

## SCHEDULE 1

Regulation 2

## REGULATIONS REVOKED

## PART I

## GREAT BRITAIN REGULATIONS WHOLLY REVOKED

<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Road Vehicles (Registration and Licensing) Regulations 1971	1971/450
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1972	1972/1865
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1973	1973/870
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1975	1975/1342
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1976	1976/1680
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1976	1976/2089
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1977	1977/230
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1978	1978/1536
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1981	1981/366
The Road Vehicles (Excise) (Prescribed Particulars) Regulations 1981	1981/931
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1982	1982/1802
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1983	1983/1248
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1986	1986/607
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1986	1986/1177
The Road Vehicles (Exemptions from Duty) Regulations 1986	1986/1467

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<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Road Vehicles (Excise) (Prescribed Particulars) (Amendment) Regulations 1986	1986/2100
The Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations 1986	1986/2101
The Road Vehicles (Prescribed Regulations for the Purposes of Increased Penalties) Regulations 1987	1987/2085
The Road Vehicles (Excise) (Prescribed Particulars) (Amendment) Regulations 1987	1987/2122
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1987	1987/2123
The Road Vehicles (Excise) (Prescribed Particulars) (Amendment) Regulations 1988	1988/847
The Recovery Vehicles (Prescribed Purposes) Regulations 1989	1989/1376
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1990	1990/2185
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1993	1993/1760
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1994	1994/1364
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1994	1994/1911
The Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations 1994	1994/3296
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1995	1995/1470
The Vehicle Registration (Sale of Information) Regulations 1996	1996/2800
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1997	1997/401
The Road Vehicles (Statutory Off-Road Notification) Regulations 1997	1997/3025
The Road Vehicles Registration Fee Regulations 1998	1998/572
The Road Vehicles Registration Fee (Amendment) Regulations 1998	1998/995

<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Vehicle Excise Duty (Reduced Pollution) Regulations 1998	<a href="#">1998/3094</a>
The Road Vehicles (Statutory Off-Road Notification) (Amendment) Regulations 1999	<a href="#">1999/713</a>
The Vehicle Excise Duty (Reduced Pollution) (Amendment) Regulations 2000	<a href="#">2000/3274</a>
The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2002	<a href="#">2002/2382</a>

## PART II

### GREAT BRITAIN REGULATIONS PARTIALLY REVOKED

<i>(1)</i> <i>Regulations</i>	<i>(1)</i> <i>S.I. number</i>	<i>(1)</i> <i>Extent of revocation</i>
The Vehicle and Driving Licence Records (Evidence) Regulations 1970	<a href="#">1970/1997</a>	In regulation 2(1) the definitions of “the 1962 Act”, “registration book”, “registration mark”, “trade licence” and “vehicle licence”. In regulation 3, paragraph (2).

## PART III

### NORTHERN IRELAND REGULATIONS WHOLLY REVOKED

<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Vehicle Licences Records (Evidence) Regulations (Northern Ireland) 1973	S R & O (NI) <a href="#">1973/352</a>
The Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973	S R & O (NI) <a href="#">1973/490</a>
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1976	<a href="#">SI1976/2088</a>
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations (Northern Ireland) 1976	<a href="#">1976/2180</a>
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1977	<a href="#">1977/231</a>

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<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1978	1978/1541
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1981	1981/367
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1986	1986/706
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations (Northern Ireland) 1986	1986/1178
The Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations (Northern Ireland) 1986	1986/2102
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1987	1987/2124
The Road Vehicles (Prescribed Regulations for the Purposes of Increased Penalties) (Northern Ireland) Regulations 1987	1987/2086
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1988	1988/1130
The Recovery Vehicles (Prescribed Purposes) Regulations (Northern Ireland) 1989	1989/1377
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1990	1990/2186
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1993	1993/1759
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1994	1994/2735
The Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations (Northern Ireland) 1994	1994/3297
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1995	1995/1471

<i>(1)</i> <i>Regulations</i>	<i>(2)</i> <i>S.I. number</i>
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 2000	2000/1369
The Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 2002	2002/2381

## SCHEDULE 2

Regulation 5

### REDUCED POLLUTION CERTIFICATES AND THE REDUCED POLLUTION REQUIREMENTS

#### Interpretation of Schedule

**1.—(1)** In this Schedule—

“authorised examiner” means—

- (a) a vehicle examiner appointed by the Secretary of State pursuant to section 66A of the 1988 Act<sup>(1)</sup>;
- (b) a vehicle examiner appointed by the Department of the Environment for Northern Ireland pursuant to Article 74 of the Road Traffic (Northern Ireland) Order 1995<sup>(2)</sup>; or
- (c) a person authorised by the Secretary of State to conduct reduced pollution examinations;

“Directive 1999/96” means Directive 1999/96/EC of the European Parliament and of the Council of 13th December 1999 on the approximation of the laws of the Member States relating to measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and against the emission of gaseous and particulate pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles and amending Council Directive 88/77/EEC<sup>(3)</sup>;

“eligible vehicle” means a vehicle which is an eligible vehicle as defined by section 61B(4) of the 1994 Act;

“prescribed adaptation” shall be construed in accordance with paragraph 4(2);

“prescribed fee” means the fee prescribed by paragraph 13;

“rectification notice” has the meaning given by paragraph 9(1);

“reduced pollution examination” means an examination of an eligible vehicle for the purpose of determining whether a reduced pollution certificate should be issued for that vehicle”;

“vehicle identification number” has the same meaning as in regulation 67 of the Road Vehicles (Construction and Use) Regulations 1986<sup>(4)</sup> or in regulation 80 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999<sup>(5)</sup>; and

(1) Section 66A was inserted by the Road Traffic Act 1991 (c. 40) section 9(1) and was amended by the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23) Schedule 7, paragraph 11.

(2) S.I. 1995/2994 (N.I. 18).

(3) OJ No. L 044, 16.2.00, page 1.

(4) S.I. 1986/2102, to which there are amendments not relevant to these Regulations.

(5) S.R. 1999/454, to which there are amendments not relevant to these Regulations.

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a reference, in whatever terms, to an eligible vehicle which satisfies or does not satisfy the reduced pollution requirements is to an eligible vehicle with respect to which the reduced pollution requirements are, or are not, satisfied.

