

## STATUTORY INSTRUMENTS

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# 1981 No. 1694

## The Motor Vehicles (Tests) Regulations 1981

### PART III

### EXAMINATIONS

#### Conditions as to responsibility for damage to vehicles and third party liabilities

14.—(1) Where a motor vehicle has been submitted for an examination to be carried out by [<sup>F1</sup>a person other than a section 66A examiner, the authorised examiner or] designated council [<sup>F2</sup>... (as the case may be)] shall have the same responsibility for—

- (a) loss of or damage to the vehicle or its equipment or accessories occurring in connection with the carrying out of the examination during any period while the vehicle is, in connection with the carrying out of the examination, in the custody of [<sup>F3</sup>the authorised examiner or designated council (as the case may be)]<sup>F2</sup>..., and
- (b) loss of or damage to any other property or personal injury (whether fatal or not), being loss, damage or injury arising out of the use of the vehicle in connection with the carrying out of the examination,

as would rest on a person who, having the same facilities for carrying out the examination as are available to the person who is to carry out the examination, had undertaken for payment to accept the custody of the vehicle and to carry out the same examination under a contract making no express provision with respect to the incidence of liability as between the parties thereto for any such loss, damage or injury.

[<sup>F4</sup>(1A) Where a motor vehicle has been submitted for an examination to be carried out by a section 66A examiner, paragraph (1) shall apply in relation to the examination as if—

- (a) for the reference to a person other than a section 66A examiner, there were substituted a reference to a section 66A examiner; and
- (b) for references to an authorised examiner or designated council, there were substituted references to the Secretary of State.]

(2) No person submitting a vehicle for an examination or having an interest in such a vehicle shall be requested or required by an [<sup>F5</sup>authorised] examiner, a designated council or the Secretary of State either directly or indirectly to accept any responsibility for, or to give any release or indemnity in respect of, any loss, damage or injury for which the examiner, council or Secretary of State (as the case may be) are responsible under paragraph (1).

(3) Nothing in paragraph (1) or (2) shall preclude any person from being requested or required to accept any responsibility for, or to give a release or indemnity in respect of—

- (a) loss of or damage to a vehicle or its equipment or accessories occurring during any period while the vehicle is in the custody of an [<sup>F6</sup>authorised] examiner, a designated council or the Secretary of State after the time when the vehicle is required to be removed from such custody in pursuance of the provisions of Regulation 17(1), or

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- (b) loss, damage or injury arising out of the carrying out by an [<sup>F6</sup>authorised] examiner, at the request of the person submitting the vehicle for an examination or of a person having an interest in the vehicle, of repairs to the vehicle or of repairs or replacements of its equipment or accessories.
- (4) In this Regulation—
- (a) references to an examination, in relation to a vehicle which, after the carrying out of an examination, remains in the custody of an [<sup>F7</sup>authorised] examiner, a designated council or the Secretary of State in order that a further examination of that vehicle may be carried out, include references to that further examination, <sup>F8</sup>...
- (b) references to a period while a vehicle is in the custody of a designated council <sup>F9</sup>... include references to any period while a vehicle is, in connection with the carrying out of an examination [<sup>F10</sup>, in the control or care of an inspector, and]
- (c) references to a period while a vehicle is in the custody of the Secretary of State include references to any period while a vehicle is, in connection with the carrying out of an examination [<sup>F11</sup>, in the control or care of a section 66A examiner].

- F1** Words in reg. 14(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(a)** (with reg. 1(3))
- F2** Words in reg. 14(1) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(2)**
- F3** Words in reg. 14(1)(a) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(b)** (with reg. 1(3))
- F4** Reg. 14(1A) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(e)** (with reg. 1(3))
- F5** Word in reg. 14(2) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(d)** (with reg. 1(3))
- F6** Word in reg. 14(3) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(e)** (with reg. 1(3))
- F7** Word in reg. 14(4)(a) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(i)** (with reg. 1(3))
- F8** Word in reg. 14(4) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(4)(a)**
- F9** Words in reg. 14(4)(b) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(4)(a)**
- F10** Words in reg. 14(4)(b) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(ii)** (with reg. 1(3))
- F11** Words in reg. 14(4)(c) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(iii)** (with reg. 1(3))

#### Commencement Information

- I1** Reg. 14 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
- reg. 20(1)(d)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
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- reg. 20(1)(d)(ii) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- 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
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- reg. 20(1)(da)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(da)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
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- reg. 20(1)(da)(ii) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- 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
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2009/802 reg. 2(2) Table
- 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