
Status: Point in time view as at 01/06/2003.

*Status: This revised version has been created from an electronic version contributed by Westlaw which was originally derived from the printed publication. **Read more** (See end of Document for details) **Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Motor Vehicles (Tests) Regulations 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

STATUTORY INSTRUMENTS

1981 No. 1694

The Motor Vehicles (Tests) Regulations 1981

PART IV

APPEALS

Appeal on refusal of a test certificate

18.—(1) A person to whom a notice of the refusal of a test certificate has been issued may appeal to the Secretary of State and, save as may be otherwise permitted by the Secretary of State, any such appeal shall—

- (a) be on a form approved by the Secretary of State and contain the particulars required by that form;
- (b) be sent to [^{F1}any office of VOSA] within 14 days from the date of the said notice.

(2) As soon as reasonably practicable after the date on which the Secretary of State receives a notice in accordance with paragraph (1) he shall send to the appellant, at his address given on the said notice, a notice stating—

- (a) the place at which the examination for the purposes of the appeal will occur, and
- (b) the time at which that examination will start.

(3) Save as may be otherwise permitted by the Secretary of State, the examination mentioned in paragraph (2) shall not occur unless the applicant, or a person acting on his behalf—

- (a) submits the vehicle in respect of which the appeal is made to the place specified in the notice given by the Secretary of State mentioned in paragraph (2) not later than the time specified in that notice as that at which the examination will start;
- (b) produces to the person appointed by the Secretary of State to carry out the examination—
 - (i) the notice of the refusal of a test certificate issued as a result of the examination in connection with which the appeal is made, and
 - (ii) the registration document relating to the vehicle or other sufficient evidence of the date of its first registration or date of manufacture; and
- (c) gives to that person such information as he may reasonably require in connection with the carrying out of the examination relating to any alteration made or repairs carried out or any accident or other event occurring, since the date of the said notice, which may have affected the vehicle or its equipment or accessories,

and the said officer shall not be required to carry out the examination unless such notice, registration document or other evidence is produced and such other information is given.

(4) The provisions of Regulations ^{F2}... 13(b), (c) and (d) and 16 shall apply in relation to an examination for the purposes of an appeal as they apply in relation to other examinations, and as if references therein to—

- (a) [^{F3}persons carrying out examinations] were references to the person carrying out the examination for the purposes of the appeal;

Status: Point in time view as at 01/06/2003.

Status: This revised version has been created from an electronic version contributed by Westlaw which was originally derived from the printed publication. **Read more** (See end of Document for details) **Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Motor Vehicles (Tests) Regulations 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

(b) a vehicle testing station were references to the place where the examination for the purposes of the appeal occurs.

[^{F4}(5) Paragraphs (2) to (6) of regulation 15 shall apply in relation to examinations under this regulation as they apply in relation to examinations under that regulation, subject to the omission, from paragraph (3) of that regulation, of the words “for advising the Secretary of State that the examination is to be carried out and”.

(6) A test certificate issued under this regulation shall be signed by the person by whom the examination was carried out or such other person as the Secretary of State may in any particular case direct.

(6A) A notice of the refusal of a test certificate issued under this regulation shall be signed by the person by whom the examination was carried out.]

(7) The above provisions of this Regulation do not apply where a notification of refusal of a test certificate has been issued following an examination for the purpose of an appeal.

Textual Amendments

- F1** Words in [reg. 18\(1\)\(b\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\)](#), [12\(a\)](#) (with [reg. 1\(3\)](#))
- F2** Word in [reg. 18\(4\)](#) omitted (9.10.1995) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), [reg. 1](#), [Sch. para. 6](#)
- F3** Words in [reg. 18\(4\)\(a\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\)](#), [12\(b\)](#) (with [reg. 1\(3\)](#))
- F4** [Reg. 18\(5\)-\(6A\)](#) substituted for [reg. 18\(5\)\(6\)](#) (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\)](#), [12\(c\)](#) (with [regs. 1\(3\)](#), [24\(1\)\(a\)](#))

Commencement Information

- I1** [Reg. 18](#) in force at 31.12.1981, see [reg. 1](#)

Status:

Point in time view as at 01/06/2003.

Status:

This revised version has been created from an electronic version contributed by Westlaw which was originally derived from the printed publication.

Read more**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Motor Vehicles (Tests) Regulations 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations.