
STATUTORY INSTRUMENTS

1988 No. 643

FEES AND CHARGES

The Department of Transport (Fees) Order 1988

Made - - - - - *29th March 1988*

Coming into force - - - - - *1st April 1988*

Whereas a draft of this Order has been approved by a resolution of the House of Commons in pursuance of section 102(5) of the Finance (No.2) Act 1987(1);

Now, therefore, the Secretary of State for Transport, in exercise of the powers conferred by section 102 of that Act, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Department of Transport (Fees) Order 1988 and shall come into force on 1st April 1988.

(2) In this Order “the Act” means the Finance (No.2) Act 1987.

2. In relation to each of the powers to fix a fee listed in column 1 of the Tables in Schedule 1 to this Order in respect of the subject matters set out in that column the functions specified for the purposes of section 102(3) of the Act shall, as respects each subject matter, be those functions listed against that power in column 2 of the Tables.

3. In relation to each function listed in column 2 of the Tables in Schedule 1 to this Order as respects a subject matter set out in column 1 the matters specified for the purposes of section 102(4) of the Act shall be such of the matters set out in Schedule 2 to this Order as are listed in column 3 of the Tables against that subject matter.

Commencement Information

- I1** Art. 1 in force at 1.4.1988, see **art. 1(1)**
I2 Art. 2 in force at 1.4.1988, see **art. 1(1)**
I3 Art. 3 in force at 1.4.1988, see **art. 1(1)**

Changes to legislation: There are currently no known outstanding effects for the
The Department of Transport (Fees) Order 1988. (See end of Document for details)

Paul Channon
Secretary of State for Transport

Changes to legislation: There are currently no known outstanding effects for the *The Department of Transport (Fees) Order 1988*. (See end of Document for details)

SCHEDULE 1

Commencement Information

I4 Sch. 1 in force at 1.4.1988, see [art. 1\(1\)](#)

TABLE I —

TRANSPORT ACT 1968(2)

F1		
...		
F1		
...		
F1		
...		
F1	F1	F1
...

Textual Amendments

F1 Sch. 1 Table 1 omitted (17.3.2009) by virtue of [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, [10\(2\)\(a\)](#)

TABLE II —

FINANCE ACT 1973(4)

(1)	(2)	(3)
Fee—Fixing Power	Specified Functions	Specified matters as set out in Schedule 2, which apply.
Section 56(1)—		
power to prescribe in regulations the fees and charges for services or facilities provided or authorisations, certificates or other documents issued in pursuance of		
F2		
... any international agreement or arrangement, in respect of—		

(2) 1968 c. 73; section 89(1) was amended by the Transport Act 1980 (c. 34), section 69 and Schedule 9, Part II and by the Transport Act 1982 (c. 49), section 74(2) and Schedule 6.
 (4) 1973 c. 51.

Changes to legislation: There are currently no known outstanding effects for the Department of Transport (Fees) Order 1988. (See end of Document for details)

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
A. International road haulage permits;	(i) The functions of the Secretary of State [^{F3} pursuant to ^{F4} ... any international road transport agreement or arrangement] regarding international road haulage permits. (ii) Any other functions of the Secretary of State in relation to international road haulage permits including, without prejudice to the generality of the foregoing, consideration of enforcement activity.	[^{F5} Paragraphs 1 to 8]
B. Type approval certificates;	(i) The functions of the Secretary of State ^{F6} ... with respect to ^{F7} ... type approval certification, including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action. (ii) The functions of the Secretary of State in relation to international obligations carried out as a contracting party to United Nations agreements concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof with respect to Economic Commission for Europe type approval certification including, without prejudice to the generality of the foregoing, the investigation and	[^{F5} Paragraphs 1 to 8]

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
C. Certificates of conformity of vehicles to the European Agreement concerning the International Carriage of Dangerous Goods by road (ADR) and of compliance with the Customs Convention on the International Transport of Goods under cover of TIR Carnets of 15th November 1975 ⁽⁵⁾	<p>prosecution of offences and enforcement action.</p> <p>(i) The functions of the Secretary of State in relation to approval certifications under the European Agreement for the Carriage of Dangerous Goods and the Customs Convention on the International Transport of Goods under cover of TIR Carnets.</p> <p>(ii) All other functions of the Secretary of State in relation to approval certifications including, without prejudice to the generality of the foregoing:—</p> <p>(a) the ensuring of uniformity in the application of standards of approvals;</p> <p>(b) the issuing of certified copies of certificates and duplicates of certificates where appropriate, and the carrying out of any necessary investigations into the circumstances which led to the need for such copies or duplicates;</p> <p>(c) the enforcement of compliance with the provisions of the</p>	[^{F5} Paragraphs 1 to 8]

⁽⁵⁾ Cmnd. 9032.

