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## STATUTORY INSTRUMENTS

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# 1981 No. 1694

## The Motor Vehicles (Tests) Regulations 1981

### PART I GENERAL

#### Commencement and citation

1. These Regulations shall come into operation on 31st December 1981 and may be cited as the Motor Vehicles (Tests) Regulations 1981.

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#### Commencement Information

**I1** Reg. 1 in force at 31.12.1981, see reg. 1

#### Revocation

2. The Regulations specified in Schedule 4 are hereby revoked.

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#### Commencement Information

**I2** Reg. 2 in force at 31.12.1981, see reg. 1

#### Interpretation

3.—(1) In these Regulations, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“the 1972 Act” means the Road Traffic Act 1972;

“the 1981 Act” means the Public Passenger Vehicles Act 1981;

[<sup>F1</sup>“the 1988 Act” means the Road Traffic Act 1988;]

[<sup>F2</sup>“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986];

[<sup>F3</sup>the Lighting Regulations” means “the Road Vehicles Lighting Regulations 1989];

[<sup>F4</sup>“agricultural motor vehicle”], “articulated bus”, “articulated vehicle”, “dual-purpose vehicle”, [<sup>F5</sup>“exhaust system”], [<sup>F6</sup>“minibus”], [<sup>F7</sup>“Ministry plate”], “pedestrian controlled vehicle”, “track laying” and “works truck” have the meanings given by [<sup>F8</sup>regulation 3(2)] of the Construction and Use Regulations;

“authorisation” means any authorisation in writing by the Secretary of State of an individual, persons in partnership, or a company to carry out examinations of such classes of motor vehicles as may be specified therein;

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[<sup>F9</sup>“child restraint”, “disabled person’s belt”, “forward-facing seat” and “seat belt” have the meanings given by regulation 47(8) of the Construction and Use Regulations;]

[<sup>F10</sup>“communication” includes a communication comprising sounds or images or both and a communication effecting a payment;]

[<sup>F11</sup>“Community Recording Equipment Regulation” has the meaning given in section 85 of the Road Traffic Act 1988;]

“company” means a body corporate;

[<sup>F12</sup>“design gross weight” means—

- (a) in the case of a vehicle equipped with a Ministry plate, the weight shown thereon as the design weight, or, if no weight is so shown thereon, the weight shown thereon as the weight not to be exceeded in Great Britain;
- (b) in the case of a vehicle which is not equipped with a Ministry plate, but which is equipped with a plate in accordance with regulation 66 of the Construction and Use Regulations, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 8 to those Regulations; and
- (c) in any other case, the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden;]

[<sup>F13</sup>“designated council” means a council designated by the Secretary of State for the purposes of sections 45 (tests of satisfactory condition of vehicles) and 46 (particular aspects of regulations under section 45) of the 1988 Act;]

[<sup>F10</sup>“electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

- (a) by means of a telecommunications system (within the meaning of the Telecommunications Act 1984); or
- (b) by other means but while in an electronic form;]

[<sup>F14</sup>“examination” means an examination of a motor vehicle for the purposes of section 45 of the 1988 Act];

“examiner” means an individual, persons in partnership, or a company authorised by the Secretary of State in accordance with these Regulations to carry out examinations;

“firm” has the meaning given by section 4 of the Partnership Act 1890;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, including a living van but excluding—

- (i) [<sup>F15</sup>a dual-purpose vehicle,
- (ii) a motor caravan, and
- (iii) a play bus,]

[<sup>F16</sup>“goods vehicle testing station” means a station provided by the Secretary of State under section 52(2) of the Road Traffic Act 1988;]

[<sup>F10</sup>“inspector” means a person appointed by a designated council for the purposes of sections 45 and 46 of the 1988 Act;]

“large passenger-carrying vehicle” means a motor vehicle which is constructed or adapted to carry more than twelve seated passengers in addition to the driver, and which is not a public service vehicle;

“light motor bicycle” means a motor bicycle of which the cylinder capacity of the engine does not exceed 200 cubic centimetres;

