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## STATUTORY INSTRUMENTS

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# 1981 No. 1694

## The Motor Vehicles (Tests) Regulations 1981

### PART VI

#### OTHER MATTERS

##### **Records to be kept and returns to be furnished by examiners and designated councils**

**22.**—(1) Examiners and designated councils shall make, in duplicate, at each of their respective vehicle testing stations a record relating to all examinations carried out at that station, and that record shall be on a form supplied by the Secretary of State and marked “VT. 12” and contain the particulars required by that form.

(2) On one of the first fourteen days of each month each authorised examiner and designated council shall send to the Secretary of State at the office of the traffic area in which is situated the vehicle testing station at which the record is kept—

- (a) one copy of the record containing all the entries made therein relating to any examination as a result of which a test certificate or a notification of the refusal of a test certificate has been issued during the last preceding month, or
- (b) if no such certificate or notification has been issued, a notice to that effect.

(3) Subject to the following provisions of these Regulations, the other copy of the record shall be kept by the examiner or council at the station at which the examinations to which it relates are carried out for a period sufficient to ensure that upon the inspection at any time of that record under Regulation 24 the entries relating to any examination carried out within the last preceding eighteen months will be available for inspection.

(4) Subject to the following provisions of these Regulations, each examiner and designated council shall ensure that upon the issue by that examiner or an inspector appointed by that council of a test certificate or of a notice of the refusal of a test certificate, a copy of that certificate or notice, together with a copy of [<sup>F1</sup>any inspection report or card which accompanied the same], is made and preserved at that station for a period of not less than eighteen months.

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##### **Textual Amendments**

- F1** Words in [reg. 22\(4\)](#) substituted (29.11.1988) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 3\) Regulations 1988 \(S.I. 1988/1894\)](#), regs. 1, **10**
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##### **Commencement Information**

- I1** Reg. 22 in force at 31.12.1981, see [reg. 1](#)

##### **Duplicate test certificates**

**23.**—(1) Subject to paragraph (2), if a test certificate has been lost or defaced, an application for the issue of a duplicate of the original certificate may be made—

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- (a) where the original certificate did not relate to a Class VI vehicle—
- (i) in a case where the original certificate was issued not more than eighteen months previously by an authorised examiner at a vehicle testing station specified in an authorisation of that examiner which has not ceased to have effect, to that examiner at that station;
  - (ii) in a case where the original certificate was issued by an inspector appointed by a designated council whose designation has not been revoked, to that council;
  - (iii) in a case where the original certificate was issued by an inspector appointed by the Secretary of State, to the Secretary of State at the vehicle testing station where the examination which resulted in the issue of the certificate was carried out;
  - (iv) in any other case, to the Secretary of State at the office of the traffic area in which is situated the vehicle testing station or other place at which the certificate was issued;
- (b) where the original certificate related to a Class VI vehicle, to the Secretary of State at the Goods Vehicle Centre (PSV Section), Welcombe House, 91-92 The Strand, Swansea, SA1 2DH.

(2) The examiner, council or Secretary of State to whom an application is made under paragraph (1) shall search the copies of test certificates and other records in their possession and upon tracing sufficient particulars of the certificate to which the application relates to enable a duplicate to be issued and on being paid <sup>F2</sup>a fee of—

- (a) £7.50 in the case of a Class VI vehicle;
- (b) £3.96 in the case of a motor bicycle not having a side car attached to it; and
- (c) £6.61 in any other case;

shall issue a duplicate marked “Duplicate” and the duplicate so issued shall have the same effect as the original test certificate:]

Provided that no such search need to be made if the original certificate was issued more than 18 months previously or if the applicant does not furnish with his application either the serial number of the original certificate or the approximate date of its issue, together with particulars of the registration mark of the vehicle to which the certificate relates and (in the case specified in paragraph (1)(d)) also either the address or the identification number of the vehicle testing station at which the original certificate was issued.