Changes to legislation: There are currently no known outstanding effects for the
 The Department of Transport (Fees) Order 1988. (See end of Document for details)

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
D. Approval of tachograph calibration centres;	<p style="text-align: center;">Agreement or the Convention.</p> <p>(i) The functions of the Secretary of State in relation to the approval of tachograph calibration centres under the Transport Act 1968.</p> <p>^{F8}(ii)</p> <p>(iii) Any other functions of the Secretary of State in relation to the approval of tachograph calibration centres including, without prejudice to the generality of the foregoing:—</p> <ul style="list-style-type: none"> (a) carrying out examinations and inspections in order to determine that approved centres continue to comply with the conditions of their approval and any subsequent enforcement of the conditions; (b) investigations required in relation to approved centres and any subsequent enforcement activity; (c) approval of equipment for use in connection with tachograph installation, repair or checking. 	[^{F5} Paragraphs 1 to 8]

Changes to legislation: There are currently no known outstanding effects for the *The Department of Transport (Fees) Order 1988*. (See end of Document for details)

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
E. International road passenger transport authorisations.	<p>(i) The functions of the Secretary of State in relation to international road passenger transport authorisations [F9]pursuant to F10... any international agreement or arrangement].</p> <p>(ii) Any other functions of the Secretary of State in relation to international road passenger transport authorisations including, without prejudice to the generality of the foregoing, work in connection with enforcement.</p>	[F5]Paragraphs 1 to 8]

Textual Amendments

- F2** Words in Sch. 1 Table 2 omitted (31.12.2020) by virtue of [The Department for Transport \(Fees\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1121\)](#), regs. 1, **2(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Sch. 1 Table 2 item A(i) substituted (17.3.2009) by [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(3)(a)(i)**
- F4** Words in Sch. 1 Table 2 item A(i) omitted (31.12.2020) by virtue of [The Department for Transport \(Fees\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1121\)](#), regs. 1, **2(2)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 1 Table 2 substituted (17.3.2009) by [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(3)(b)**
- F6** Words in Sch. 1 Table 2 item B(i) omitted (31.12.2020) by virtue of [The Department for Transport \(Fees\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1121\)](#), regs. 1, **2(2)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in Sch. 1 Table 2 item B(i) omitted (17.3.2009) by [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(3)(a)(ii)**
- F8** Sch. 1 Table 2 item D(iii) omitted (31.12.2020) by virtue of [The Department for Transport \(Fees\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1121\)](#), regs. 1, **2(2)(b)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Sch. 1 Table 2 item E(i) substituted (17.3.2009) by [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(3)(a)(iv)**
- F10** Words in Sch. 1 Table 2 item E(i) omitted (31.12.2020) by virtue of [The Department for Transport \(Fees\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1121\)](#), regs. 1, **2(2)(b)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Department of Transport (Fees) Order 1988. (See end of Document for details)

[^{F11}Table III—

Road Traffic Act 1988(3)

(1) Fee-Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
F12	F12	F12
...
F12	F12	F12
...
F12	F12	F12
...
F12	F12	F12
...
F12	F12	F12
...

5. Section 89(4)(b)—power to prescribe in regulations the fee for a test of competence to drive a motor vehicle to be paid by a person who submits himself for such a test, or applies for an appointment for such a test. The functions of the Secretary of State in relation to tests of competence to drive a motor vehicle under Part III of the Road Traffic Act 1988. Paragraphs 1 to 8.

[^{F13}5A. Section 89(5)(b)—power to prescribe in regulations charges for the supply of forms of certificates evidencing the results of parts of tests. The functions of the Secretary of State in relation to tests of competence to drive motor vehicles under Part III of the Road Traffic Act 1988. Paragraphs 1 to 8.]

F14	F14	F14
...

7. Section 97(3A)(e) — power to prescribe in regulations the charges in connection with the supply of forms for certificates evidencing the successful completion of a course of training in the driving of motor bicycles. (i) The functions of the Secretary of State under the regulations. Paragraphs 1 to 8. (ii) All other functions of the Secretary of State in relation to approved training courses for motor cyclists.

