitted with a relevant seat belt
Class V:	Motor vehicles not being vehicles within Class VA which are—
	(a) Large passenger-carrying vehicles;
	(b) Public service vehicles—
	(i) of a type specified in paragraph (3), and
	(ii) constructed or adapted to carry more than 12 seated passengers, and

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- (c) Play buses
- Class VA: Motor vehicles, other than vehicles to which paragraph (4) applies, which are—
 - (a) Large passenger-carrying vehicles;
 - (b) Public service vehicles—
 - (i) of a type specified in paragraph (3), and
 - (ii) constructed or adapted to carry more than 12 seated passengers, and
 - (c) Play buses,in respect of which any forward-facing seat is fitted with a relevant seat belt
- Class VI: Public service vehicles, other than those of a type specified in paragraph (3), not being vehicles within Class VIA
- Class VIA: Public service vehicles, not being vehicles to which paragraph (4) applies, other than those of a type specified in paragraph (3), in respect of which any forward facing seat is fitted with a relevant seat belt]
- [^{F32}Class VII: Goods vehicles of which the design gross weight is more than 3000 kilograms but does not exceed 3500 kilograms]

and (except where otherwise provided in these Regulations) any reference in these Regulations to a class of vehicles shall be construed accordingly.

(2) Save as provided in Regulation 6, these Regulations apply to every vehicle of a class specified in paragraph (1).

(3) The public service vehicles mentioned in paragraph (1) as included in [^{F33}Class V or VA] are public service vehicles [^{F34}which may lawfully be used on a road in the absence of a certificate of initial fitness by virtue of —]

- (a) [^{F35}section 23(7) of the Transport Act 1985] (a bus being used to provide a community bus service), or
- (b) section 46 of the 1981 Act (a school bus belonging to a local education authority and being used to provide free school transport and carrying as fare-paying passengers persons other than those for whom the free school transport is provided, and a school bus being used, when it is not being used to provide free school transport, to provide a local bus service).

[^{F36}or (c) section 21(2) of the Transport Act 1985 (a small bus operating under a permit granted under section 19 of that Act).]

[^{F37}(4) This paragraph applies to vehicles, in respect of which—

- (a) a certificate of initial fitness has been issued on or after 1st August 1998; or
- (b) one or more forward-facing seats are fitted with a relevant seat belt, which, when so equipped, are of a type of vehicle in respect of which the Secretary of State is satisfied that the vehicle manufacturer holds—
 - (i) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the installation requirements of Community Directives 77/541, 82/319, 90/628 or 96/36; and
 - (ii) either—
 - (A) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the technical and installation requirements of Community Directives 76/115, 81/575, 82/318, 90/629 or 96/38; or
 - (B) an approval issued by or on behalf of the competent authority of a contracting State confirming compliance with the technical and installation requirements of ECE Regulation 14, 14.01, 14.02 or 14.03.

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(5) In this regulation—

“approval authority” has the same meaning as in Community Directive 70/156;

“certificate of initial fitness” has the same meaning as in section 6 of the Public Passenger Vehicles Act 1981;

“contracting State” means a State which is a party to the International Agreement;

“EEA State” means a State which is a contracting party to the EEA Agreement;

“EEA Agreement” means the agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“ECE Regulation” and “Community Directive” have the meanings given by regulation 3(2) of the Construction and Use Regulations;

“the International Agreement” means the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958 as amended to which the United Kingdom is a party; and

“relevant seat belt” means a seat belt, not being a disabled person’s belt or a child restraint, which—

- (a) is fitted other than as required by regulation 47 of the Construction and Use Regulations; and
- (b) on or after 1st August 1998 either—
 - (i) has not undergone an examination and been found to comply with the prescribed statutory requirements referred to in item 28A in paragraph 3A of Schedule 2; or
 - (ii) has undergone an examination and been found so to comply but is fitted in a vehicle in respect of which no test certificate has been issued to the effect that that is the case.]

- F30** Words in reg. 5(1) substituted (15.7.1982) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1982 \(S.I. 1982/814\)](#), regs. 1, **3**
- F31** Words in reg. 5(1) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(2)**
- F32** Words in reg. 5(1) inserted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **5(b)**
- F33** Words in reg. 5(3) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(3)**
- F34** Words in reg. 5(3) substituted (30.8.1984) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 4\) Regulations 1984 \(S.I. 1984/1126\)](#), regs. 1, **3(b)**
- F35** Words in reg. 5(3)(a) substituted (20.10.1986) by [The Transport Act 1985 \(Commencement No. 6\) Order 1986 \(S.I. 1986/1794\)](#), reg. 6
- F36** Reg. 5(3)(c) and word added (14.7.1987) by [The Transport Act 1985 \(Commencement No.7\) Order 1987 \(S.I. 1987/1228\)](#), **reg. 3**
- F37** [Reg. 5\(4\)\(5\) added \(1.8.1998\) by The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(4)**

Commencement Information

- I5** Reg. 5 in force at 31.12.1981, see [reg. 1](#)

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Exemptions

6.—(1) Pursuant to section 44(4) the Secretary of State hereby prescribes the following vehicles as those to which section 44 does not apply:—

- (i) a heavy locomotive,
- (ii) a light locomotive,
- (iii) a motor tractor,
- (iv) a track laying vehicle,
- [^{F38}(v) a goods vehicle, the design gross weight of which exceeds 3500 kilograms;]
- (vi) an articulated vehicle not being an articulated bus,
- [^{F39}(vii) a vehicle to which paragraph (1A) for the time being applies.]
- (viii) a works truck,
- (ix) a pedestrian controlled vehicle,
- (x) a vehicle (including a cycle with an attachment for propelling it by mechanical power) which is adapted, and used or kept on a road, for invalids, and which—
 - (i) does not exceed 306 kilograms in weight unladen, or
 - (ii) exceeds 306 kilograms but does not exceed 510 kilograms in weight unladen, and are supplied and maintained by or on behalf of the Department of Health and Social Security, the Scottish Office or the Welsh Office;
- (xi) a vehicle temporarily in Great Britain displaying a registration mark mentioned in Regulation 5 of the Motor Vehicles (International Circulation) Regulations 1971, a period of twelve months not having elapsed since the vehicle was last brought into Great Britain;
- (xii) a vehicle proceeding to a port for export;
- (xiii) a vehicle in the service of a visiting force or of a headquarters (within the meaning given by Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965).
- (xiv) a vehicle provided for police purposes and maintained in workshops approved by the Secretary of State as suitable for such maintenance, being a vehicle provided in England and Wales by a police authority or the Receiver for the Metropolitan Police District, or, in Scotland, by a police authority or a joint police committee;
- (xv) a vehicle which has been imported into Great Britain and to which section 44(2)(b) applies, being a vehicle owned by or in the service of the naval, military or air forces of Her Majesty raised in the United Kingdom and used for naval, military or air force purposes;
- (xvi) a vehicle in respect of which a test certificate issued in accordance with Article 34 of the Road Traffic (Northern Ireland) Order 1981 is in force or which are licensed under the Vehicles (Excise) Act (Northern Ireland) 1972;
- [^{F40}(xvii) an electrically propelled goods vehicle the design gross weight of which does not exceed 3500 kilograms;]^{F41}...
- (xviii) subject to the provisions of paragraph (4), a hackney carriage or a cab in respect of which there is in force a licence under—
 - (a) section 6 of the Metropolitan Public Carriage Act 1869, or
 - (b) the Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision,to ply for hire;

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(xix) subject to the provisions of paragraph (4), a private hire car in respect of which there is in force a licence granted by a local authority [^{F42}or Transport for London], or, in Scotland, by a local authority or a police authority.

[^{F43}(xx) an agricultural motor vehicle.]

[^{F44}(xxi) a motor vehicle constructed and not merely adapted for the purpose of street cleansing or the collection or disposal of refuse or the collection or disposal of the contents of gullies and which is either—

(a) a three wheeled vehicle, or

(b) a vehicle which—

(i)

is incapable by reason of its construction of exceeding a speed of 20 miles per hour on the level under its own power, or

(ii)

has an inside track width of less than 810 millimetres;

(xxii) a goods vehicle, the design gross weight of which does not exceed 3500 kilograms and in respect of which a goods vehicle test certificate was issued between 1st February 1990 and 17th March 1991, while that certificate is valid; ^{F45}...

(xxiii) before 1st August 1991, a goods vehicle the design gross weight of which does not exceed 3500 kilograms and which is of a class specified in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1988.]

[^{F46}(xxiv) a tramcar; and

(xxv) a trolley vehicle which is not an auxiliary trolley vehicle.]

