



# Road Traffic (Foreign Vehicles) Act 1972

## 1972 CHAPTER 27

### 7 Interpretation and transitional provisions. **E+W**

(1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“authorised person” means a person (whether an examiner or not) authorised to exercise the powers of [F<sup>1</sup>section 78 of the Road Traffic Act 1988]with respect to the weighing of motor vehicles and trailers;

“driver”—

- (a) in relation to a motor vehicle, includes any person who is in charge of the vehicle and, if a separate person acts as steersman, includes that person as well as any other person in charge of the vehicle or engaged in the driving of it, and
- (b) in relation to a trailer, means any person who (in accordance with the preceding paragraph) is the driver of the motor vehicle by which the trailer is drawn;

“examiner” means [F<sup>2</sup>an examiner appointed under section 66A of the Road Traffic Act 1988, or a constable authorised to act for the purposes of this Act by or on behalf of a chief officer of police];“foreign goods vehicle” (except in section 4 of this Act) means a goods vehicle which has been brought into Great Britain and which, if a motor vehicle, is not registered in the United Kingdom or, if a trailer, is drawn by a motor vehicle not registered in the United Kingdom which has been brought into Great Britain;

“foreign public service vehicle” means a public service vehicle which has been brought into Great Britain and is not registered in the United Kingdom;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description, or a trailer so constructed or adapted;

[F<sup>3</sup>“official testing station” means a station maintained by the Secretary of State under [F<sup>4</sup>section [F<sup>5</sup>72A] of the Road Traffic Act 1988][F<sup>6</sup>or premises designated by him under section 10(12) of the Transport Act 1982]]

“public service vehicle” shall be construed in accordance with [F<sup>7</sup>the Public Passenger Vehicles Act 1981];

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent*  
*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972, Section 7. (See end of Document for details)*

“road” means any highway and any other road to which the public has access, and includes bridges over which a road passes.

[<sup>F8</sup>(1A) References in any provision of this Act to an authorised inspector are references to a person authorised by the Secretary of State under section 8 of the Transport Act 1982 to exercise the function to which that provision relates.]

(2) In this Act any reference to driving a vehicle shall, in relation to a trailer, be construed as a reference to driving the motor vehicle by which the trailer is drawn.

(3) In this Act any reference to a motor vehicle drawing a trailer, or to a motor vehicle by which a trailer is drawn, shall be construed as a reference to a motor vehicle to which a trailer is attached for the purpose of being drawn by it; and where, for the purpose of being drawn by a motor vehicle, two or more trailers (one of which is attached to the motor vehicle) are attached to each other, the motor vehicle shall for the purposes of this Act be treated as drawing each of those trailers.

(4) For the purposes of this Act a motor vehicle which does not for the time being have exhibited on it a licence or trade plates [<sup>F9</sup>issued under the Vehicle Excise and Registration Act 1994 shall] be presumed, unless the contrary is proved, not to be registered in the United Kingdom.

(5) Where, in accordance with subsection (4) of this section, a motor vehicle is presumed not to be registered in the United Kingdom, but is subsequently proved to have been so registered, anything which—

- (a) has been done in relation to the vehicle, or in relation to a trailer drawn by it, by a person relying in good faith on that presumption and purporting to act by virtue of any provision of this Act, and
- (b) would have been lawfully done by virtue of that provision if the vehicle had not been registered in the United Kingdom,

shall be treated as having been lawfully done by virtue of that provision.

(6) Any reference in any provision of this Act to regulations made under an enactment specified in that provision shall be construed as including a reference to any regulations which, by virtue of that or any other enactment, have effect, or are to be treated, as if made under the enactment so specified.

(7) ..... <sup>F10</sup>

**Extent Information**

**E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

**Textual Amendments**

**F1** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(a)**

**F2** Words in definition of 'examiner' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991, s. 48, Sch. 4 para. 8(a); S.I. 1992/1286, art. 2, **Sch.**

**F3** Definition inserted by Transport Act 1978 (c. 55, SIF 126), s. 9(1), **Sch. 3 para. 10**

**F4** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(c)**

**F5** Words in definition of 'official testing station' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(b)**; S.I. 1992/1286, art. 2, **Sch.**

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- F6** Words added(*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(a)**.
- F7** Words substituted by virtue of Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II** and Public Passenger Vehicles Act 1981 (c. 14, SIF 107:1), s. 88, **Sch. 7 para. 17(b)**
- F8** S. 7(1A) added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(b)**
- F9** Words in s. 7(4) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66, **Sch. 3 para. 5** (with s. 57(4))
- F10** S. 7(7) repealed by Road Traffic Act 1974 (c. 50, SIF 107:1), s. 24(3), **Sch. 7**

