
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Department for Transport (Fees) Order 2009

Fees under the Road Traffic Act 1988

5.—(1) In relation to the powers in the 1988 Act to fix a fee under section 45(7) and —

- (a) section 46(1)(h)(1) (fees for the issue of duplicates and copies of test certificates);
- (b) section 46(5) (fees for particulars of records);
- (c) section 46(6) (charges for the sale of information derived from records),

where the fee relates to certificates or records with regard to the inspection, testing or examination of public service vehicles, the functions listed in paragraphs 21 to 23 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(2) In relation to the power to fix a fee under section 45(7) and section 46(1)(f) of the 1988 Act (fees on an application or appeal relating to a vehicle examination), where a fee is charged in respect of the inspecting, testing, examination or re-examination of public service vehicles, the functions listed in paragraphs 21 to 24 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(3) In relation to the powers in the 1988 Act to fix a fee under section 45(7) and—

- (a) the powers listed in paragraphs (1) and (2);
- (b) section 45(6A)(2) (fees for attendance on courses in connection with the carrying out of vehicle examinations);
- (c) section 46(1)(j) and section 46(4) (charges paid by authorised examiners or designated councils);
- (d) section 46(2)(b) (fees in respect of applications for or continuation of the Secretary of State's authorisation, approval or designation),

where a fee relates to the inspection, testing or examination of vehicles other than public service vehicles, or in relation to certificates, or records with regard to such inspection, testing or examination, the functions listed in paragraphs 25 to 27 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(4) In relation to the powers in the 1988 Act to fix a fee under section 49 and—

- (a) section 51(1) (h) (fees on an application or appeal relating to vehicle examination);
- (b) section 51(1) (k) (fees for replacement of plates, plating certificates and goods vehicle test certificates),

the functions listed in paragraphs 28 to 31 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(5) In relation to the powers in the 1988 Act to fix a fee under section 61(1) and —

- (a) section 61(2)(d) (fees for type approval examinations etc.)

(1) Section 46 was substituted by section 2 of the Road Traffic (Vehicle Testing) Act 1999.

(2) Section 45(6A) was inserted by section 1(3) of the Road Traffic (Vehicle Testing) Act 1999 (c.12).

(b) section 61(2)(e) (fees for services or facilities or the issue of certificates and other documents);

(c) section 61(2)(h) (fees for issue of replacement plates, certificates of conformity and approval certificates),

the functions listed in paragraphs 32 to 35 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(6) In relation to the powers in the 1988 Act to fix a fee under section 63A(3)(b), (d) and (e)(3) (fees for applications and appeals relating to plated weights for goods vehicles without examination, including the issue of replacement plates), the functions listed in paragraphs 28 to 35 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(7) In relation to the powers in the 1988 Act to fix a fee under—

(a) section 72(8)(4) (fees for inspection of a vehicle with a view to removal of a prohibition);

(b) section 72(9) (fees for appeals relating to removal of a prohibition),

the functions listed in paragraphs 36 to 38 of Schedule 1 are specified for the purposes of section 102(3) of the 1987 Act.

(3) Section 63A was inserted by section 18 of the Transport Act 1982 (c. 49).

(4) Section 72 was substituted by section 16 of the Road Traffic Act 1991 (c. 40).