(2) For the purposes of this Schedule and of regulation 5, a reduced pollution certificate shall be deemed to be issued, and a notice or notification shall be deemed to be given, by an authorised examiner if it is signed by that examiner or on behalf of that examiner by a person authorised by him to sign it on his behalf.

### **Applications for reduced pollution certificates**

2.—(1) An application for a reduced pollution certificate shall be made to the Secretary of State.

(2) The Secretary of State shall fix the time when and the place where a reduced pollution examination is to be carried out and shall inform the applicant accordingly.

(3) The Secretary of State may by notice to the applicant alter the time or place fixed for the examination, but shall not alter the time to an earlier time without the consent of the applicant.

### **Reduced pollution examinations**

3.—(1) A reduced pollution examination shall be carried out by an authorised examiner.

(2) An authorised examiner may refuse to examine an eligible vehicle if—

- (a) the vehicle is not presented at the time and place appointed for the examination;
- (b) the prescribed fee has not been paid;
- (c) the information specified in sub-paragraph (3) has not been provided;
- (d) the person presenting the vehicle is not willing, to the extent necessary for the purpose of properly carrying out the examination,—
  - (i) to give the examiner access to the engine and the fuel and exhaust systems,
  - (ii) to operate the controls of the vehicle, or
  - (iii) generally to co-operate with the examiner;
- (e) the vehicle is in so dangerous or dirty a condition that the examination cannot be carried out properly;
- (f) the vehicle has insufficient fuel or oil in it for the examination to be carried out; or
- (g) the vehicle's engine has failed electrically or mechanically.

(3) The information referred to in sub-paragraph (2)(c) is—

- (a) the name and address (including post code) of the applicant;
- (b) the registration mark of the vehicle (if the vehicle has been registered);
- (c) the make and model of the vehicle;
- (d) the vehicle identification number of the vehicle;
- (e) the date of manufacture of the vehicle; and
- (f) particulars of the prescribed adaptation made to the vehicle, whereby it is claimed that the vehicle satisfies the reduced pollution requirements.

### **The reduced pollution requirements**

4.—(1) An eligible vehicle satisfies the reduced pollution requirements for the purposes of the 1994 Act at any time when, as a result of an adaptation of a description specified in paragraph (2)

(“a prescribed adaptation”) having been made to it after 17th March 1998, it satisfies the reduced pollution requirements in accordance with paragraph (3) or (4).

- (2) A prescribed adaptation is—
- (a) the fitting of a new engine to an eligible vehicle; or
  - (b) the fitting to the engine of an eligible vehicle of a device, for which there is in force a certificate of conformity issued by the manufacturer of the vehicle under section 57 of the 1988 Act<sup>(6)</sup> on the basis that the device complies with approval requirements prescribed for the purpose of these Regulations by the Secretary of State in regulations made by him under section 54 of that Act.
- (3) An eligible vehicle—
- (a) for which a reduced pollution certificate was not in force on 4th January 2001; and
  - (b) which at the time that it was first used was required to comply or did comply, as to the rate and content of its emissions, with the requirements specified in an instrument referred to in column (2) of an item in Table 1 below,

satisfies the reduced pollution requirements if it is so adapted that the rate and content of its particulate emissions do not exceed the number of grams per kilowatt-hour specified in column (3) of the item.

**TABLE I**

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Instrument setting the standard to which the eligible vehicle was first used</i>	<i>(3)</i> <i>Rate and content of particulate emissions after adaptation (grams per kilowatt-hour)</i>
1	Directive <a href="#">88/77/EEC</a> <sup>(7)</sup>	0.16
2	Directive <a href="#">91/542/EEC</a> <sup>(8)</sup> (limits A)	0.16
3	Directive <a href="#">91/542/EEC</a> (limits B)	0.03
4	Directive 1999/96 Annex I, paragraph 6.2.1, Table 1 Row A and Table 2 Row A	0.03

- (4) An eligible vehicle—
- (a) for which a reduced pollution certificate was in force on 4th January 2001; and
  - (b) which at the time that it was first used was required to comply or did comply, as to the rate and content of its emissions, with the requirements specified in an instrument referred to in column (2) of an item in Table 2 below,

satisfies the reduced pollution requirements if it is so adapted that the rate and content of its particulate emissions do not exceed the number of grams per kilowatt-hour specified in column (3) of the item.

<sup>(6)</sup> Section 57 was amended by [S.I. 1992/3107](#).

<sup>(7)</sup> OJ No. L36, 9.2.88, page 3.

<sup>(8)</sup> OJ No. L295, 25.10.91, page 1.

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**TABLE 2**

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Instrument setting the standard to which the eligible vehicle was first used</i>	<i>(3)</i> <i>Rate and content of particulate emissions after adaptation (grams per kilowatt-hour)</i>
1	Directive 88/77/EEC	0.16
2	Directive 91/542/EEC (limits A)	0.16
3	Directive 91/542/EEC (limits B)	0.08
4	European Commission Proposal Com (97) 627 for a European and Council Directive amending Council Directive 88/77(9)	0.04

(5) An eligible vehicle which was first used before 1st April 1991 shall be taken—

- (a) if it is a vehicle such as is referred to in paragraph (3), to be a vehicle to which item 1 of Table 1 applies; or
- (b) if it is a vehicle such as is referred to in paragraph (4), to be a vehicle to which item 1 of Table 2 applies.

(6) A vehicle shall be taken to have been first used on the date on which it was registered under the 1994 Act or its predecessor legislation.

#### **Determination of applications and issue of certificates or notification of refusal**

5.—(1) An authorised examiner who has carried out a reduced pollution examination shall issue a reduced pollution certificate to the applicant if and only if he is satisfied that the eligible vehicle satisfies the reduced pollution requirements.

(2) A reduced pollution certificate shall be granted for such period as the Secretary of State may determine.

(3) If an authorised examiner is not satisfied that an eligible vehicle that he has examined satisfies the reduced pollution requirements, he shall notify the applicant of his refusal of the application and of the reasons for it.

#### **Contents of a reduced pollution certificate**

6. A reduced pollution certificate shall contain the following information—

- (a) the registration mark of the eligible vehicle;
- (b) the date on which the certificate expires;
- (c) the make and model of the vehicle;
- (d) the vehicle identification number;
- (e) particulars of the prescribed adaptation that has been made to the vehicle;

(9) OJ No. 98C 173/1, 8.6.98, page 18.



