
STATUTORY INSTRUMENTS

1984 No. 1126

**The Motor Vehicles (Tests)
(Amendment) (No. 4) Regulations 1984**

4. In Regulation 20 (Fees for examinations), for paragraph (5) substitute the following paragraphs:—

“(5) Save as provided in paragraphs (5A) and (5B), the fees prescribed by paragraphs (1), (3)(b) and (4) shall be payable notwithstanding that the vehicle is not submitted for examination in accordance with any such appointment or arrangement as is mentioned in Regulation 12.

(5A) If, in the case of a vehicle not in Class VI, the applicant for the examination has not less than one day before the time so appointed or arranged given the examining authority notice (whether in writing or otherwise) that the applicant does not propose to submit the vehicle for examination at the time so appointed or arranged, the application shall be treated for the purposes of this Regulation as one in respect of which no fee is payable, and any amount previously paid in respect of such a fee shall be repayable by the examining authority to the applicant unless another time is arranged for the carrying out of the examination.

(5B) If, in the case of a vehicle in Class VI, the applicant—

- (a) has not less than 7 days before the day fixed under these Regulations for the carrying out of the examination given the Secretary of State notice (whether in writing or otherwise) at the address from which the notice of the appointment was issued that the applicant does not propose to submit the vehicle for examination on that day, or
- (b) satisfies the Secretary of State that the vehicle cannot, or, as the case may be, could not be submitted for the examination on the day or at the time fixed for the examination because of exceptional circumstances occurring not more than 7 days before the said time and of which the applicant gives notice to the Secretary of State (whether in writing or otherwise) at the said address within 3 days of the occurrence of those circumstances,

then the applicant may either—

- (i) make an application in writing to the Secretary of State at the said address, either at the time of the notice given under sub-paragraph (a) or (b) of this paragraph or within 28 days of the date thereof, for another examination of the same kind for that vehicle or another vehicle to be carried out within three months of the date of the application, and in that event the said fee shall be treated as having been paid in respect of that application unless the fee in respect of that application is greater, in which case the fee already paid shall be treated as having been paid towards the fee payable in respect of that application, or
- (ii) give notice to Secretary of State at the place mentioned in sub-paragraph (i) above, and at the time of the notice given under sub-paragraph (a) or (b) of this paragraph or within 28 days of the date thereof, that no other examination of the same kind is required for that vehicle or another

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vehicle, and in that event the said fee, less a sum of £1.50 for administrative expenses, shall be refunded to the applicant.”