[^{F47}(1A) This paragraph applies to a vehicle at a time when it is being used on a public road during any calendar week if—

(a) it is being used only in passing from land in the occupation of the person keeping the vehicle to other land in his occupation, and

(b) it has not been used on public roads for distances exceeding an aggregate of six miles in that calendar week,

and for the purposes of this paragraph “public road” has the meaning given in section 62(1) the Vehicle Excise and Registration Act 1994.]

(2) Pursuant to section 44(6) the Secretary of State hereby exempts from section 44(1) the use of a vehicle—

(a) (i) for the purpose of submitting it by previous arrangement for, or bringing it away from, an examination, or

(ii) in the course of an examination, for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been, carried out, or of carrying out any part of the examination, the person so using it being either—

(A) an examiner, or a Ministry Inspector or an inspector appointed by a designated council, or

(B) a person acting under the personal direction of an examiner, a Ministry Inspector or a designated Council, or

(iii) where a test certificate is refused on an examination—

(A) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy for

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- a further examination the defects on the ground of which the test certificate was refused; or
- (B) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up;
- (b) for any purpose for which the vehicle is authorised to be used on roads by an order under section 42;
- (c) where the vehicle has been imported into Great Britain, for the purpose of its being driven after arrival in Great Britain on the journey from the place where it has arrived in Great Britain to a place of residence of the owner or driver of the vehicle;
- (d) for the purpose of removing it in pursuance of section 3 of the Refuse Disposal (Amenity) Act 1978, of moving or removing it in pursuance of regulations under section 20 of the Road Traffic Regulation Act 1967 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, or of removing it from a parking place in pursuance of an order under section 31(1) of the Road Traffic Regulation Act 1967, an order relating to a parking place designated under section 35 thereof, or a provision of a designation order having effect by virtue of section 39(2) thereof;
- (e) where the vehicle has been detained or seized by a police constable, for police purposes connected with such detention or seizure;
- (f) where the vehicle has been removed, detained or seized or condemned as forfeited under any provision of the Customs and Excise Management Act 1979 for any purpose authorised by an officer of Customs and Excise;
- (g) for the purpose of testing it by a motor trader as defined in section 16(8) of the Vehicles (Excise) Act 1971, to whom a trade licence has been issued under that section, during the course of, or after completion of repairs carried out to that vehicle by that motor trader.

(3) Pursuant to section 44(7) the Secretary of State hereby exempts from section 44(1) the use of a vehicle on any island in any area mainly surrounded by water, being an island or area from which motor vehicles, unless constructed for special purposes can at no time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicle:

[^{F48}Provided that—

- (a) in relation to a vehicle in any of Classes I to [^{F49}VIA],] this Regulation does not apply to any of the following islands, namely, the Isle of Wight, the islands of Arran, Bute, Great Cumbrae, Islay, Lewis, Mainland (Orkney), Mainland (Shetland), Mull, North Uist and Skye [^{F50}and
- (b) in relation to a vehicle in Class VII this Regulation does not apply in any of the following islands, namely, the Isle of Wight, the Islands of Lewis, Mainland (Orkney), Mainland (Shetland) and Skye.]

(4) The exemptions specified in paragraph (1)(xviii) and (xix) do not obtain unless the authority which issued the licence [^{F51}(“the licensing authority”)] holds a certificate issued by the Secretary of State evidencing that he is satisfied that the issue of the licence is subject to the vehicle first passing an annual test relating to the prescribed statutory requirements; and, as from 1st January 1983,

- (a) in the case of a vehicle of a kind mentioned in paragraph (1)(xviii) first used more than one year before the licence there mentioned was issued, or
- (b) in the case of a vehicle of a kind mentioned in paragraph (1)(xix) first used more than three years before the licence there mentioned was issued

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[^{F52}the licensing authority] also issued to the licensee a certificate recording that on the date on which the certificate was issued that authority was, as a result of a test, satisfied that the prescribed statutory requirements were satisfied.

(5) In this Regulation—

[^{F53}“auxiliary trolley vehicle” means a trolley vehicle which is adapted to operate under power provided from a source on board when it is not operating from power transmitted to it from some external source;]

“private hire car” means a motor vehicle which is not a vehicle licensed to ply for hire under the provisions of the Metropolitan Public Carriage Act 1869, Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision with respect to hackney carriages but which is kept for the purpose of being let out for hire with a driver for the carrying of passengers in such circumstances that it does not require to be licensed to ply for hire under the said provisions; and

“test” means an examination of a vehicle in relation to the prescribed statutory requirements conducted—

- (i) [^{F54}by a person appointed to act as an inspector under section 43, or a person authorised as an examiner or acting on his behalf, or]
- (ii) by a person on behalf of a police authority in England or Wales, or
- (iii) by a person on behalf of a police authority or a joint police committee in Scotland.

- F38** Reg. 6(1)(v) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(a)**
- F39** Reg. 6(1)(vii) substituted (1.7.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1995 \(S.I. 1995/1457\)](#), regs. 1, **2(2)**
- F40** Reg. 6(1)(xvii) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(b)**
- F41** Word in reg. 6(1) omitted (18.3.1991) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(c)**
- F42** Words in reg. 6(1)(xix) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(a)** (with reg. 1(3))
- F43** Reg. 6(1)(xx) added (1.3.1985) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1985 \(S.I. 1985/45\)](#), regs. 1, **4**
- F44** Reg. 6(1)(xxi)-(xxiii) added (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(c)**
- F45** Word in reg. 6(1) omitted (1.7.1992) by virtue of [Tramcars and Trolley Vehicles \(Modification of Enactments\) Regulations 1992 \(S.I. 1992/1217\)](#), regs. 1, **12(a)**
- F46** Reg. 6(1)(xxiv)(xxv) added (1.7.1992) by [Tramcars and Trolley Vehicles \(Modification of Enactments\) Regulations 1992 \(S.I. 1992/1217\)](#), regs. 1, **12(a)**
- F47** Reg. 6(1A) inserted (1.7.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1995 \(S.I. 1995/1457\)](#), regs. 1, **2(3)**
- F48** Words in reg. 6(3) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(2)(a)**
- F49** Word in reg. 6(3)(a) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **6**
- F50** Words in reg. 6(3) added (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(2)(b)**
- F51** Words in reg. 6(4) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(b)(i)** (with reg. 1(3))
- F52** Words in reg. 6(4) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(b)(ii)** (with reg. 1(3))

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F53 Words in reg. 6(5) inserted (1.7.1992) by Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 (S.I. 1992/1217), regs. 1, **12(b)**

F54 Words in reg. 6(5) substituted (1.11.1983) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1983 (S.I. 1983/1434), regs. 1, **4**

Modifications etc. (not altering text)

C1 Reg. 6(1) modified (1.4.1992) by The Retention of Registration Marks Regulations 1992 (S.I. 1992/510), regs. 1, **12(3)**