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“light motor vehicle” means a motor vehicle with three <sup>F17</sup>... wheels the unladen weight of which does not exceed 450 kilograms;

“living van” means a vehicle, whether mechanically propelled or not, which is used as living accommodation by one or more persons, and which is also used for the carriage of goods or burden which are not needed by such one or more persons for the purpose of their residence in the vehicle;

“Ministry Inspector” means any certifying officer or public service vehicle examiner appointed under section 56(1) and any examiner appointed under section 7 of the 1981 Act;

“motor bicycle” means a two wheeled motor cycle, whether having a sidecar attached to it or not;

“motor caravan” means a motor vehicle (not being a living van) which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users;

“normal working week” means—

- (a) in relation to an examiner, the times of the week which in the application of that examiner to the Secretary of State for an authorisation are specified as the times of the week during which that examiner will accept vehicles for examination or such other times of the week as may subsequently be substituted for times so specified by the examiner with the consent of the Secretary of State;
- (b) in relation to a designated council, the times of the week notified to the Secretary of State by that council as the times of the week during which they will accept vehicles for examination; and
- (c) in relation to the Secretary of State, the times of the week during which at any vehicle testing station of the Secretary of State he will accept vehicles for examination;

[<sup>F18c</sup>“out of hours” means at any time either—

- (a) on any day which is a Saturday, Sunday, Good Friday, Christmas Day or a Bank holiday (as defined in the Banking and Financial Dealings Act 1971); or
- (b) on any other day, other than between—
  - (i) 8.00 am and 5.00 pm on a Monday to Thursday inclusive, or
  - (ii) 8.00 am and 4.30 pm on a Friday;]

[<sup>F19c</sup>“play bus” means a motor vehicle which was originally constructed to carry more than 12 passengers but which has been adapted primarily for the carriage of playthings for children (including articles required in connection with the use of those things);]

[<sup>F10c</sup>“proper officer”, in relation to a designated council in England or Wales, has the meaning given by section 270(3) of the Local Government Act 1972;]

“public service vehicle” has the meaning given by section 1(1)(a) of the 1981 Act;

“the prescribed statutory requirements” has the meaning given by Regulation 4(2);

[<sup>F10c</sup>“section 66A examiner” means an examiner appointed under section 66A (appointment of vehicle examiners) of the 1988 Act;]

“serial number”, in relation to a vehicle the chassis of which has not been constructed separately from its superstructure, means the number given to, and for the purpose of identifying, the vehicle by its manufacturer;

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[<sup>F10</sup>“the records” means the records of the results of examinations for the purposes of section 45 of the 1988 Act maintained by the Secretary of State (or caused by him to be maintained); and “the electronic record” means such of those records as is maintained in electronic form;]

<sup>F20</sup> ...

[<sup>F21</sup>“vehicle testing station” means premises at which the Secretary of State has authorised an examiner to carry out examinations, premises provided by a designated council or the Secretary of State for carrying out examinations, or premises for the time being designated by the Secretary of State under section 8(3) of the 1981 Act]; and

[<sup>F10</sup>“VOSA” means the Vehicle and Operator Services Agency].

- (2) Unless the context otherwise requires, any reference in these Regulations to—
- a numbered section is a reference to the section bearing that number in the 1972 Act;
  - a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations, and
  - a numbered paragraph is a reference to the paragraph bearing that number in the Regulations in which the reference appears.

(3) For the purposes of these Regulations the unladen weight of a vehicle shall be computed in accordance with Schedule 6 to the Vehicles (Excise) Act 1971.

(4) In calculating for the purposes of the definition of “large passenger carrying vehicle” the number of seated passengers which the vehicle is constructed or adapted to carry a length of at least 400 millimetres measured horizontally along the front of each seat shall be allowed for the accommodation of each such passenger. Where a continuous seat is fitted with arms for the purpose of separating the seating spaces and the arms are so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this paragraph as though it were not fitted with arms.

