

2001 No. 364

ROAD TRAFFIC AND VEHICLES

**Motor Vehicle Testing (Amendment) Regulations
(Northern Ireland) 2001**

Made 4th October 2001

Coming into operation 1st December 2001

The Department of the Environment, in exercise of the powers conferred upon it by Articles 61(2) and (6), 62(c) and (d) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2001.

(2) These Regulations shall come into operation—

(a) for the purposes of regulations 2 to 5, on 1st February 2002; and

(b) for all other purposes on 1st December 2001.

(3) In these Regulations “the principal Regulations” means the Motor Vehicle Testing Regulations (Northern Ireland) 1995(b).

Amendment of regulation 7 (manner of making application for examinations, and fees)

2. For regulation 7(2) of the principal Regulations there shall be substituted—

“(2) Every person making an application under paragraph (1) shall provide such particulars as the Department may reasonably require and the appropriate fee as determined in accordance with paragraph 1 of Schedule 1.”.

Amendment of regulation 9 (notice of place and time of examinations)

3. For regulation 9 of the principal Regulations there shall be substituted—

“**9.** As soon as reasonably practicable after the date of the receipt of an application for an examination and the appropriate fee for that examination the Department shall issue notice to the applicant of the vehicle testing centre at which the examination is to take place, and the date and time reserved by the Department for that examination.”.

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department” and “prescribed”

(b) S.R. 1995 No. 448, relevant amending Regulations are S.R. 2000 No. 151

(Amendment of regulation 9A (requirements as to vehicles submitted for examinations))

4. In regulation 9A(a) of the principal Regulations—

(a) in paragraph (1) the words “in writing” shall be omitted; and

(b) for paragraph (2)(d) there shall be substituted—

“(d) the particulars provided at time of application are found to be substantially incorrect;”.

(Amendment of regulation 10 (application for re-examinations))

5. In regulation 10(2) of the principal Regulations the words “on a form issued by the Department” shall be omitted.

(Amendment of regulation 13 (form of test certificates and notices of refusal))

6. For regulation 13 of the principal Regulations there shall be substituted—

“**13.**—(1) Test certificates and notices of refusal of a test certificate issued under regulation 11 or 12 shall contain—

(a) the date on which it was issued;

(b) details of the vehicle testing centre at which it was issued; and

(c) the registration mark (if any) exhibited on the vehicle or, if no such mark is so exhibited, the chassis or serial number marked on the vehicle.

(2) Test certificates issued under regulation 11 or 12 shall be signed by a vehicle examiner.”.

(Amendment of regulation 20 (general provisions as to repayment of fees))

7. In regulation 20 of the principal Regulations for sub-paragraph (1)(b) there shall be substituted—

“(b) if the person for whom the appointment is made gives to the Department notice cancelling the appointment of not less than one clear day before the date of the appointment;”.

Sealed with the Official Seal of the Department of the Environment on
4th October 2001.

(L.S.)

Sam Foster
Minister of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicle Testing Regulations (Northern Ireland) 1995 as follows—

- (1) With effect from 1st December 2001—
 - (a) Regulation 13 is amended to remove the requirement for notices of refusal of a test certificate to be signed by a vehicle examiner (regulation 6); and
 - (b) Regulation 20, which provides for the repayment of test fees where notice of cancellation of a test appointment is given, is amended to reduce the notice required to one clear day before the date of appointment (regulation 7).
- (2) With effect from 1st February 2002 the following changes are made to those provisions relating to the application for tests—
 - (a) Regulation 7(2) is amended to enable an applicant to apply for an examination without completing a form (regulation 2);
 - (b) Regulations 9 and 9A(1) are amended to remove the requirement for the Department to notify an applicant of the time and date of an appointment in writing (regulations 3 and 4);
 - (c) Regulation 9A(2)(d) is amended to remove the reference to particulars relating to a vehicle being shown in an application form (regulation 4); and
 - (d) Regulation 10(2) is amended to enable an applicant to apply for a re-examination without completing an application form (regulation 5).

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