- (f) the emission standard as specified in column (3) of the Table in paragraph 4(3) or 4(4) with which the vehicle has been adapted so as to comply; and
- (g) the vehicle testing station or other place at which the reduced pollution examination was conducted.

#### **Reduced pollution certificate to be conclusive**

7.—(1) If at any time a reduced pollution certificate is in force for an eligible vehicle that certificate shall be conclusive evidence that the vehicle satisfies the reduced pollution requirements at that time.

(2) If at any time no reduced pollution certificate is in force for an eligible vehicle, that fact shall be conclusive evidence that the vehicle does not satisfy the reduced pollution requirements at that time.

#### **Re-examination of an eligible vehicle for which a reduced pollution certificate is in force**

8.—(1) An authorised examiner may at any time by notice require the registered keeper of an eligible vehicle for which a reduced pollution certificate is in force to submit it, at a place and within a period specified in the notice (or at such other place or within such longer period as may be agreed by the Secretary of State), for a re-examination for the purpose of determining whether it still satisfies the reduced pollution requirements.

(2) Paragraphs 2(3) and 3(2) (except paragraph 3(2)(b)) apply to a re-examination under this paragraph.

(3) If an eligible vehicle for which a reduced pollution certificate is in force is found after a re-examination under this paragraph to satisfy the reduced pollution requirements, the authorised examiner who carried out the re-examination shall give notice to that effect to the registered keeper or to the person who brought the vehicle to the re-examination and to the Secretary of State.

#### **Rectification notice**

9.—(1) If, after an examination under paragraph 8 or otherwise, an eligible vehicle for which a reduced pollution certificate is in force is found no longer to satisfy the reduced pollution requirements, the authorised examiner who carried out the examination shall give notice (“a rectification notice”) to that effect to the registered keeper or the person who brought the vehicle to the examination.

(2) A rectification notice shall state in what respect the vehicle was found not to satisfy the reduced pollution requirements.

(3) A rectification notice shall state that, unless the vehicle is submitted for a further examination, at the place and within the period specified in the notice (or at such other place) or within longer period as may be agreed by the Secretary of State), and is found at that further examination to satisfy the reduced pollution requirements, the Secretary of State will at the expiration of that period revoke the reduced pollution certificate for the vehicle.

(4) Paragraphs 2(3) and 3(2) apply to an examination under sub-paragraph (3).

#### **Revocation, surrender and cancellation of a reduced pollution certificate**

10.—(1) The Secretary of State may by notice given to the registered keeper revoke a reduced pollution certificate—

- (a) if he is satisfied, in consequence of a re-examination under paragraph 9(3) that an eligible vehicle for which the reduced pollution certificate is in force no longer satisfies the reduced pollution requirements; or

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(b) if the registered keeper of an eligible vehicle who has been required to submit it for re-examination under paragraph 8 or following a rectification notice has failed to do so in accordance with this Schedule.

(2) A reduced pollution certificate which has been revoked by notice under paragraph (1) shall cease to have effect on the date specified for that purpose in the notice.

(3) Where a notice has been given in respect of the eligible vehicle under paragraph 8(1) or 9(3), the notice under paragraph (1) shall not be given before the end of the period for submitting the vehicle for a further examination specified in the notice under paragraph 8(1) or, as the case may be, 9(3).

(4) The registered keeper of a vehicle for which a reduced pollution certificate is in force may at any time surrender the certificate to the Secretary of State for cancellation, whereupon the certificate shall cease to have effect.

(5) Where a certificate is revoked in accordance with paragraph (1) the registered keeper shall surrender the certificate to the Secretary of State for cancellation within the period specified for this purpose in the notice given under paragraph (1).

### **Replacement certificates**

**11.** At any time when a reduced pollution is in force in respect of a vehicle the Secretary of State may, on surrender of the certificate or its identifiable remains, issue a replacement certificate for the remainder of the period for which the surrendered certificate was in force.

### **Appeal against refusal or revocation of a certificate**

**12.—(1)** A person aggrieved by a refusal to issue a reduced pollution certificate following a reduced pollution examination, or by the revocation of a reduced pollution certificate, may appeal to the Secretary of State.

(2) An appeal shall—

(a) be made before the expiration of the period of 14 days beginning with the day on which an authorised examiner gives notice under paragraph 5(3) or the Secretary of State gave notice under paragraph 10(1);

(b) state the grounds on which it is made; and

(c) be sent by post or facsimile transmission to the Secretary of State—

(i) at the Goods Vehicle Centre, Welcombe House, 91/92 The Strand, Swansea SA1 2DH, in the case of a vehicle which was examined in Great Britain; or

(ii) at the Driver and Vehicle Testing Agency, Headquarters, Balmoral Road, Belfast BT12 6QL, in the case of a vehicle which was examined in Northern Ireland.

(3) As soon as reasonably practicable after the receipt of an appeal made in accordance with subparagraph (2) the Secretary of State shall notify the appellant of—

(a) the place at which the examination for the purposes of the appeal will take place; and

(b) the time when it will start.

(4) The examination shall be carried by a person who has not previously examined the vehicle and who is—

(a) in the case of an examination carried out in Great Britain, authorised by the Secretary of State to carry out examinations for the purposes of this paragraph; or

(b) in the case of an examination carried out in Northern Ireland, an authorised examiner.

(5) At the conclusion of an examination under this paragraph the Secretary of State shall either issue a reduced pollution certificate or give the appellant notice that the appeal is dismissed and the grounds of dismissal.

(6) Paragraphs 2(3) and 3(2) apply to an examination under this paragraph.

### **Prescribed fees**

**13.**—(1) Subject to sub-paragraphs (1) and (3) the prescribed fee for carrying out any examination of an eligible vehicle under this Schedule (except an examination under paragraph 8, for which no fee shall be payable) shall be—

- (a) £25, except in a case falling within paragraph (b);
- (b) £15, if it is carried out at the same time as an examination of the vehicle—
  - (i) for the purposes of determining whether a certificate of initial fitness should be issued under section 6 of the Public Passenger Vehicles Act 1981<sup>(10)</sup> or a public service vehicle licence should be granted under Article 61 of the Road Traffic (Northern Ireland) Order 1981<sup>(11)</sup>;
  - (ii) for the purposes of an examination carried out for the purposes of section 45 of the 1988 Act<sup>(12)</sup>, Article 61(1) of the Road Traffic (Northern Ireland) Order 1995 (test certificates); or
  - (iii) for one or more of the purposes mentioned in section 49(1) of the 1988 Act or Article 65 of the Road Traffic (Northern Ireland) Order 1995 (plating and testing of goods vehicles).

