

Draft Order laid before Parliament under section 77(2) of the Deregulation and Contracting Out Act 1994, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. 0000

CONTRACTING OUT

**The Contracting Out (Vehicle Certification
and Related Functions) Order 2014**

Made - - - - 2014

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 69 of the Deregulation and Contracting Out Act 1994⁽¹⁾.

In accordance with section 77(2) of that Act, a draft of this Order was laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1. This Order may be cited as the Contracting Out (Vehicle Certification and Related Functions) Order 2014 and comes into force at the end of the period of 21 days beginning with the day on which it is made.

Contracting out of functions

2. Any function of the Secretary of State which is conferred by a provision listed in the Schedule may, subject to any limitation specified in the Schedule, be exercised by, or by employees of, such person (if any) as may be authorised to do so by the Secretary of State.

(1) 1994 c.40.

Signed by authority of the Secretary of State for Transport

Date

Name
Minister of State
Department for Transport

SCHEDULE 1

Article 2

VEHICLE CERTIFICATION AND RELATED FUNCTIONS

1. The Road Traffic Act 1988(2)

Section 58 (Minister's approval certificates).

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(3)

Regulation 6 (application for Minister's approval certificate).

Regulation 7 (application for further type approval certificate).

Regulation 10 (duplicate certificates).

3. The Motor Vehicles (Type Approval of Reduced Pollution Adaptations) Regulations 1998(4)

Regulation 4 (application of the Motor Vehicles (Type Approval for Goods Vehicles) Regulations 1982) in so far as it applies regulations 7, 15 and 17 of the Motor Vehicles (Type Approval for Goods Vehicles) Regulations 1982(5).

The Schedule (test requirements for the purposes of regulation 3(2)), paragraph 3.

4. The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999(6)

Regulation 8 (application for type approval).

Regulation 9 (approval of engines).

Regulation 10 (amendments to approvals).

Regulation 11 (conformity), excluding paragraphs (8) and (9).

Regulation 13 (non-conformity with the approved type or family).

Schedule 9 (C1 engines: exemptions and transitional provisions), paragraph 11.

5. The Motor Cycles Etc (EC Type Approval) Regulations 1999(7)

Regulation 5 (applications for grant or amendment of EC type approval).

Regulation 6 (grant or refusal of applications).

Regulation 7 (issue of certificate).

Regulation 13 (withdrawal of EC type approval).

Regulation 14 (suspension of EC type approval).

Regulation 18A (end of series vehicles).

Regulation 23 (review of decisions), excluding paragraphs (3) to (5).

Regulation 24 (service of notices), paragraph (3).

(2) [1988 c.52](#).

(3) [S.I. 1984/981](#); to which there are amendments not relevant to this Order.

(4) [S.I. 1998/3093](#); the relevant amending instrument is [S.I. 2000/3275](#).

(5) [S.I. 1982/1271](#); to which there are amendments not relevant to this Order.

(6) [S.I. 1999/1053](#); the relevant amending instruments are [S.I. 2002/1649](#), [2004/2034](#), [2006/29](#), [2013/1687](#).

(7) [S.I. 1999/2920](#); the relevant amending instruments are [S.I. 2003/1099](#), [2006/2935](#), [2007/2656](#).

Schedule 1A (meaning of end of series vehicle).

6. The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002(8)

Regulation 5 (designation of exempted engines).

7. The Tractor etc (EC Type-Approval) Regulations 2005(9)

Regulation 4 (application for EC type-approval certificate).

Regulation 5 (grant or refusal of application).

Regulation 8 (exemptions) in so far as it provides for exemption on the basis of compliance with the criteria set out in article 10 (end of series) of the Tractor Type Approval Directive (as defined in regulation 2 of the Regulations).

Regulation 9 (withdrawal of EC type approval).

Regulation 12 (review of decisions), excluding paragraphs (2) and (3).

8. The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007(10)

Article 2 (approved devices).

9. The Road Vehicles (Approval) Regulations 2009(11)

Regulation 12 (applications for grant of EC type approval).

Regulation 13 (grant of EC type approval: obligations of approval authority), excluding paragraph (2).

Regulation 14 (amendments to EC type approvals).

Regulation 19 (withdrawal or suspension of EC type approval), excluding paragraph (9).

Regulation 20 (EC type approval of small series).

Regulation 22 (parts and equipment which may pose a significant risk to the correct functioning of essential systems).

Regulation 23 (recall of vehicles).

Regulation 24 (applications for national small series type approval).

Regulation 25 (grant of national small series type approval), excluding paragraph (11).

Regulation 26 (recognition of national type approvals of small series granted in other member states).

Regulation 27 (individual approval).

Regulation 29 (validity of EC type approvals).

Regulation 31 (end-of-series vehicles for EC type approval).

Regulation 32 (end-of-series vehicles for national small series type approval).

Regulation 36 (review of decisions on type approval applications), excluding paragraphs (6) to (9).

Regulation 38 (duplicate certificates).

Regulation 39 (service of notices), paragraph (3).

(8) [S.I. 2002/1891](#); the relevant amending instrument is [S.I. 2006/2393](#).

(9) [S.I. 2005/390](#); relevant amending instruments are [S.I. 2006/2533](#), [2008/1980](#), [2011/1043](#), [2013/3171](#).

(10) [S.I. 2007/3486](#).

(11) [S.I. 2009/717](#); the relevant amending instrument is [S.I. 2011/1946](#).

Schedule 4 (technical and administrative requirements for grant of national small series type approval).

Schedule 5 (technical and administrative requirements for grant of individual approval).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision to enable the Secretary of State to authorise another person, or that person's employees, to exercise functions of the Secretary of State related to the type approval of motor vehicles and their trailers and of systems, components and separate technical units intended for such vehicles and to the approval or certification of motor engines and of devices used for the purpose of the enforcement of road traffic contraventions.

The functions to which the Order relates are conferred by the statutory provisions specified in the Schedule to the Order.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum has been prepared and is available from the Motoring Services Division at the Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR. It is also published alongside this instrument on www.legislation.gov.uk.