(1) Fee-Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
<p>^{F15}7A. Section 99ZC— power to provide in regulations under section 99ZA (compulsory driver training courses) for the charging of reasonable fees in respect of the exercise of functions conferred or imposed on the Secretary of State.</p>	<p>(i) The functions of the Secretary of State under the regulations.</p> <p>(ii) All the functions of the Secretary of State in relation to driver training.</p>	<p>Paragraphs 1 to 8.]</p>
<p>8. Section 125(3) —power to prescribe in regulations the fee in respect of—</p>	<p>The entry of a person’s name in the register of approved driving instructors.</p> <p>The functions of the Secretary of State and the Registrar in relation to the register of approved driving instructors under the Road Traffic Act 1988 including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action.</p>	<p>Paragraphs 1 to 8.</p>
<p>9. Section 125A(5)—power to prescribe in regulations the fee in respect of—</p>	<p>The entry of a person’s name in the register of approved driving instructors, with an indication that he is a disabled person.</p> <p>The functions of the Secretary of State and the Registrar in relation to the register of approved driving instructors under the Road Traffic Act 1988 including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action.</p>	<p>Paragraphs 1 to 8.</p>
<p>10. Section 127(2) —power to prescribe in regulations the fee in respect of— The retention of a person’s name in the register of approved driving instructors for a further period.</p>	<p>The functions of the Secretary of State and the Registrar in relation to the register of approved driving instructors under the Road Traffic Act 1988 including, without prejudice to the generality of the foregoing, the investigation</p>	<p>Paragraphs 1 to 8.</p>

Changes to legislation: There are currently no known outstanding effects for the *The Department of Transport (Fees) Order 1988*. (See end of Document for details)

(1) Fee-Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
	and prosecution of offences and enforcement action.	
<p>11. Section 129(2) —power to prescribe in regulations the fee in respect of—</p>		
<p>The grant of a licence to give instruction in the driving of a motor car.</p>	<p>The functions of the Secretary of State and the Registrar in relation to the register of approved driving instructions under the Road Traffic Act 1988 including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action.</p>	<p>Paragraphs 1 to 8.</p>
<p>[^{F16}12. Section 132(2)—power to prescribe in regulations fees in respect of the taking of the prescribed parts of—</p>		
<p>(i) the qualifying examination, and</p>	<p>The functions of the Secretary of State and the Registrar in relation to the registrar of approved driving instructors under the Road Traffic Act 1988 including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action.</p>	<p>Paragraph 1 to 8.]</p>
<p>(ii) the test of continued ability and fitness.]</p>		

Textual Amendments

- F11** Sch. 1 Table 3 substituted (1.7.1995) by [The Department of Transport \(Fees\) \(Amendment\) Order 1995 \(S.I. 1995/1684\)](#), arts. 1, 3(1), **Sch. 1**
- F12** Sch. 1 Table 3 items 1-4A omitted (17.3.2009) by virtue of [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(2)(b)**
- F13** Sch. 1 Table 3 item 5A inserted (23.7.1996) by [The Department of Transport \(Fees\) \(Amendment\) Order 1996 \(S.I. 1996/1961\)](#), arts. 1, **2(3)**
- F14** Sch. 1 Table 3 Item 6 revoked (21.11.2003) by [The Department for Transport \(Driver Licensing and Vehicle Registration Fees\) Order 2003 \(S.I. 2003/2994\)](#), arts. 1(1), **4**
- F15** Sch. 1 Table 3 item 7A inserted (11.4.2003) by [The Department of Transport \(Fees\) \(Amendment\) Order 2003 \(S.I. 2003/1094\)](#), art. 1, **Sch. 1 Pt. 2**

Changes to legislation: There are currently no known outstanding effects for the The Department of Transport (Fees) Order 1988. (See end of Document for details)

F16 Words in Sch. 1 Table 3 item 12 substituted (11.4.2003) by The Department of Transport (Fees) (Amendment) Order 2003 (S.I. 2003/1094), art. 1, Sch. 1 Pt. 3

TABLE IV —

INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS ACT 1976(6)

F17		
...		
F17		
...		
F17	F17	F17
...

Textual Amendments

F17 Sch. 1 Table 4 omitted (17.3.2009) by virtue of The Department for Transport (Fees) Order 2009 (S.I. 2009/711), arts. 1, 10(2)(c)

F18 **TABLE V —**

PUBLIC PASSENGER VEHICLES ACT 1981

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
F18	F18	F18
...