(5) For the purposes of these Regulations the provisions of [<sup>F22</sup>Regulation 3(3)] of the Construction and Use Regulations shall apply for determining when a motor vehicle is first used.

[<sup>F23</sup>(6) References in these Regulations to the making, by electronic communication, of entries in the electronic record include references to causing entries to be made in that record (either by electronic communication or by other means notified by the Secretary of State).]

#### Textual Amendments

- F1** Words in [reg. 3\(1\)](#) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\)](#), [3\(1\)\(a\)](#) (with [reg. 1\(3\)](#))
- F2** Words in [reg. 3\(1\)](#) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), [regs. 1\(b\)](#), [3\(a\)\(i\)](#)
- F3** Words in [reg. 3\(1\)](#) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), [regs. 1\(b\)](#), [3\(a\)\(ii\)](#)
- F4** Words in [reg. 3\(1\)](#) inserted (1.3.1985) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1985 \(S.I. 1985/45\)](#), [regs. 1](#), [3](#)
- F5** Words in [reg. 3\(1\)](#) inserted (26.6.2000) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2000 \(S.I. 2000/1432\)](#), [regs. 1](#), [3](#)
- F6** Word in [reg. 3\(1\)](#) inserted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), [regs. 1](#), [3\(a\)\(i\)](#)
- F7** Words in [reg. 3\(1\)](#) inserted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), [regs. 1\(b\)](#), [3\(a\)\(iii\)](#)
- F8** Words in [reg. 3\(1\)](#) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), [regs. 1](#), [3\(a\)\(ii\)](#)

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- F9** Words in reg. 3(1) inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **3(b)**
- F10** Words in reg. 3(1) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(e)** (with reg. 1(3))
- F11** Words in reg. 3(1) inserted (1.8.1991) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(b), **3**
- F12** Words in reg. 3(1) inserted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **3(a)(iv)**
- F13** Words in reg. 3(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(b)** (with reg. 1(3))
- F14** Words in reg. 3(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(c)** (with reg. 1(3))
- F15** Words in reg. 3(1) substituted (1.11.1983) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1983 (S.I. 1983/1434), regs. 1, **3**
- F16** Words in reg. 3(1) substituted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(2)**
- F17** Words in reg. 3(1) omitted (1.11.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(a), **8**
- F18** Words in reg. 3(1) inserted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(4)**
- F19** Words in reg. 3(1) inserted (1.12.1982) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1982 (S.I. 1982/1477), regs. 1, **3**
- F20** Words in reg. 3(1) omitted (1.6.2003) by virtue of The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(1)(d)** (with reg. 1(3))
- F21** Words in reg. 3(1) substituted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **3(3)**
- F22** Words in reg. 3(5) substituted (18.3.1991) by The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **3(b)**
- F23** Reg. 3(6) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **3(2)** (with reg. 1(3))

**Commencement Information**

- I3** Reg. 3 in force at 31.12.1981, see reg. 1

**The prescribed statutory requirements**

4.—<sup>F24</sup>(1) .....

<sup>F25</sup>(2) The prescribed statutory requirements for the purposes of section 45(1) of the Road Traffic Act 1988 are in relation to any vehicle in a Class specified in an item in column 2 of the Table the requirements specified in that item in column 3 of the Table, and in these Regulations those requirements are referred to as “the prescribed statutory requirements”.

TABLE

(1) Item	(2) Class	(3) Requirements
1	I and II	Paragraph 1 of Schedule 2
2	III	Paragraph 2 of Schedule 2
3	IV	Paragraph 3 of Schedule 2
<sup>F26</sup> 3A	IVA	Paragraph 3A of Schedule 2]

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(1) Item	(2) Class	(3) Requirements
4	V	Paragraph 4 of Schedule 2
[ <sup>F27</sup> 4A	VA	Paragraph 4A of Schedule 2]
5	VI	Paragraph 5 of Schedule 2
[ <sup>F28</sup> 5A	VIA	Paragraph 5A of Schedule 2]
6	VII	Paragraph 6 of Schedule 2]

(3) Subject to the provisions of these Regulations, every vehicle to which these Regulations apply and which is submitted for examination in accordance with the provisions of these Regulations shall be examined for the purpose of ascertaining whether those of the prescribed statutory requirements which are applicable to the vehicle have been complied with at the date of the examination.

