
STATUTORY INSTRUMENTS

2004 No. 623

The Motor Vehicles (Approval) (Amendment) Regulations 2004

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Approval)(Amendment) Regulations 2004 and shall come into force on 1st April 2004.

Commencement Information

I1 Reg. 1 in force at 1.4.2004, see [reg. 1](#)

Preliminary

2. The Motor Vehicles (Approval) Regulations(1) shall have effect with the following amendments.

Commencement Information

I2 Reg. 2 in force at 1.4.2004, see [reg. 1](#)

Amendment of Regulation 3 (Interpretation)

3.—(1) Regulation 3(1) shall be amended as follows.

(2) In the appropriate alphabetical position insert the following definitions—

““category” has the same meaning as in Annex IIA of the 1970 Directive;

“disabled person” means a person who has a disability (as defined in section 1 of the Disability Discrimination Act 1995(2));

“disabled person’s vehicle” means a vehicle which is adapted or constructed so as to enable a disabled person to travel in it, whether as the driver or as a passenger, in safety and reasonable comfort;”.

Commencement Information

I3 Reg. 3 in force at 1.4.2004, see [reg. 1](#)

Amendment of Regulation 5 (Approval requirements for relevant vehicles)

4.—(1) Regulation 5 shall be amended as follows.

(2) For paragraph (2) there shall be substituted the following paragraph—

(1) S.I.2001/25.
(2) 1995 c. 50.

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“(2) The items in Schedule 3 numbered 3, 4, 10 and 13 shall not apply to relevant vehicles which are not Schedule 2 vehicles, except that item 10 shall apply to disabled person’s vehicles and vehicles that have been adapted to category M1.”.

(3) For paragraph (8) there shall be substituted the following paragraph—

“(8) A relevant vehicle shall be regarded as complying with all the requirements prescribed under section 54 of the 1988 Act if at least one of the following three conditions are satisfied in relation to each applicable subject matter mentioned in Schedule 3 or 4—

- (a) the vehicle complies with the requirements set out in paragraph (1);
- (b) the requirements applicable to the vehicle are prescribed by regulation 4 of the 1984 Regulations or by regulation 4 of the 1982 Regulations in relation to the subject matter and the vehicle complies with those requirements;
- (c) the vehicle has been issued with a Department’s approval certificate issued in accordance with Article 31A (4) or (5) of the Road Traffic (Northern Ireland) Order 1981(3).”.

(4) After paragraph (8) there shall be inserted the following paragraph—

“(8A) A relevant vehicle which meets the technical requirements for permanent registration in another EEA State shall be treated as complying with all the requirements prescribed under section 54 of the 1988 Act, except to the extent that following an assessment of documentation where such is provided, the Secretary of State is unable to establish that the vehicle satisfies standards equivalent to those prescribed in relation to each applicable subject matter mentioned in Schedule 3 or 4.”.

Commencement Information

I4 Reg. 4 in force at 1.4.2004, see [reg. 1](#)

Amendment of Regulation 6 (Application for Minister’s approval certificate)

5.—(1) Regulation 6 shall be amended as follows.

(2) In paragraph (1) for the second word “for” there shall be substituted the word “of”.

(3) For sub-paragraph 6 (b)(ii) there shall be substituted the following sub-paragraph—

“(ii) in the case of a Schedule 2 vehicle (other than a left hand drive vehicle or a personally imported vehicle) and a disabled person’s vehicle, at the place where the examination took place for the purposes of the original application.”.

Commencement Information

I5 Reg. 5 in force at 1.4.2004, see [reg. 1](#)

Amendment of Regulation 11 (form of certificate)

6. For the Table in regulation 11, there shall be substituted the following Table.

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TABLE

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Class of vehicle</i>	<i>(3)</i> <i>Letter</i>
1.	Left hand drive vehicle	N
2.	Personally imported vehicle	P
3.	Amateur built vehicle	A
4.	Vehicle manufactured in very low volume	L
5.	Vehicle manufactured using parts from a registered vehicle	C
6.	Rebuilt vehicle	S
7.	Motor caravan, ambulance or hearse	M
8.	Armoured vehicle	T
9.	Vehicle not falling within any of the preceding classes specified in this Table	R
10.	Disabled person's vehicle	D
11.	Vehicle which meets the condition set out in regulation 5(8)(c)	E

Commencement Information

I6 Reg. 6 in force at 1.4.2004, see [reg. 1](#)

Amendment of Schedule 2

7.—(1) Schedule 2 shall be amended as follows.