(2) If, at the request of the applicant, the time appointed for an examination is out of hours, the fee payable under sub-paragraph (1) shall be increased by £8.40.

(3) If, at the request of the applicant, an examination is carried out otherwise than at premises provided and maintained by the Secretary of State under section 52 of the 1988 Act or Article 73, of the Road Traffic (Northern Ireland) Order 1995<sup>(13)</sup> the fee payable under the preceding provisions of this paragraph shall be increased by £3.50.

(4) In sub-paragraph (2) “out of hours” means—

- (a) at any time on Saturday, Sunday, Christmas Day, a Bank Holiday (as defined by the Banking and Financial Dealings Act 1971<sup>(14)</sup>) or (in relation to Great Britain) Good Friday or (in relation to Northern Ireland) Easter Tuesday or any other day on which tests are not normally conducted at vehicle testing stations;
- (b) or on any other day except—
  - (i) in Great Britain, between 8.00 am and 5.00 pm on Monday to Thursday inclusive or between 8.00 am and 4.30 on a Friday; or
  - (ii) in Northern Ireland, between 8.45 am and 4.55 pm on Monday to Friday inclusive.

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<sup>(10)</sup> 1981 c. 114; section 6 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c. 54), Schedule 3, paragraph 22 and by the Road Traffic Act 1991, Schedule 4, paragraph 14.

<sup>(11)</sup> S.I. 1981/154 (N.I. 1).

<sup>(12)</sup> Section 45 was amended by the Road Traffic Act 1991, Schedule 4, paragraph 53.

<sup>(13)</sup> S.I. 1995/2994 (N.I. 18).

<sup>(14)</sup> 1971 c. 80; as to bank holidays see section 1 and Schedule 1.

SCHEDULE 3

Regulation 15(3)

ISSUE OF NEW REGISTRATION DOCUMENT

**Duty of the Secretary of State**

1. Where this Schedule has effect, before issuing a new registration document for the relevant vehicle, the Secretary of State—

- (a) shall require the keeper of the relevant vehicle to produce the vehicle for examination by a person authorised by the Secretary of State at a time and place fixed by the Secretary of State and notified to the keeper; and
- (b) may require the keeper to provide such other evidence as he may specify,

for the purpose of ascertaining whether the relevant vehicle is the registered vehicle concerned.

**Examination of vehicle**

2. A person authorised by the Secretary of State to conduct an examination under paragraph 1(a) may refuse to conduct the examination if—

- (a) the Secretary of State has not received an application form completed and signed by or on behalf of the keeper and containing such information as the Secretary of State may specify;
- (b) the vehicle is not presented at the time and place appointed for the examination;
- (c) the prescribed fee has not been paid;
- (d) the person presenting the vehicle is not willing, to the extent necessary for the purpose of properly carrying out the examination,—
  - (i) to give the person authorised to conduct the examination access to the engine and the fuel and exhaust systems,
  - (ii) to operate the controls of the vehicle, or
  - (iii) generally to co-operate with that person;
- (e) the vehicle is obviously unroadworthy;
- (f) the vehicle is in so dangerous or dirty a condition that the examination cannot be carried out safely and properly;
- (g) the vehicle has insufficient fuel or oil in it for the examination to be carried out; or
- (h) the vehicle's engine has failed electrically or mechanically.

**Determination of the Secretary of State**

3.—(1) The Secretary of State, having considered the report of the person who conducted any examination under paragraph 1(a) and the evidence (if any) provided under paragraph 1(b), shall give notice of his decision as to whether or not he is satisfied that the vehicle is the relevant vehicle.

(2) The Secretary of State's notification of a decision that he is not so satisfied shall state—

- (a) the reasons for his decision;
- (b) that the keeper of the vehicle may appeal against the decision on the ground that the reasons given are insufficient or that there has been an error in the conduct of the examination or the consideration of evidence;
- (c) the name and address of the person to whom an appeal against the decision may be made; and

- (d) that notice of the appeal stating the grounds on which it is made must be received by that person before the last day of the period of 28 days beginning with the day on which notification of the decision is sent or such later date as the Secretary of State may determine.

### **Appeals**

4.—(1) Where an appeal is received in accordance with paragraph 3(2)(d), the Secretary of State shall authorise a person (“the appeal officer”) to determine the appeal on his behalf.

(2) The appeal officer shall be an individual who has not previously examined the relevant vehicle or been involved in any other way in the taking of the decision appealed against.

(3) The appeal officer shall require the appellant to produce the relevant vehicle for re-examination by him at a specified time and place and may also require him—

- (a) to produce the evidence provided under paragraph 1(b) for re-consideration; or
- (b) to provide such other evidence as the appeal officer may specify.

(4) Paragraph 2 applies to a re-examination of the relevant vehicle on appeal.

(5) The appeal officer, having examined the relevant vehicle and considered the evidence (if any) provided to him, shall notify the appellant of his decision as to whether or not he is satisfied that the relevant vehicle is the registered vehicle.

### **Certificates**

5. Where the Secretary of State is satisfied, whether on appeal or otherwise, that the relevant vehicle is the registered vehicle he shall issue a certificate to that effect and may at any time issue a replacement certificate to correct an error in a certificate.

### **Giving of notices and certificates**

6. A notice or certificate under this Schedule may be given or issued by—

- (a) handing it over to the person producing the relevant vehicle for examination or re-examination; or
- (b) by sending it by pre-paid ordinary post addressed to the person who signed the application referred to in paragraph 2(a), and

shall be taken to have been given or issued at the time it was handed over or, as the case may be, put in the post.

### **The prescribed fee**

7.—(1) Subject to sub-paragraphs (2) and (3), the prescribed fee for an examination, whether under paragraph 1 or under paragraph 4, shall be £26.50.

(2) If, at the request of the person submitting the vehicle for examination, the examination is conducted otherwise than at premises such as are mentioned in paragraph 13(3) of Schedule 2 the fee shall be increased by £5.50.