<sup>F29</sup>(4) .....

**Textual Amendments**

- F24** Reg. 4(1) omitted (18.3.1991) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **4(a)**
- F25** Reg. 4(2) substituted (1.1.1992) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 4\) Regulations 1991 \(S.I. 1991/2229\)](#), regs. 1(1)(a), **9**
- F26** Words in reg. 4(2) Table inserted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **4(a)**
- F27** Words in reg. 4(2) Table inserted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **4(b)**
- F28** Words in reg. 4(2) Table inserted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **4(c)**
- F29** Reg. 4(4) omitted (18.3.1991) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **4(c)**

**Commencement Information**

- I4** Reg. 4 in force at 31.12.1981, see [reg. 1](#)

**Classification of Vehicles and Application of Regulations**

5.—(1) For the purposes of these Regulations motor vehicles to which they apply are classified as follows:—

Class I:	Light motor bicycles
[ <sup>F30</sup> Class II:	motor bicycles]
[ <sup>F30</sup> Class III:	Light motor vehicles other than motor bicycles]
[ <sup>F31</sup> Class IV:	Motor cars and heavy motor cars not being vehicles within Classes III, IVA, V, VA, VI, VIA or VII
Class IVA:	Minibuses, other than vehicles to which paragraph (4) applies, not being vehicles within Classes III, V, VA, VI or VIA, in respect of which any forward-facing seat is fitted with a relevant seat belt
Class V:	Motor vehicles not being vehicles within Class VA which are—
	(a) Large passenger-carrying vehicles;

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- (b) Public service vehicles—
    - (i) of a type specified in paragraph (3), and
    - (ii) constructed or adapted to carry more than 12 seated passengers, and
  - (c) Play buses
- Class VA: Motor vehicles, other than vehicles to which paragraph (4) applies, which are—
- (a) Large passenger-carrying vehicles;
  - (b) Public service vehicles—
    - (i) of a type specified in paragraph (3), and
    - (ii) constructed or adapted to carry more than 12 seated passengers, and
  - (c) Play buses,
- in respect of which any forward-facing seat is fitted with a relevant seat belt
- Class VI: Public service vehicles, other than those of a type specified in paragraph (3), not being vehicles within Class VIA
- Class VIA: Public service vehicles, not being vehicles to which paragraph (4) applies, other than those of a type specified in paragraph (3), in respect of which any forward facing seat is fitted with a relevant seat belt]
- [<sup>F32</sup>Class VII: Goods vehicles of which the design gross weight is more than 3000 kilograms but does not exceed 3500 kilograms]

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and (except where otherwise provided in these Regulations) any reference in these Regulations to a class of vehicles shall be construed accordingly.

(2) Save as provided in Regulation 6, these Regulations apply to every vehicle of a class specified in paragraph (1).

(3) The public service vehicles mentioned in paragraph (1) as included in [<sup>F33</sup>Class V or VA] are public service vehicles [<sup>F34</sup>which may lawfully be used on a road in the absence of a certificate of initial fitness by virtue of —]

- (a) [<sup>F35</sup>section 23(7) of the Transport Act 1985] (a bus being used to provide a community bus service), or
- (b) section 46 of the 1981 Act (a school bus belonging to a local education authority and being used to provide free school transport and carrying as fare-paying passengers persons other than those for whom the free school transport is provided, and a school bus being used, when it is not being used to provide free school transport, to provide a local bus service).

[<sup>F36</sup>or (c) section 21(2) of the Transport Act 1985 (a small bus operating under a permit granted under section 19 of that Act).]

