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STATUTORY INSTRUMENTS

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**1996 No. 3015**

**ROAD TRAFFIC**

**The Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 2) Regulations 1996**

<i>Made</i>	- - - -	<i>2nd December 1996</i>
<i>Laid before Parliament</i>		<i>9th December 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1997</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54, 61, 63 and 66 of the Road Traffic Act 1988(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

**Citation and Commencement**

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Great Britain) (Amendment) (No. 2) Regulations 1996 and shall come into force on 1st July 1997 immediately after the Motor Vehicles (Approval) Regulations 1996(2) come into force.

**Preliminary**

2. The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(3) shall be further amended in accordance with the following provisions of the Regulations.

**Amendments to regulation 2 (interpretation)**

3.—(1) Regulation 2(1) shall be amended as follows.

(2) In the definition of “the prescribed type approval requirements” for the words “these Regulations” there shall be substituted the words “regulation 4”.

4.—(1) Regulation 2B(1)(b) shall be amended as follows.

(2) For the words “has been issued” there shall be substituted the words “is in force”.

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(1) 1988 c. 52; section 61 was amended by the Road Traffic Act 1991 (c. 40), Schedule 8; sections 63 and 66 were amended by the Motor Vehicles (EC Type Approval) Regulations 1992 (S.I. 1992/3107), Schedule 2, paragraphs 1(1) and 4; and section 66 was amended by the Vehicle Excise and Registration Act 1994 (c. 22), Schedule 3, paragraph 24(1) and by S.I. 1992/3107.  
(2) S.I. 1996/3013.  
(3) S.I. 1984/981; relevant amending instruments are S.I. 1985/1681, 1987/1509, 1992/2161, 2908 and 3173.

### **Amendments to regulation 3 (application)**

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

(2) In paragraph (1)(a)—

- (a) for the words “first used on or after” there shall be substituted the words “not first used before”; and
- (b) in sub-paragraph (ii), after the words “motor cycle with” there shall be inserted the words “or without”.

(3) In paragraph (2)—

- (a) sub-paragraphs (a), (b), (e) and (j) shall be omitted;
- (b) at the end of sub-paragraph (k) there shall be inserted the words “and before 1st October 1991 (being the date on which that Act<sup>(4)</sup> was repealed and the Vehicles (Excise) Act 1971<sup>(5)</sup> was extended to Northern Ireland by the Finance Act 1991)”.

### **New regulation 3A (modifications in relation to vehicles to which the Motor Vehicles (Approval) Regulations 1996 apply)**

6. After regulation 3, there shall be inserted the following regulation—

#### **“Modifications in relation to which the Motor Vehicles (Approval) Regulations 1996 apply**

3A.—(1) These Regulations shall have effect, in relation to vehicles to which Part II of the Approval Regulations apply, with the following modifications.

(2) Regulation 4 shall have effect subject to regulation 3 of the Approval Regulations.

(3) Regulation 6 does not apply to an application for a Minister’s approval certificate made on the basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.

(4) Regulation 8 does not apply in relation to any determination made for the purposes of such an application.

(5) Regulation 9 does not apply in relation to any certificate issued on the basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.

(6) Regulation 10 does not apply in relation to any certificate in the form prescribed by the Approval Regulations.

(7) Regulations 13A and 14 do not apply to any vehicle to which Part II of the Approval Regulations apply (those Regulations containing provisions corresponding to regulations 13A and 14).

(8) In this regulation—

“the Approval Regulations” means the Motor Vehicles (Approval) Regulations 1996; and

“the relevant requirements”, in relation to a vehicle, means the requirements prescribed under section 54 of the 1988 Act that are applicable to it.”

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(4) I.e. the Vehicles (Excise) (Northern Ireland) Act 1972 (c. 10 (N.I.)). The Act was repealed by the Finance Act 1991 (c. 31), Schedule 19, Part IV.

(5) 1971 c. 10; the Act was extended to Northern Ireland by section 10 of the Finance Act 1991 and repealed by the Vehicle Excise and Registration Act 1994.

**Amendments to regulation 4 (type approval requirements—application)**

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

- (a) in paragraph (1), for the words “Subject to paragraphs 1(A), (2), (3), (4) and (5)” there shall be substituted the words “Subject to paragraphs (1A) to (5), regulation 3A”; and
- (b) in paragraph (12), the words “and 63(1)” shall be omitted.

**Insertion of new regulation 13A (obligatory certificates)**

8. After regulation 13, there shall be inserted the following—

**“Obligatory certificates**

**13A.—**(1) Subject to regulation 3A, this regulation applies to all vehicles subject to type approval requirements.

(2) The day appointed for the purposes of section 63(1) of the Road Traffic Act 1988 in relation to all vehicles—

- (a) to which this Regulation applies; but
- (b) which are not of a class for which a day has previously been appointed for those purposes,

is 1st July 1997.

(3) Without prejudice to any other Regulations having effect by virtue of section 63(1) of the Road Traffic Act 1988, all vehicles to which this Regulation applies are of a class prescribed for the purposes of that section.

(4) The type approval requirements prescribed under section 63(1) of the Road Traffic Act 1988, in relation to any vehicle to which this Regulation applies, are the prescribed type approval requirements.”

**Substitution of regulation 14 (Licences not to be issued for vehicles unless appropriate certificates are in force**

9. For regulation 14 there shall be substituted the following regulation—

**“14.** Where application is made for a licence under the Vehicle Excise and Registration Act 1994 for a vehicle to which regulation 13A applies, the licence shall not be granted unless on the first application after the day appointed by regulations made by virtue of section 63 of the Road Traffic Act 1988 for a licence for that vehicle, there is produced evidence that there is or are one or more certificates in force for the vehicle under sections 54 to 58 of the Road Traffic Act 1988 from which it appears that the vehicle complies with the prescribed type approval requirements.”

Signed by authority of the Secretary of State for Transport

Department of Transport  
2nd December 1996

*John Bowis*  
Parliamentary Under Secretary of State,

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Motor Vehicles (Type Approval) Regulations 1984 (“the 1984 Regulations”) and, together with the Motor Vehicles (Approval) Regulations 1996 (“the Approval Regulations”), establish a statutory scheme for approving the construction of single passenger vehicles before such vehicles are brought into service.

Regulation 5 amends regulation 3 of the 1984 Regulations so as to apply those Regulations to motor ambulances, motor caravans, personally imported passenger vehicles and amateur-built passenger vehicles, which are classes of vehicles to which the Approval Regulations apply but which had previously been excluded from the application of the 1984 Regulations, thus providing the option for such vehicles either to be type approved in accordance with the 1984 Regulations or to be given single vehicle approval in accordance with the Approval Regulations.

Regulation 6 inserts a new regulation 3A into the 1984 Regulations, which modifies those Regulations in relation to vehicles to which the Approval Regulations apply. Regulation 8 inserts a new regulation 13A into the 1984 Regulations specifying, pursuant to section 63(1) of the Road Traffic Act 1988, 1st July 1997 as the appointed day for the purposes of that section from which the prescribed type approval requirements must be complied with in relation to such vehicles.

Regulations 3, 4, 7 and 9 of these Regulations make minor and consequential amendments to regulations 2 (interpretation), 4 (application of type approval requirements) and 14 (issue of licences) of the 1984 Regulations.

These Regulations have been notified to the European Commission pursuant to Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983 L109, p.9) as amended by Council Directive [88/182/EEC](#) of 22nd March 1988 (OJ 1988 L81, p.75) and European Parliament and Council Directive [94/10/EEC](#) of 23 March 1994 (OJ 1994 L100, p.30).