
STATUTORY INSTRUMENTS

2012 No. 304

ROAD TRAFFIC

The Road Vehicles (Registration and Licensing) (Amendment) Regulations 2012

<i>Made</i>	- - - -	<i>7th February 2012</i>
<i>Laid before Parliament</i>		<i>13th February 2012</i>
<i>Coming into force</i>	- -	<i>1st April 2012</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 57(1) to (3) and 61B(1)(d) of the Vehicle Excise and Registration Act 1994⁽¹⁾. In determining the amount of the fees specified in these Regulations, the Secretary of State has taken into account the costs of the functions listed in paragraphs 42 and 43 of Schedule 1 to the Department for Transport (Fees) Order 2009⁽²⁾ and has taken into account the matters listed in Schedule 2 to that Order in determining the costs of those functions.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations 2012 and they come into force on 1st April 2012.

Amendment of Regulations

2. The Road Vehicles (Registration and Licensing) Regulations 2002⁽³⁾ are amended as follows.

Amendments to Schedule 2 (Reduced pollution certificates and the reduced pollution requirements)

3. In paragraph 13 (prescribed fees) of Schedule 2—
- (a) in sub-paragraph (1)(a), for “£32” substitute “£34”;
 - (b) in sub-paragraph (1)(b), for “£19” substitute “£20”;

(1) 1994 c.22; section 57(1) was amended by the Finance Act 1996 (c.8), sections 23 and 205 and Schedule 2, paragraph 16 and Schedule 41, Part II(6); section 61B was inserted by the Finance Act 1998 (c.36), section 16 and Schedule 1, paragraph 2 and amended by the Finance Act 2006 (c.25), section 14 and by the Finance Act 2008 (c.9), section 148.

(2) S.I. 2009/711. The relevant provisions in S.I. 2009/711 are articles 6(3) and 9, paragraphs 42 and 43 of Schedule 1, and Schedule 2.

(3) S.I. 2002/2742; relevant amending instruments are S.I. 2003/2335, 2004/1872 and 2099, 2005/2344, 2007/498, 2008/1444, 2009/880 and 2009/3103.

- (c) after sub-paragraph (2), insert—
 - “(3) If, at the request of the applicant, an examination is carried out otherwise than at premises provided by the Secretary of State under section 52 of the 1988 Act⁽⁴⁾ the fee payable under sub-paragraph (1)(a) shall be reduced by £2, and the fee payable under sub-paragraph (1)(b) shall be reduced by £1.”;
- (d) for sub-paragraph (4), substitute—
 - “(4) in sub-paragraph (2) “out of hours” means—
 - (a) at any time on Saturday, Sunday, Christmas Day, Good Friday or a Bank Holiday (as defined by the Banking and Financial Dealings Act 1971⁽⁵⁾), or any other day on which tests are not normally conducted at vehicle testing stations; or
 - (b) on any other day except between 6.00 am and 8.00 pm.”; and
- (e) after sub-paragraph (4), add—
 - “(5) Sub-paragraphs (2), (3) and (4) do not apply in Northern Ireland.”.

Signed by authority of the Secretary of State

7th February 2012

Mike Penning
Parliamentary Under Secretary of State
Department for Transport

⁽⁴⁾ 1988 c.52.
⁽⁵⁾ 1971 c.80.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Registration and Licensing) Regulations 2002 (S.I. 2002/2742) (“the 2002 Regulations”).

The Vehicle Excise and Registration Act 1994 (“the 1994 Act”) provides for reduced rates of vehicle excise duty to be applicable to certain buses, haulage vehicles and heavy goods vehicles (“eligible vehicles”) which meet the reduced pollution requirements. Regulation 5 of, and Schedule 2 to, the 2002 Regulations prescribe the reduced pollution requirements for the purposes of the 1994 Act and provide for the issue of reduced pollution certificates where those requirements are shown to be satisfied.

The fees in relation to the determination of applications for reduced pollution certificates are prescribed in paragraph 13 of Schedule 2 to the 2002 Regulations and *regulation 3* makes several amendments to that paragraph.

It provides that where an examination is undertaken to determine an application for a reduced pollution certificate in a specified case or for an eligible vehicle at the applicant’s request, and the examination is not carried out at the same time as an examination for other specified purposes, the fee in paragraph 13(1)(a) is increased from £32 to £34 (or by 6.3%). Where the examination is carried out at the same time as an examination for other specified purposes, the fee in paragraph 13(1)(b) is increased from £19 to £20 (or by 5.3%). These fees were last adjusted with effect from 3rd May 2009. Where the examinations mentioned above are carried out at premises not provided by the Secretary of State, paragraph 13(3) now provides that the fees are reduced by £2 and £1 respectively.

The definition of “out of hours” in paragraph 13(4) is also amended, so that normal hours on normal working days extend from 6.00 am to 8.00 pm.

New paragraph 13(5) makes clear that the “out of hours” provisions in paragraph 13(2), as well as the reductions mentioned in paragraph 13(3) and the definition of “out of hours” in paragraph 13(4), do not apply in Northern Ireland.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the VOSA Corporate Office, Berkeley House, Croydon Street, Bristol BS5 0DA (telephone: 0117 954 3200). A copy has been placed in the library of each House of Parliament. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the website, www.legislation.gov.uk.