#### Textual Amendments

**F2** Words in reg. 23(2) substituted (4.7.1988) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No.2\) Regulations 1988 \(S.I. 1988/989\)](#), regs. 1, 4

#### Commencement Information

**I2** Reg. 23 in force at 31.12.1981, see reg. 1

### Inspection of premises, apparatus and records

**24.** A Ministry Inspector may at any time, during the normal working week on production if so required of his authority, enter any vehicle testing station of an examiner or council and upon such entry he shall be entitled to—

- (a) inspect the station and the apparatus provided at the station for the purpose of carrying out examinations and watch any examination which may be taking place including any part of the examination which is carried out on a road or elsewhere than at the station,

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- (b) satisfy himself as to the efficiency of such apparatus and, in the case of apparatus designed to give an indication of a measurement, to require evidence to be furnished to him that it will do so accurately within reasonable limits,
- (c) inspect all records and copies of test certificates, notifications of the refusal of test certificates and [F<sup>3</sup>:inspection reports or cards] which are required to be kept or preserved at that station in accordance with Regulation 22, and
- (d) be furnished with such information as he may reasonably require with respect to any of the said matters.

#### Textual Amendments

- F3** Words in [reg. 24\(c\)](#) substituted (29.11.1988) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 3\) Regulations 1988 \(S.I. 1988/1894\)](#), regs. 1, **11**

#### Commencement Information

- I3** Reg. 24 in force at 31.12.1981, see [reg. 1](#)

### Forms

**25.—(1)** The Secretary of State may prepare and supply for use for the purposes of these Regulations any form which by these Regulations is required to be approved by him or which is required for use as a test certificate, a notice of the refusal of a test certificate, or [F<sup>4</sup>:an inspection report or card] or for the purposes of constituting the record required to be kept under Regulation 22, and may include on any such form such additional matter as he may consider to be of assistance to persons making use of these forms or to persons to whom such forms may be issued when completed and no form other than one so prepared and supplied shall be used in any such case.

(2) The Secretary of State may make a charge at the rate of [F<sup>5</sup>:£37.00] for the supply of 100 forms of test certificate supplied for use for the purposes of these Regulations.

#### Textual Amendments

- F4** Words in [reg. 25\(1\)](#) substituted (29.11.1988) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 3\) Regulations 1988 \(S.I. 1988/1894\)](#), regs. 1, **12**
- F5** Sum in [reg. 25\(2\)](#) substituted (4.7.1988) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No.2\) Regulations 1988 \(S.I. 1988/989\)](#), regs. 1, **3** Table

#### Commencement Information

- I4** Reg. 25 in force at 31.12.1981, see [reg. 1](#)

### Notices

**26.** Except as otherwise provided in these Regulations, every notice under these Regulations shall be—

- (a) in writing, and
- (b) if given by the Secretary of State to an examiner by post, addressed to the examiner at the registered office of the examiner if the examiner is a company and at the place specified in the authorisation of the examiner as his principal place of business in any other case.

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### Commencement Information

**I5** Reg. 26 in force at 31.12.1981, see reg. 1

### Computation of time

**27.** No period of time prescribed in these Regulations shall include any day which is [<sup>F6</sup>a Saturday, Sunday, Good Friday, Christmas Day or] a bank holiday under the Banking and Financial Dealings Act 1971.

### Textual Amendments

**F6** Words in reg. 27 inserted (1.11.1983) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1983 \(S.I. 1983/1434\)](#), regs. 1, 5

### Commencement Information

**I6** Reg. 27 in force at 31.12.1981, see reg. 1

### [<sup>F7</sup>Certificates of temporary exemption

**28.**—(1) A public service vehicle in respect of which a certificate complying with the provisions specified in paragraph (2) below has been issued in the circumstances specified in paragraph (3) below is exempt from the provisions of section 44(1) of the Road Traffic Act 1972 until that certificate expires.

(2) Those provisions are that the certificate—

(a) is in a form approved by the Secretary of State which shall contain—

- (i) the registration mark (if any) exhibited on the vehicle or, if no such mark is so exhibited, the chassis or serial number marked on the vehicle,
- (ii) the date on which the certificate is issued, and
- (iii) the period during which the vehicle is exempted from the provisions of section 44(1) of the Road Traffic Act 1972; and

(b) is signed by a person authorised in that behalf by the Secretary of State.

(3) The circumstances mentioned in paragraph (1) above are an accident, a fire, an epidemic, severe weather, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts therefor).

(4) No certificate <sup>F8</sup>... issued by virtue of this Regulation shall be valid for more than 3 months.]

### Textual Amendments

**F7** Reg. 28 added (1.1.1983) by [The Motor Vehicles \(Tests\) Amendment \(No. 4\) Regulations 1982 \(S.I. 1982/1715\)](#), regs. 1, 2

**F8** Words in reg. 28(4) omitted (1.11.1983) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1983 \(S.I. 1983/1434\)](#), regs. 1, 6

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