(3) If, at the request of that person the examination is conducted out of hours the fee shall be increased by £7.50.

(4) In sub-paragraph (3) “out of hours” has the meaning given by paragraph 13(4) of Schedule 2.

**Refund of the prescribed fee**

8.—(1) Where a certificate under paragraph 5 is issued following a re-examination on appeal, the fee for the re-examination shall be refunded to the person who paid it.

(2) No fee shall be refunded in the event of an examination not being carried out in consequence of any act or omission on the part of the person who paid the fee.

## SCHEDULE 4

Regulation 26

## STATUTORY OFF-ROAD NOTIFICATION

## PART I

*General***Interpretation of Schedule**

1.—(1) In this Schedule—

“authorised insurer” has the meaning given in section 145(5) of the 1988 Act;

“personal credit agreement” has the meaning given in section 8(1) of the Consumer Credit Act 1974<sup>(15)</sup>;

“relevant vehicle” means a vehicle which is either a relevant GB vehicle or a relevant NI vehicle;

“the required declaration” means a declaration made to the Secretary of State by a person surrendering a vehicle licence or the keeper of a relevant vehicle to the effect that (except for use under a trade licence) he does not for the time being intend to use or keep the vehicle on a public road and will not use or keep the vehicle on a public road without first taking out a vehicle licence (or if appropriate a nil licence) for the vehicle;

“the required particulars” in relation to a relevant vehicle are particulars of—

- (a) the registration mark of the vehicle;
- (b) the make and model of the vehicle; and
- (c) the address of the premises at which the vehicle is kept; and

“unlicensed vehicle” means a relevant vehicle for which no vehicle licence is for the time being in force and “unlicensed” shall be construed accordingly.

(2) In this Schedule, subject to sub-paragraph (3),—

(a) a “relevant GB vehicle” means a vehicle which is registered in the GB records and kept in Great Britain, but does not include a vehicle in relation to which each of the following conditions is satisfied—

- (i) neither a vehicle licence nor a nil licence was in force for the vehicle on 31st January 1998;
- (ii) such a licence has not been taken out for the vehicle for a period starting after that date; and
- (iii) the vehicle has not been used or kept on a public road on or after that date; and

<sup>(15)</sup> 1974 c. 39; section 8 was amended by the Consumer Credit (Increase of Monetary Limits) Order 1983 S.I. 1983/1878 Schedule; Part II and by S.I. 1998/996.

(b) a “relevant NI vehicle” means a vehicle which is registered in the NI records and kept in Northern Ireland, but does not include a vehicle in relation to which each of the following conditions is satisfied—

(i) neither a vehicle licence nor a nil licence was in force for the vehicle on 30th November 2002;

(ii) such a licence has not been taken out for the vehicle for a period starting after that date; and

(iii) the vehicle has not been used or kept on a public road on or after that date.

(3) A vehicle which is an exempt vehicle falling within a description specified in paragraph 2, 2A, 3, 23 or 24 of Schedule 2 to the 1994 Act is neither a relevant GB nor a relevant NI vehicle.

(4) For the purposes of this Schedule a person is a “relevant vehicle trader” in relation to a vehicle if he falls within a description mentioned in column (2) of an item in the Table below and the vehicle falls within a description mentioned in column (3) of that item.

**TABLE**

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Descriptions of person</i>	<i>(3)</i> <i>Descriptions of vehicle</i>
1.	The holder of a trade licence	A vehicle temporarily in his possession in the course of the business by virtue of which he is a person eligible to hold such a licence
2.	An auctioneer of vehicles	A vehicle temporarily in his possession in the course of his business as such an auctioneer
3.	A motor dealer	A vehicle temporarily in his possession in the course of his business as a motor dealer
4.	A person who carries on business as a dismantler of vehicles	A vehicle temporarily in his possession in the course of that business
5.	An authorised insurer	A vehicle temporarily in his possession in consequence of settling a claim under a policy of insurance which related to the vehicle
6.	The holder of a licence under Part II of the Consumer Credit Act 1974	A vehicle temporarily in his possession under an order for the repossession of the vehicle made in pursuance of a personal credit agreement relating to the vehicle

**Manner in which declaration is to be made and particulars furnished**

2.—(1) For the purposes of this Schedule the required declaration may be made and the required particulars furnished in such way as the Secretary of State may accept including—

(a) in writing on a form specified by the Secretary of State;

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- (b) orally by telephone to a person authorised by the Secretary of State; or
  - (c) by electronic means in a form specified by the Secretary of State.
- (2) A person furnishing the required particulars need not provide particulars of the address at which the vehicle is kept unless required to do so—
- (a) in a case falling within sub-paragraph (1)(a) or (c), by the form on which those particulars are furnished; or
  - (b) in a case falling within sub-paragraph (1)(b) , by the person to whom they are furnished.

## PART II

### *Vehicles Registered in the GB Records and Kept in Great Britain*

#### **Surrender of a vehicle licence—relevant GB vehicle**

3.—(1) When the holder of a vehicle licence for a relevant GB vehicle surrenders it under section 10(2) of the 1994 Act, he shall deliver to the Secretary of State the required declaration and the required particulars in relation to that vehicle.

(2) Paragraph (1) does not apply where a relevant GB vehicle is no longer kept by the holder of the licence or the holder is a relevant vehicle trader in relation to that vehicle.

#### **Expiry of vehicle licence or nil licence—relevant GB vehicle**

4. Where a vehicle licence or nil licence ceases to be in force for a relevant GB vehicle by reason of the expiration of the period for which the licence was granted and a vehicle licence or nil licence for the vehicle is not taken out so as to run from the expiration of that period, the keeper of the vehicle shall deliver to the Secretary of State the required declaration and the required particulars in relation to the vehicle—

- (a) if he is a relevant vehicle trader, not later than the end of the period of three months starting with the day following the expired period; or
- (b) in any other case, not later than that day.

#### **Person keeping an unlicensed vehicle—relevant GB vehicle**

5.—(1) Subject to sub-paragraph (2) this paragraph applies to a person who is the keeper of a relevant GB vehicle which is unlicensed and as respects which there has elapsed a period of 12 months (“the unlicensed period”)—

- (a) throughout which the vehicle has been kept in Great Britain unlicensed; and
- (b) within which neither the required declaration nor the required particulars have been delivered to the Secretary of State in relation to the vehicle.