3. Section 52(1) as applied by section 126(1) of the Transport Act 1985 — power to prescribe in regulations the fees in respect of—

A. Applications for and the grant of London local service licences;

(i) The functions of the Secretary of State and the metropolitan traffic commissioner in relation to London local service licences under the Public Passenger Vehicles Act 1981 and the Transport Act 1985.

Paragraphs 1 to 7.

Changes to legislation: There are currently no known outstanding effects for the *The Department of Transport (Fees) Order 1988*. (See end of Document for details)

(1) Fee—Fixing Power	(2) Specified Functions	(3) Specified matters as set out in Schedule 2, which apply.
	(ii) Any other functions of the Secretary of State and the metropolitan traffic commissioner in relation to London local service licences including, without prejudice to the generality of the foregoing, the investigation and prosecution of offences and enforcement action.	
F18 ...	F18 ...	F18 ...

Textual Amendments

F18 Sch. 1 Table 5 (except item 3A) omitted (17.3.2009) by virtue of [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(2)(d)**

Table VI—

The Vehicle Excise and Registration Act 1994

F19 ...		
F19 ...	F19 ...	F19 ...
F19 ...	F19 ...	F19 ...
F19 ...	F19 ...	F19 ...

Textual Amendments

F19 Sch. 1 Table 6 omitted (17.3.2009) by virtue of [The Department for Transport \(Fees\) Order 2009 \(S.I. 2009/711\)](#), arts. 1, **10(2)(e)**

SCHEDULE 2

1. All costs incurred by the Secretary of State, ^{F20}... licensing authorities, traffic commissioners and the Registrar of approved driving instructors which are directly attributable to the functions specified in Schedule 1 above.

Textual Amendments

F20 Words in [Sch. 2 para. 1](#) omitted (1.9.2009) by virtue of [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), [art. 1\(1\)](#), [Sch. 2 para. 1](#) (with [Sch. 4](#))

Commencement Information

I5 [Sch. 2 para. 1](#) in force at 1.4.1988, see [art. 1\(1\)](#)

2. That proportion of the costs, not falling within paragraph 1 above, incurred by, or on behalf of, any of the persons specified in paragraph 1 above, in relation to staff, equipment, premises, facilities and matters connected, whether directly or indirectly, therewith, being the proportion which falls to be attributed to any of the functions specified in Schedule 1 above.

Commencement Information

I6 [Sch. 2 para. 2](#) in force at 1.4.1988, see [art. 1\(1\)](#)

3. A return on the resources employed in carrying out any of the functions specified in Schedule 1 above.

Commencement Information

I7 [Sch. 2 para. 3](#) in force at 1.4.1988, see [art. 1\(1\)](#)

4. The allocation of a sum in respect of matters which would otherwise be covered by insurance, the allocation of a sum in respect of superannuation payments and provision for bad debts, in relation to any of the functions specified in Schedule 1 above.

Commencement Information

I8 [Sch. 2 para. 4](#) in force at 1.4.1988, see [art. 1\(1\)](#)

5. Amounts recovered in relation to any of the functions specified in Schedule 1 above other than from such fees as are referred to in this Order.

Commencement Information

I9 [Sch. 2 para. 5](#) in force at 1.4.1988, see [art. 1\(1\)](#)

6. The allocation, over a period of years, of an initial or exceptional cost in relation to any of the functions specified in Schedule 1 above.

Changes to legislation: There are currently no known outstanding effects for the
The Department of Transport (Fees) Order 1988. (See end of Document for details)

.....
Commencement Information

I10 Sch. 2 para. 6 in force at 1.4.1988, see **art. 1(1)**

7. In respect of any function of any of the persons specified in paragraph 1 above consisting of the payment or remittance of any sum or amount, both the sum or amount in question and the cost incurred in effecting the payment or remittance.

.....
Commencement Information

I11 Sch. 2 para. 7 in force at 1.4.1988, see **art. 1(1)**

8. The recovery of any past deficits incurred in relation to any of the functions specified in Schedule 1 above.

.....
Commencement Information

I12 Sch. 2 para. 8 in force at 1.4.1988, see **art. 1(1)**

9. Value added tax.

.....
Commencement Information

I13 Sch. 2 para. 9 in force at 1.4.1988, see **art. 1(1)**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies functions and matters which are to be taken into account in the determination of fees to be fixed by the Secretary of State for Transport in respect of certain activities concerning road vehicles, road transport, drivers, goods vehicle operators, public service vehicle operators and bus services.

Changes to legislation:

There are currently no known outstanding effects for the The Department of Transport (Fees) Order 1988.