STATUTORY INSTRUMENTS

1991 No. 811

FEES AND CHARGES

The Department of Transport (Fees) (Amendment) Order 1991

Approved by the House of Commons

Made - - - - 22nd March 1991 Coming into force - - 1st April 1991

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:—

- 1. This Order may be cited as the Department of Transport (Fees)(Amendment) Order 1991 and shall come into force on 1st April 1991.
 - 2. Schedule 1 to the Department of Transport (Fees) Order 1988(2) shall be amended—
 - (a) in Table III, by the deletion of paragraphs 4, 5, 6, 7 and 8 incolumn (1) and the entries in relation thereto in columns (2) and (3);
 - (b) in Table V, by the deletion of paragraphs 2.B and C in column (1) and the entries in relation thereto in columns (2) and (3); and
 - (c) by the insertion after Table V of the following table:—

"TABLE VI

— Road Traffic Act 1988(3)

 $(1) \qquad \qquad (2) \qquad \qquad (3)$

1. Section 89(4)(b) — power to prescribe in regulations thefee for a test of competence to drive a motor vehicle (other than, inthe case of Part I of the two-part motor cycle test, a

^{(1) 1987} c. 51.

⁽²⁾ S.I.1988/643.

^{3) 1988} c. 52; sections 89 and 97 were amended by sections 6and 7 of, and paragraphs 8, 9 and 10 of Schedule 3 to, the Road Traffic(Driver Licensing and Information Systems) Act 1989 (c. 22).

 $(1) \qquad \qquad (2) \qquad \qquad (3)$

motor cycle) tobe paid by a person who submits himself for such a test, or applies foran appointment for such a test, in respect of—

A. Motor vehicles other The functions of the than, in the case of Part I of the two-partmotor cycle test, in relation to tests motor cycles; ofcompetence to drive

The functions of the Secretary of State in relation to tests ofcompetence to drive a motor vehicle (other than, in the case of Part Iof the two-part motor cycle test, a motor cycle) under Part III of theRoad Traffic Act 1988.

Paragraphs 1 to 7.

B. Motor cycles — Part I The functions of the of the two-part test. Secretary of State in

The functions of the Secretary of State in relation to Part I of thetwopart motor cycle test under Part III of the Road Traffic Act 1988, excluding those functions listed below against the next succeeding entryin this table.

Paragraphs 1 to 7 and 9.

Paragraphs 1 to 7.

- 2. Section 89(5)(b) power to prescribe in regulations thecharges for the supply of forms for certificates evidencing the resultsof tests of competence to drive which consist of separate parts.
- (i) The functions of the Secretary of State in relation to trainingbodies appointed to conduct Part I of the two-part motor cycle testunder Part III of the Road Traffic Act 1988.
- (ii) All other functions of the Secretary of State in relation to training bodies appointed to conduct Part I of the two-part motor cycle test including, without prejudice to the generality of the foregoing, the supervision ofstandards of appointed training bodies.
- **3.** Section 97(1) power to prescribe in
- (i) The functions of the Secretary of

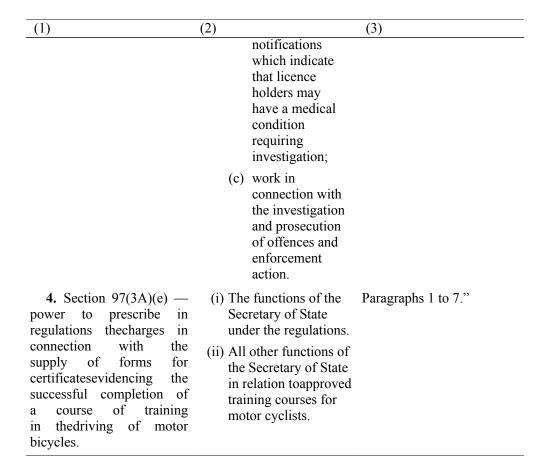
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Paragraphs 1 to 8.

 $(1) \qquad \qquad (2) \qquad \qquad (3)$

regulations the feein respect of the grant of a driving licence. State in relation to driverlicensing under Parts III and IV of the Road Traffic Act 1988 and Schedule 1 to the Road Traffic (Driver Licensing and Information Systems) Act 1989(4) and the functions of the traffic commissioners under thesaid Part IV and Schedule 1.

- (ii) The functions of the Secretary of Statein relation to anything done by the European Communities or any of theirinstitutions with respect to the minimum ages for driving, recognition of driving licences and tests and exchange of licences.
- (iii) All other functions of the Secretary of State in relation to driver licensing including, without prejudice to the generality of the foregoing—
 - (a) carrying out enforcement work related to keeping records of endorsements and disqualifications and ensuring recovery of erroneous or revoked licences;
 - (b) carrying out medical enquiries into the fitness of licence holders to drive following



Signed by authority of the Secretary of State for Transport.

Christopher Chope
Parliamentary Under Secretary of State,
Department of Transport

22nd March 1991

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Department of Transport (Fees) Order 1988. Itremoves references to powers to fix fees (within the meaning of section102 of the Finance (No. 2) Act 1987) which are redundant as aconsequence of the coming into force on 1st April 1991 of sections 1(1)and 2(1) of the Road Traffic (Driver Licensing and Information Systems)Act 1989 (c. 22), that is paragraphs 7 and 8 in Table III and paragraphs2.B and C in Table V in Schedule 1 to the 1988 Order. Those provisions of the 1989 Act replace the provision in Part IV of the Road Traffic Act1988 (c. 52) and section 22 of the Public Passenger Vehicles Act 1981(c.14) for the separate licensing and testing of drivers of heavy goodsvehicles and public service vehicles with provision for the licensingand testing of drivers of large goods and passenger-carrying vehiclesunder Part III of the 1988 Act as supplemented by new Part IV of thatAct. The Order also makes drafting modifications to take account of these changes in driver licensing requirements.

Paragraph 4 of the new Table VI, inserted by Article 2(c) of the Order, makes new provision in respect of the power to prescribe chargesin connection with the supply of forms for certificates of successful completion of a course of training in the driving of motor bicycles.