(2) For the purposes of sub-paragraph (1)(a), where a vehicle licence has been surrendered under section 10(2) of the 1994 Act, the vehicle to which it relates shall be taken to be unlicensed from the first day of the month in which the licence was surrendered.

(3) A person to whom this paragraph applies shall, unless a vehicle licence or a nil licence has been taken out so as to run from the end of the unlicensed period, deliver the required declaration and the required particulars to the Secretary of State in relation to the relevant GB vehicle not later than the day following the end of that period.



### **Change of keeper of unlicensed vehicle—relevant GB vehicle**

6. On a change in the keeper of a relevant GB vehicle which is unlicensed, unless a vehicle licence or nil licence is taken out for the vehicle, the new keeper shall deliver to the Secretary of State the required declaration and the required particulars in relation to the vehicle—

- (a) if he is a relevant vehicle trader, not later than the end of the period of three months beginning with the day following the day on which the change of keeper occurs; or
- (b) in any other case, not later than the day following the day on which the change of keeper occurs.

## **PART III**

### *Vehicles Registered in the NI Records and kept in Northern Ireland*

#### **Surrender of a vehicle licence—relevant NI vehicle**

7.—(1) When after 30th November 2002 the holder of a vehicle licence for a relevant NI vehicle surrenders it under section 10(2) of the 1994 Act, he shall deliver to the Secretary of State the required declaration and the required particulars in relation to that vehicle.

(2) Paragraph (1) does not apply where a relevant NI vehicle is no longer kept by the holder of the licence or the holder is a relevant trader in relation to that vehicle.

#### **Expiry of vehicle licence or nil licence—relevant NI vehicle**

8. Where, on or after 30th November 2002, a vehicle licence or nil licence ceases to be in force for a relevant NI vehicle by reason of the expiration of the period for which the licence was granted and a vehicle licence or nil licence for the vehicle is not taken out so as to run from the expiration of that period, the keeper of the vehicle shall deliver to the Secretary of State the required declaration and the required particulars in relation to the vehicle—

- (a) if he is a relevant vehicle trader, not later than the end of the period of three months starting with the day following the expired period; or
- (b) in any other case, not later than that day.

#### **Person keeping an unlicensed vehicle—relevant NI vehicle**

9.—(1) Subject to sub-paragraph (2), this paragraph applies to a person who, at any time after 30th November 2003, is the keeper of a relevant NI vehicle which is unlicensed and as respects which there has elapsed a period of 12 months (“the unlicensed period”)—

- (a) throughout which the vehicle has been kept in Northern Ireland unlicensed; and
- (b) within which neither the required declaration nor the required particulars have been delivered to the Secretary of State in relation to the vehicle.

(2) For the purposes of sub-paragraph (1(a), where a vehicle licence has been surrendered under section 10(2) of the 1994 Act, the vehicle to which it relates shall be taken to be unlicensed from the first day of the month on which the licence was surrendered.

(3) A person to whom this paragraph applies shall, unless a vehicle licence or a nil licence has been taken out so as to run from the end of the unlicensed period, deliver the required declaration and the required particulars to the Secretary of State in relation to the NI relevant vehicle not later than the day following the end of that period.

**Change of keeper of unlicensed vehicle—relevant NI vehicle**

10. On a change occurring after 30th November 2002 in the keeper of a relevant NI vehicle which is unlicensed, unless a vehicle licence or nil licence is taken out for the vehicle, the new keeper shall deliver to the Secretary of State the required declaration and the required particulars in relation to the vehicle—

- (a) if he is a relevant vehicle trader, not later than the end of the period of three months beginning with the day following the day on which the change of keeper occurs; or
- (b) in any other case, not later than the day following the day on which the change of keeper occurs.

## SCHEDULE 5

Regulation 34

EXEMPT VEHICLES: VEHICLES IMPORTED BY  
MEMBERS OF FOREIGN ARMED FORCES AND OTHERS

**Scope of exemption**

1.—(1) A vehicle is an exempt vehicle for the period specified in paragraph 2 if it was imported into Great Britain by or on behalf of—

- (a) a member of a visiting force;
- (b) a member of a headquarters or organisation; or
- (c) a dependant of a person falling within paragraph (a) or (b),

and there is produced to the Secretary of State evidence that the person importing the vehicle has not been required to pay any tax or duty chargeable in respect of its importation.

(2) In sub-paragraph (1)—

- (a) “dependant” means a member of the household of a person falling within sub-paragraph (1)(a) or (b) who is his spouse or any other person wholly or mainly maintained by him or in his custody, charge or care;
- (b) “member of a visiting force” means a person for the time being appointed to serve with, or a member of the civilian component of, any body, contingent or detachment of the forces of any country specified in paragraph 3, which is for the time being present in the United Kingdom on the invitation of her Majesty’s Government;
- (c) “member of a headquarters or organisation” means a member of the military forces of any country, except the United Kingdom, who is for the time being appointed to serve in the United Kingdom under the orders of any headquarters or organisation specified in paragraph 4 and includes a person for the time being recognised by the Secretary of State as a civilian member of such a headquarters or organisation.

**Period of exemption**

2.—(1) The period during which a vehicle is an exempt vehicle by virtue of this Schedule shall be the period of 12 months beginning with the day on which a nil licence is issued in respect of that vehicle.

(2) The exemption shall however cease to apply if, at any time during the period prescribed by sub-paragraph (1), the importer of the vehicle becomes liable to pay any duty or tax chargeable in respect of its importation.