## 7 Interpretation and transitional provisions. **S**

- (1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“authorised person” means a person (whether an examiner or not) authorised to exercise the powers of <sup>[F11]</sup>section 78 of the Road Traffic Act 1988]with respect to the weighing of motor vehicles and trailers;

“driver”—

- (a) in relation to a motor vehicle, includes any person who is in charge of the vehicle and, if a separate person acts as steersman, includes that person as well as any other person in charge of the vehicle or engaged in the driving of it, and
- (b) in relation to a trailer, means any person who (in accordance with the preceding paragraph) is the driver of the motor vehicle by which the trailer is drawn;

“examiner” means <sup>[F12]</sup>an examiner appointed under section 66A of the Road Traffic Act 1988, or a constable authorised to act for the purposes of this Act by or on behalf of a chief officer of police];“foreign goods vehicle” (except in section 4 of this Act) means a goods vehicle which has been brought into Great Britain and which, if a motor vehicle, is not registered in the United Kingdom or, if a trailer, is drawn by a motor vehicle not registered in the United Kingdom which has been brought into Great Britain;

“foreign public service vehicle” means a public service vehicle which has been brought into Great Britain and is not registered in the United Kingdom;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description, or a trailer so constructed or adapted;

<sup>[F13]</sup>“official testing station” means a station maintained by the Secretary of State under <sup>[F14]</sup>section <sup>[F15]</sup>72A]of the Road Traffic Act 1988]<sup>[F16]</sup>or premises designated by him under section 10(12) of the Transport Act 1982]]

“public service vehicle” shall be construed in accordance with <sup>[F17]</sup>the Public Passenger Vehicles Act 1981];

<sup>[F18]</sup>“road” has the same meaning as in the Roads (Scotland) Act 1984.]

<sup>[F19]</sup>(1A) References in any provision of this Act to an authorised inspector are references to a person authorised by the Secretary of State under section 8 of the Transport Act 1982 to exercise the function to which that provision relates.]

- (2) In this Act any reference to driving a vehicle shall, in relation to a trailer, be construed as a reference to driving the motor vehicle by which the trailer is drawn.
- (3) In this Act any reference to a motor vehicle drawing a trailer, or to a motor vehicle by which a trailer is drawn, shall be construed as a reference to a motor vehicle to which

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a trailer is attached for the purpose of being drawn by it; and where, for the purpose of being drawn by a motor vehicle, two or more trailers (one of which is attached to the motor vehicle) are attached to each other, the motor vehicle shall for the purposes of this Act be treated as drawing each of those trailers.

- (4) For the purposes of this Act a motor vehicle which does not for the time being have exhibited on it a licence or trade plates [<sup>F20</sup>issued under the Vehicle Excise and Registration Act 1994 shall] be presumed, unless the contrary is proved, not to be registered in the United Kingdom.
- (5) Where, in accordance with subsection (4) of this section, a motor vehicle is presumed not to be registered in the United Kingdom, but is subsequently proved to have been so registered, anything which—
- (a) has been done in relation to the vehicle, or in relation to a trailer drawn by it, by a person relying in good faith on that presumption and purporting to act by virtue of any provision of this Act, and
  - (b) would have been lawfully done by virtue of that provision if the vehicle had not been registered in the United Kingdom,
- shall be treated as having been lawfully done by virtue of that provision.
- (6) Any reference in any provision of this Act to regulations made under an enactment specified in that provision shall be construed as including a reference to any regulations which, by virtue of that or any other enactment, have effect, or are to be treated, as if made under the enactment so specified.

(7) ..... <sup>F21</sup>

#### Extent Information

**E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

- F11** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(a)**
- F12** Words in definition of 'examiner' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(a)**; S.I. 1992/1286, art. 2, **Sch.**
- F13** Definition inserted by Transport Act 1978 (c. 55, SIF 126), s. 9(1), **Sch. 3 para. 10**
- F14** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(c)**
- F15** Words in definition of 'official testing station' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(b)**; S.I. 1992/1286, art. 2, **Sch.**
- F16** Words added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(a)**
- F17** Words substituted by virtue of Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II** and Public Passenger Vehicles Act 1981 (c. 14, SIF 107:1), s. 88, **Sch. 7 para. 17(b)**
- F18** Definition of 'road' in s. 7(1) substituted (S.) (1.1.1985) by Roads (Scotland) Act 1984 (c. 54), ss. 156(1), 157(2), **Sch. 9 para. 69**
- F19** S. 7(1A) added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(b)**
- F20** Words in s. 7(4) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66, **Sch. 3 para. 5** (with s. 57(4))
- F21** S. 7(7) repealed by Road Traffic Act 1974 (c. 50, SIF 107:1), s. 24(3), **Sch. 7**

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W - England and Wales extent
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**Changes to legislation:**

There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972, Section 7.