
STATUTORY INSTRUMENTS

2003 No. 1113

The Motor Vehicles (Tests) (Amendment) Regulations 2003

Transitional provisions

25.—(1) In this regulation “the commencement date” means the date on which these Regulations come into force.

(2) A person who, immediately before the commencement date, is an authorised examiner or an inspector may continue to act in that capacity on and after that date, notwithstanding that he has not complied with the relevant requirements.

(3) Subject to paragraph (4), an authorised examiner to whom paragraph (2) applies shall, on and after the commencement date, be treated as subject to such of the conditions specified in such of regulations 8B and 8D as are applicable in his case (in addition to any conditions to which he is subject by virtue of his authorisation before that date).

(4) An authorised examiner who, but for this paragraph, would be treated as subject to the condition specified in regulation 8D(c), shall not be so treated if on 1st April 1995 he was authorised to carry out examinations for the purposes of section 45 of the 1988 Act and has continued so to be so authorised until immediately before the commencement date.

(5) An inspector to whom paragraph (2) applies shall be treated, on and after the commencement date, as subject to the conditions specified in regulation 8A (in addition to any conditions to which he is subject by virtue of his appointment before that date).

(6) A person whose name appears, with the agreement of the Secretary of State, in a list exhibited as mentioned in regulation 9(1)(d) of the principal Regulations immediately before the commencement date, may continue to carry out examinations at the vehicle testing station to which the list relates, notwithstanding that he has not complied with the relevant requirements.

(7) A person to whom paragraph (6) applies shall be treated, on and after the commencement date—

(a) as a nominated tester; and

(b) as subject to the conditions specified in regulation 8A (in addition to any conditions to which he is subject by virtue of his authorisation before that date).

(8) A council which, immediately before the commencement date, is designated for the purposes of section 45 and 46 of the 1988 Act may continue to act in that capacity on and after that date notwithstanding that they have not complied with the relevant requirements.

(9) Subject to paragraph (10), a council to which paragraph (8) applies shall be treated on and after the commencement date as subject to the conditions specified in regulation 8E (in addition to any conditions to which they are subject by virtue of their designation before that date).

(10) A designated council which, but for this paragraph, would be treated as subject to the condition specified in regulation 8E(b)(ii), shall not be so treated if on 1st April 1995 it was designated for the purposes of sections 45 and 46 of the 1988 Act and has continued so to be so designated until immediately before the commencement date.

(11) In this regulation “the relevant requirements”—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in relation to a person of a description specified in paragraph (2), means such of the requirements of Part II of the principal Regulations (as substituted by regulation 5 of these Regulations) as are applicable to persons seeking authorisation under that Part as authorised examiners or, as the case may be, inspectors;
- (b) in relation to a person of the description specified in paragraph (6), means such of those requirements as are applicable to persons seeking approval under that Part as nominated testers;
- (c) in relation to a council, means such of those requirements as are applicable to councils seeking designation under that Part.