### List of countries

3. The countries referred to in paragraph 1(2)(b) are—

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Antigua and Barbuda	Malta
Australia	Mauritius
Bahamas	Nauru
Bangladesh	Netherlands
Barbados	New Zealand
Belgium	Nigeria
Belize	Norway
Botswana	Pakistan
Burma	Papua New Guinea
Canada	Portugal
Cyprus	Saint Lucia
Denmark	Saint Vincent and the Grenadines
Dominica	Seychelles
Fiji	Sierra Leone
France	Singapore
Gambia	Spain
Germany	Solomon Islands
Ghana	South Africa
Greece	Sri Lanka
Grenada	Swaziland
Guyana	Tanzania
Iceland	Tonga
India	Trinidad and Tobago
Italy	Turkey
Jamaica	Tuvalu
Jordan	Uganda
Kenya	United States of America
Kiribati	Vanuatu
Lesotho	Western Samoa
Luxembourg	Zambia
Malawi	Zimbabwe
Malaysia	

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**List of headquarters and organisations**

4. The headquarters and organisations referred to in paragraph 1(2)(c) are—
  - The Supreme Headquarters Allied Powers Europe (SHAPE)
  - The Headquarters of the Supreme Allied Commander, Europe (SACEUR)
  - The Headquarters of the Supreme Allied Commander, Atlantic (SACLANT)
  - The Headquarters of the Allied Commander in Chief Channel (CINCHAN)
  - The Channel Committee (CHANCOMTEE)
  - The Headquarters of the Commander of the Allied Maritime Air Force, Channel (COMMAIRCHAN)
  - The Headquarters of the Commander in Chief of the Eastern Atlantic Area (CINCEASTLANT)
  - The Headquarters of the Commander in Chief United Kingdom Air (CINCUKAIR)
  - The Headquarters of the Commander of the Maritime Air Eastern Atlantic Area (COMMAIREASTLANT)
  - The Headquarters of the Commander Submarines, East Atlantic (COMSUBEASTLANT)

SCHEDULE 6

Regulations 37 and 38

TRADE LICENCES

PART I

CONDITIONS SUBJECT TO WHICH TRADE LICENCES ARE TO BE ISSUED

1. If the holder of a trade licence changes his name, the name of his business or his business address he shall forthwith—
  - (a) notify the change and the new name or address to the Secretary of State; and
  - (b) send the licence to the Secretary of State for any necessary amendment.
2. The holder of the licence shall not, and shall not permit any person to, alter, deface, mutilate or add anything to a trade plate.
3. The holder of the licence shall not, and shall not permit any person to, exhibit on any vehicle any trade licence or trade plate—
  - (a) which has been altered, defaced multilated or added to;
  - (b) upon which the figures or particulars have become illegible; or
  - (c) the colour of which has altered whether by fading or otherwise.
4. The holder of the licence shall not, and shall not permit any person to, exhibit on any vehicle anything which could be mistaken for a trade plate.
5. The holder of the licence shall not permit any person to display the trade licence or any trade plates on a vehicle except a vehicle which that person is using for the purposes of the holder under the licence.
6. The holder of the licence shall not, and shall not permit any person, to display the trade licence or any trade plates on any vehicle unless—

- (a) that vehicle is within the classes of vehicle specified in section 11(2) of the 1994 Act (if the holder is a motor trader who is a manufacturer of vehicles), 11(3) (if the holder is any other motor trader) or 11(4) (if the holder is a vehicle tester); and
- (b) the vehicle is being used for one or more of the prescribed purposes for which the holder may use the vehicle in accordance with regulation 36 and this Schedule.

7. The holder of the licence shall not display any trade plate on a vehicle used under the licence unless that trade plate shows the general registration mark assigned to the holder in respect of that licence.

## PART II

### PURPOSES FOR WHICH THE HOLDER OF A TRADE LICENCE MAY USE A VEHICLE BY VIRTUE OF THE LICENCE

#### *General*

#### **Interpretation**

8. Where a vehicle is so constructed that a semi-trailer may by partial superimposition be attached to it in such a manner as to cause a substantial part of the weight of the semi-trailer to be borne by the vehicle, the vehicle and the semi-trailer shall be taken, for the purposes of this Part of this Schedule to constitute a single vehicle.

9. The purposes prescribed by this Part of this Schedule as purposes for which the holder of a trade licence may use a vehicle on a public road by virtue of that licence—

- (a) do not include the carrying of any person on the vehicle or any trailer drawn by it except a person carried in connection with such purposes; and
- (b) are without prejudice to the provisions of subsections (4) to (6) of section 11 of the 1994 Act which specify the classes of vehicle which a trade licence is for, in the relation respectively to a motor trader who is a manufacturer of vehicles, any other motor trader and a vehicle tester.

#### *Motor traders*

#### **Purposes for which a motor trader may use a vehicle by virtue of a trade licence**

10. The purposes for which the holder of a trade licence who is a motor trader may use a vehicle (other than a vehicle to which paragraph 14 applies) on a public road by virtue of that licence are purposes which meet each of the following requirements—

- (a) they are business purposes;
- (b) they are paragraph 12 purposes; and
- (c) they are purposes that do not include the conveyance of goods or burden of any description except specified loads.

#### **Business purposes**

11. A vehicle is used for “business purposes” if it is used for purposes connected with the motor trader’s business—

- (a) as a manufacturer or repairer of or dealer in vehicles,

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- (b) as a manufacturer or repairer of or dealer in trailers carried on in conjunction with his business as a motor trader,
- (c) of modifying vehicles (whether by the fitting of accessories or otherwise); or
- (d) of valeting vehicles.

**Paragraph 12 purposes**

**12.** A vehicle is used for “paragraph 12 purposes” if it is used for any of the following purposes—

- (a) for its test or trial or the test or trial of its accessories or equipment, in either case in the ordinary course of construction, modification or repair or after completion;
- (b) for proceeding to or from a public weighbridge for ascertaining its weight or to or from any place for its registration or inspection by a person acting on behalf of the Secretary of State;
- (c) for its test or trial for the benefit of a prospective purchaser, for proceeding at the instance of a prospective purchaser to any place for the purpose of such test or trial, or for returning after such test or trial;
- (d) for its test or trial for the benefit of a person interested in promoting publicity in regard to it, for proceeding at the instance of such a person to any place for the purpose of such test or trial, or for returning after such test or trial;
- (e) for delivering it to the place where the purchaser intends to keep it;
- (f) for demonstrating its operation or the operation of its accessories or equipment when it is being handed over to the purchaser;
- (g) for delivering it from one part of the licence holder’s premises to another part of his premises, or for delivering it from his premises to premises of, or between parts of premises of, another manufacturer or repairer of or dealer in vehicles or removing it from the premises of another manufacturer or repairer of or dealer in vehicles direct to his own premises;
- (h) for proceeding to or returning from a workshop in which a body or a special type of equipment or accessory is to be or has been fitted to it or in which it is to be or has been painted, valeted or repaired;
- (i) for proceeding from the premises of a manufacturer or repairer of or dealer in vehicles to a place from which it is to be transported by train, ship or aircraft or for proceeding to the premises of such a manufacturer, repairer or dealer from a place to which it has been so transported;
- (j) for proceeding to or returning from any garage, auction room or other place at which vehicles are usually stored or usually or periodically offered for sale and at which it is to be or has been stored or is to be or has been offered for sale as the case may be;
- (k) for proceeding to or returning from a place where it is to be or has been inspected or tested;  
or
- (l) for proceeding to a place where it is to be broken up or otherwise dismantled.