Commencement Information

I6 Reg. 6 in force at 31.12.1981, see reg. 1

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 1(c) inserted by [S.I. 2003/1698 reg. 9\(3\)](#)
- Sch. 2 para. 3(b) item 27A inserted by [S.I. 2007/506 reg. 4\(2\)\(b\)](#)
- Sch. 2 para. 2(e) inserted by [S.I. 2013/271 reg. 12\(1\)](#)
- Sch. 2 para. 4(b) item 32 omitted by [S.I. 2007/506 reg. 4\(3\)\(b\)](#)
- Sch. 2 para. 5(e) omitted by [S.I. 2017/850 reg. 15\(b\)](#)
- Sch. 2 para. 2(d) substituted by [S.I. 2003/1698 reg. 9\(4\)](#)
- Sch. 2 para. 5(a) word inserted by [S.I. 2013/271 reg. 12\(5\)](#)
- Sch. 2 para. 5A(a) word inserted by [S.I. 2013/271 reg. 12\(6\)](#)
- Sch. 2 para. 3(b) word substituted by [S.I. 2007/506 reg. 4\(2\)\(a\)](#)
- Sch. 2 para. 3A(a) word substituted by [S.I. 2013/271 reg. 12\(3\)](#)
- Sch. 2 para. 4(a) words inserted by [S.I. 2007/506 reg. 4\(3\)\(a\)](#)
- Sch. 2 para. 4A words inserted by [S.I. 2007/506 reg. 4\(4\)](#)
- Sch. 2 para. 3(b) table words inserted by [S.I. 2013/271 reg. 12\(2\)](#)
- Sch. 2 para. 4(a) words substituted by [S.I. 2007/506 reg. 4\(3\)\(a\)](#)
- Sch. 2 para. 4A words substituted by [S.I. 2007/506 reg. 4\(4\)](#)
- Sch. 2 para. 1(c) item 13A words substituted by [S.I. 2009/643 reg. 5\(2\)](#)
- Sch. 2 para. 2(b) item 22 words substituted by [S.I. 2009/643 reg. 5\(3\)](#)
- Sch. 2 para. 2(d) item 27 words substituted by [S.I. 2009/643 reg. 5\(4\)](#)
- Sch. 2 para. 4(a) words substituted by [S.I. 2013/271 reg. 12\(4\)](#)
- Sch. 2 para. 3(a) words substituted by [S.I. 2017/850 reg. 11\(a\)](#)
- Sch. 2 para. 3A(a) words substituted by [S.I. 2017/850 reg. 12](#)
- Sch. 2 para. 4(a) words substituted by [S.I. 2017/850 reg. 13\(a\)](#)
- Sch. 2 para. 4A words substituted by [S.I. 2017/850 reg. 14](#)
- Sch. 2 para. 5(a) words substituted by [S.I. 2017/850 reg. 15\(a\)](#)
- Sch. 2 para. 5A(a) words substituted by [S.I. 2017/850 reg. 16](#)
- Sch. 2 para. 5(f) words substituted by [S.I. 2019/453 reg. 24\(3\)\(c\)](#)
- Sch. 2 para. 5A(c) words substituted by [S.I. 2019/453 reg. 24\(3\)\(d\)](#)
- reg. 5(6) inserted by [S.I. 2017/850 reg. 4\(b\)](#)
- reg. 5(6)(b) words substituted by [S.I. 2020/818 Sch. 6 para. 8\(2\)](#)
- reg. 6(1)(xxi)(b) substituted by [S.I. 2017/850 reg. 5\(a\)](#)
- reg. 6(1)(xivA) inserted by [S.I. 2006/594 Sch. para. 6](#)
- reg. 6(1)(xxvi) and word inserted by [S.I. 2012/2652 reg. 3\(3\)](#)
- reg. 6(1)(xxvii)(xxviii) inserted by [S.I. 2017/850 reg. 5\(d\)](#)
- reg. 6(1)(xxix) inserted by [S.I. 2020/382 reg. 2\(2\)](#)
- reg. 6(1)(xxix) revoked by [S.I. 2020/382 reg. 3](#)
- reg. 6(1)(xxvi) substituted by [S.I. 2017/850 reg. 5\(c\)](#)
- reg. 6(1B) inserted by [S.I. 2020/382 reg. 2\(3\)](#)
- reg. 6(1B) revoked by [S.I. 2020/382 reg. 3](#)
- reg. 6(1B)(a) words substituted by [S.I. 2020/790 reg. 2](#)
- reg. 6(3)(b) words substituted by [S.I. 2017/850 reg. 6](#)
- reg. 7A(2) word substituted by [S.I. 2014/480 reg. 3\(4\)](#)

- reg. 8A(a)(ii) word substituted by S.I. 2014/480 reg. 3(5)
- reg. 8B(c) word substituted by S.I. 2014/480 reg. 3(6)
- reg. 8C(b) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8C(c) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8D(a)(ii) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8D(b) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8E(c) word substituted by S.I. 2014/480 reg. 3(9)
- reg. 13(1)(m) words substituted by S.I. 2019/453 reg. 24(3)(a)
- reg. 20(1)(c)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(c)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(d)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(e)(ea) substituted by S.I. 2012/307 reg. 3(2)
- reg. 20(1)(ca) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(da)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(ea)(i) word substituted by S.I. 2014/2114 reg. 3(4)

- reg. 20(1)(ea)(ii) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2005/2341 reg. 2(2) Table
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- reg. 20(1)(ea)(ii) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(ea)(ii) word substituted by S.I. 2014/2114 reg. 3(5)
- reg. 20(3)(3ZA) substituted by S.I. 2007/1161 reg. 2(2)
- reg. 20(3)(3ZA) substituted for reg. 20(3) by S.I. 2006/1998 reg. 2(2)
- reg. 20(3B)(3C) substituted by S.I. 2006/1998 reg. 2(6)
- reg. 20(4)(i) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 20(4)(ii) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 23(1)(c) word substituted by S.I. 2014/480 reg. 3(11)
- reg. 23(3)(b) substituted by S.I. 2005/1832 reg. 4
- reg. 25A(3A)(3B) inserted by S.I. 2003/1698 reg. 8(2)
- reg. 31 inserted by S.I. 2013/271 reg. 13
- reg. 31(2) words substituted by S.I. 2017/850 reg. 8