

2006 No. 2320

ROAD TRAFFIC

**The Road Vehicles (Registration and Licensing) (Amendment)
Regulations 2006**

<i>Made</i> - - - -	<i>30th August 2006</i>
<i>Laid before Parliament</i>	<i>1st September 2006</i>
<i>Coming into force</i> - -	<i>1st October 2006</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 57(1) and (2) and 61B of the Vehicle Excise and Registration Act 1994(a).

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations 2006 and shall come into force on 1st October 2006.

Amendment of regulations

2. Schedule 2 (reduced pollution certificates and the reduced pollution requirements) to the Road Vehicles (Registration and Licensing) Regulations 2002(b) shall be amended in accordance with the following regulations.

3. In paragraph 1 (interpretation of Schedule) in sub-paragraph (1) after the definition of “reduced pollution examination” there shall be inserted—

““registered” in relation to an eligible vehicle means registered under section 21 of the 1994 Act;”.

4. In paragraph 4 (the reduced pollution requirements)—

(a) in sub-paragraph (3)—

(i) before paragraph (a) there shall be inserted—

“(za) which is registered before 1st October 2006;”;

(ii) in paragraph (b) for “first used” there shall be substituted “registered”;

(iii) in Table 1 in the heading to column 2 for “first used” there shall be substituted “registered”;

(b) in sub-paragraph (4)—

(i) before paragraph (a) there shall be inserted—

“(za) which is registered before 1st October 2006;”;

(ii) in paragraph (b) for “first used” there shall be substituted “registered”;

(a) 1994 c.22; section 61B was amended by the Finance Act 2006 (c.25), section 14.
(b) S.I.2002/2742, to which there are amendments not relevant to these Regulations.

- (iii) in Table 2 in the heading to column 2 for “first used” there shall be substituted “registered”;
 - (c) in sub-paragraph (5) for “first used” there shall be substituted “registered”; and
 - (d) sub-paragraph (6) shall be omitted.
5. In paragraph 7 (reduced pollution certificate to be conclusive) in sub-paragraph (1) after “eligible vehicle” there shall be inserted “which is registered,”.
6. In paragraph 10 (revocation, surrender and cancellation of a reduced pollution certificate) in sub-paragraph (1), at the beginning there shall be inserted “Subject to paragraph 10A,”.
7. After paragraph 10 there shall be inserted—
- “10A.—(1) Where pursuant to regulation 5(1) an applicant furnishes a reduced pollution certificate in respect of a vehicle which is not registered, the Secretary of State shall revoke that certificate if he is satisfied that it relates to an eligible vehicle which does not fall within paragraph 4(3) or (4).
- (2) Where the Secretary of State revokes a reduced pollution certificate under sub-paragraph (1) he shall cancel that certificate, whereupon it shall cease to have effect.”.

Signed by authority of the Secretary of State

30th August 2006

G Merron
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 2 to the Road Vehicles (Registration and Licensing) Regulations 2002 (“the principal Regulations”) which contains provisions regarding reduced pollution certificates and the reduced pollution requirements.

The Regulations amend the principal Regulations so as to—

- (a) provide that the reduced pollution requirements are those to be satisfied by eligible vehicles which are registered before 1st October 2006, define “registered” and make consequential amendments (*regulations 3 and 4*);
- (b) provide that a reduced pollution certificate shall be conclusive evidence that the reduced pollution requirements are satisfied by an eligible vehicle if it is registered (*regulation 5*);
and
- (c) provide that, upon the determination of whether the licence applied for on a first application for such is appropriate, the Secretary of State shall revoke and cancel a certificate which has been furnished if satisfied that the vehicle is not an eligible vehicle which satisfies the reduced pollution requirements (*regulations 6 and 7*).

A full regulatory impact assessment has not been prepared for this instrument as it has no impact on the costs of business, charities, voluntary bodies or the private sector.

STATUTORY INSTRUMENTS

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