**Specified loads**

**13.—(1)** A specified load is one of the following kinds of load—

- (a) a test load;
- (b) in the case of a vehicle which is being delivered or collected and is being used for a purpose falling within paragraph 12(f) to (k), a load which consists of another vehicle used or to be used for travel from or to the place of delivery or collection;

- (c) a load which is built in as part of the vehicle or permanently attached to it;
  - (d) in the case of a vehicle which is being used for a purpose falling within paragraph 12(h), (i) or (j), a load which consists of a trailer or of parts, accessories or equipment designed to be fitted to the vehicle and of tools for fitting them.
- (2) In paragraph (1) a “test load” means a load which—
- (a) is carried by a vehicle being used for a purpose falling within paragraph 12(b), (d), (e) or (g);
  - (b) is carried solely for the purpose of testing or demonstrating the vehicle or any of its accessories or equipment; and
  - (c) is returned to the place of loading without its having been removed from the vehicle except—
    - (i) for the purpose of testing or demonstrating the vehicle or any of its accessories or equipment,
    - (ii) in the case of accident, or
    - (iii) where the load consists of water, fertiliser or refuse.

*Manufacturers keeping vehicles for research and development*

**Vehicle kept by a motor trader for research and development in the course of his business as a manufacturer**

- 14.—(1) This paragraph applies to a vehicle—
- (a) kept by a motor trader, being the holder of a trade licence who is a manufacturer of vehicles; and
  - (b) kept solely for the purposes of conducting research and development in the course of his business as such a manufacturer.
- (2) The purposes for which such a person may, by virtue of the trade licence, use a vehicle to which this paragraph applies on a public road are the purposes of conducting research and development in the course of his business as a manufacturer of vehicles.
- (3) Those purposes shall not be taken to include the conveyance of goods or burden of any description except—
- (a) a load which is carried solely for the purpose of testing the vehicle or any of its accessories or equipment and which is returned to the place of loading without having been removed from the vehicle except for such purpose or in the case of accident; or
  - (b) any load built in as part of the vehicle or permanently attached to it.

*Vehicle testers*

**Purposes for which a vehicle tester may use a vehicle by virtue of a trade licence**

- 15.—(1) Subject to sub-paragraph (2) the purposes for which the holder of a trade licence who is a vehicle tester may use a vehicle on a public road by virtue of that licence are the purposes of testing it or any trailer drawn by it or any of the accessories or equipment on the vehicle or trailer in the course of the business of the holder of the trade licence as a vehicle tester.
- (2) The purposes prescribed by sub-paragraph (1) do not include the conveyance of goods or any other burden of any description on the vehicle except—

- (a) a load which is carried solely for the purpose of testing or demonstrating the vehicle or any of its accessories or equipment and is returned to the place of loading without having been removed from the vehicle except for that purpose or in the case of accident, or
- (b) a load which is built in as part of the vehicle or permanently attached to it.

## SCHEDULE 7

Regulation 45

### RECOVERY VEHICLES: PRESCRIBED PURPOSES

#### PART I

##### PURPOSES PRESCRIBED FOR THE PURPOSES OF PARAGRAPH 5(3)(E) OF SCHEDULE 1 TO THE 1994 ACT

1. Carrying any person who, immediately before the vehicle became disabled was the driver of, or a passenger in that vehicle, together with his personal effects, from the premises at which the vehicle is to be repaired or scrapped to his original intended destination.
- 2.—(1) At the request of a constable or a local authority empowered by or under statute to remove a vehicle from a road, removing such a vehicle to a place nominated by the constable or local authority.  
(2) In sub-paragraph (1) “road” has the meaning given—
  - (a) in relation to England, Scotland or Wales by section 192 of the 1988 Act; and
  - (b) in relation to Northern Ireland by Article 2 of the Road Traffic (Northern Ireland) Order 1995.
3. Proceeding to a place at which the vehicle will be available for use for a purpose specified in paragraph 5(3)(a) or (b) of Schedule 1 to the 1994 Act and remaining temporarily at such a place so as to be available for such use.
4. Proceeding from—
  - (a) a place where the vehicle has remained temporarily so as to be available for such use;
  - (b) a place where the vehicle has recovered a disabled vehicle; or
  - (c) such premises as are mentioned in paragraph 5(3)(b) or (c) of Schedule 1 to the 1994 Act.

#### PART II

##### PURPOSES PRESCRIBED FOR THE PURPOSES OF PARAGRAPH 5(4)(C) OF SCHEDULE 1 TO THE 1994 ACT

5. Repairing a disabled vehicle at the place where it became disabled or to which it has been moved in the interests of safety after becoming disabled.
6. Drawing or carrying a single trailer if another vehicle had become disabled whilst drawing or carrying it.



## SCHEDULE 8

Regulation 47

## REGULATIONS TO WHICH SECTION 59(2)(a) OF THE 1994 ACT APPLIES

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Subject matter of regulation</i>
16(1)	Notification of an alteration to a vehicle
17	Notification of destruction or permanent export of a vehicle
18(1)	Notification of change of keeper's name or address
19(1)	Notification of a change of the name or address of the holder of a trade licence
21	Notification of change of keeper: registration document issued in Great Britain before 24th March 1997
22	Notification of change of keeper: registration document issued in Great Britain on or after 24th March 1997 and the new keeper not a vehicle trader
23	Notification of change of keeper: registration document issued in Great Britain on or after 24th March 1997 and the new keeper a vehicle trader
24	Notification of change of keeper: obligations of vehicle traders where registration document issued in Great Britain on or after 24th March 1997
25	Notification of change of keeper: registration document issued in Northern Ireland
26 (including Schedule 4)	Statutory off-road notification
40(5)	Return of trade plates
42	Exhibition of trade plates and licences