(2) Sub-paragraph 1(f) shall be deleted.

(3) After sub-paragraph 2(1) there shall be inserted the following sub-paragraph—

“(1A) A vehicle may also be treated for the purposes of these regulations as a personally imported vehicle if—

(a) a person, who is a serving member of the Armed Forces, intends to import it into the United Kingdom within 12 months of the date of application for a Minister's approval certificate;

(b) that person, at the time of that application, has been normally resident in a country other than the United Kingdom for a continuous period of at least 12 months; and

(c) paragraphs (c) to (e) of sub-paragraph 2(1) apply to that person.”

(4) After sub-paragraph 2(5) there shall be inserted the following definition—

“(6) In this paragraph—

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“serving member of the Armed Forces” means a person who is employed by Her Majesty’s air forces, Her Majesty’s military forces or Her Majesty’s naval forces; except that a serving member of any of the reserve forces shall not be included within this definition.”.

(5) Paragraph 6 shall be deleted.

Commencement Information

I7 Reg. 7 in force at 1.4.2004, see [reg. 1](#)

Amendment of Schedule 3

8. For the Table in Schedule 3, there shall be substituted the Table set out in Schedule 1 of these Regulations.

Commencement Information

I8 Reg. 8 in force at 1.4.2004, see [reg. 1](#)

Amendment of Schedule 4

9. For the Table in Schedule 4, there shall be substituted the Table set out in Schedule 2 of these Regulations.

Commencement Information

I9 Reg. 9 in force at 1.4.2004, see [reg. 1](#)

Amendment of Schedule 5

10. For the certificate in Schedule 5, there shall be substituted the certificate set out in Schedule 3 of these Regulations.

Commencement Information

I10 Reg. 10 in force at 1.4.2004, see [reg. 1](#)

Amendment of Schedule 6

11.—(1) In part II of Schedule 6, in the third and fourth columns of the Table, for the references to Community Directives in Schedule 3 shall be inserted the entries specified below.

(a) In the reference to Seat belts in column (1), after the last entry—

2000/03/EC*	L53, 25.2.00, p.1
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(b) In the reference to Tyres in column (1), after the entry of the Principal Directive—

2001/43/EC+	L211, 4.8.01, p.25
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(c) In the reference to Interior fittings in column (1), after the last entry—

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2000/04/EC+	L87, 8.4.00, p.22
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(2) In Part II of Schedule 6, in the third and fourth columns of the Table, for the references to Community Directives in Schedule 4 shall be inserted the entries specified below.

(a) In the reference to Exhaust emissions in column (1), after the last entry—

1999/102/EC*	L334, 28.12.99, p. 43
2001/01/EC+	L35, 6.2.01, p.34
2001/100/EC+	L16, 18.1.02, p. 32

(b) In the reference to Seat belts in column (1), after the last entry—

2000/03/EC*	L53, 25.2.00, p.1
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(c) In the reference to Noise and silencers in column (1), after the last entry—

1999/101/EC*	L334, 28.12.99, p.41
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(d) In the reference to Carbon dioxide emissions and fuel consumption in column (1), after the last entry—

1999/100/EC*	L334, 28.12.99, p.36
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(e) In the reference to Frontal impact in column (1), after the entry of the Principal Directive—

1999/98/EC*	L9, 13.1.00, p.14
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(3) In Part III of Schedule 6, in the third and fourth columns of the Table, for the references to ECE regulation in Schedule 4, shall be inserted the entry specified below.

(a) In the reference to Exhaust emissions, after the last entry—

83.05	29 March 2001
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Commencement Information

III Reg. 11 in force at 1.4.2004, see [reg. 1](#)

Signed by authority of the Secretary of State

8th March 2004

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

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Changes and effects yet to be applied to :

- [Regulations revoked by S.I. 2020/818 Sch. 6 para. 43](#)