[<sup>F37</sup>(4) This paragraph applies to vehicles, in respect of which—

- (a) a certificate of initial fitness has been issued on or after 1st August 1998; or
- (b) one or more forward-facing seats are fitted with a relevant seat belt, which, when so equipped, are of a type of vehicle in respect of which the Secretary of State is satisfied that the vehicle manufacturer holds—
  - (i) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the installation requirements of Community Directives 77/541, 82/319, 90/628 or 96/36; and
  - (ii) either—
    - (A) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the technical and installation requirements of Community Directives 76/115, 81/575, 82/318, 90/629 or 96/38; or

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(B) an approval issued by or on behalf of the competent authority of a contracting State confirming compliance with the technical and installation requirements of ECE Regulation 14, 14.01, 14.02 or 14.03.

(5) In this regulation—

“approval authority” has the same meaning as in Community Directive 70/156;

“certificate of initial fitness” has the same meaning as in section 6 of the Public Passenger Vehicles Act 1981;

“contracting State” means a State which is a party to the International Agreement;

“EEA State” means a State which is a contracting party to the EEA Agreement;

“EEA Agreement” means the agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“ECE Regulation” and “Community Directive” have the meanings given by regulation 3(2) of the Construction and Use Regulations;

“the International Agreement” means the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958 as amended to which the United Kingdom is a party; and

“relevant seat belt” means a seat belt, not being a disabled person’s belt or a child restraint, which—

- (a) is fitted other than as required by regulation 47 of the Construction and Use Regulations; and
- (b) on or after 1st August 1998 either—
  - (i) has not undergone an examination and been found to comply with the prescribed statutory requirements referred to in item 28A in paragraph 3A of Schedule 2; or
  - (ii) has undergone an examination and been found so to comply but is fitted in a vehicle in respect of which no test certificate has been issued to the effect that that is the case.]

#### Textual Amendments

- F30** Words in reg. 5(1) substituted (15.7.1982) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1982 \(S.I. 1982/814\)](#), regs. 1, **3**
- F31** Words in reg. 5(1) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(2)**
- F32** Words in reg. 5(1) inserted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **5(b)**
- F33** Words in reg. 5(3) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(3)**
- F34** Words in reg. 5(3) substituted (30.8.1984) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 4\) Regulations 1984 \(S.I. 1984/1126\)](#), regs. 1, **3(b)**
- F35** Words in reg. 5(3)(a) substituted (20.10.1986) by [The Transport Act 1985 \(Commencement No. 6\) Order 1986 \(S.I. 1986/1794\)](#), reg. 6
- F36** Reg. 5(3)(c) and word added (14.7.1987) by [The Transport Act 1985 \(Commencement No.7\) Order 1987 \(S.I. 1987/1228\)](#), **reg. 3**
- F37** Reg. 5(4)(5) added (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **5(4)**



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### Commencement Information

**I5** Reg. 5 in force at 31.12.1981, see [reg. 1](#)

### Exemptions

**6.—(1)** Pursuant to section 44(4) the Secretary of State hereby prescribes the following vehicles as those to which section 44 does not apply:—

- (i) a heavy locomotive,
- (ii) a light locomotive,
- (iii) a motor tractor,
- (iv) a track laying vehicle,
- [<sup>F38</sup>(v) a goods vehicle, the design gross weight of which exceeds 3500 kilograms;]
- (vi) an articulated vehicle not being an articulated bus,
- [<sup>F39</sup>(vii) a vehicle to which paragraph (1A) for the time being applies.]
- (viii) a works truck,
- (ix) a pedestrian controlled vehicle,
- (x) a vehicle (including a cycle with an attachment for propelling it by mechanical power) which is adapted, and used or kept on a road, for invalids, and which—
  - (i) does not exceed 306 kilograms in weight unladen, or
  - (ii) exceeds 306 kilograms but does not exceed 510 kilograms in weight unladen, and are supplied and maintained by or on behalf of the Department of Health and Social Security, the Scottish Office or the Welsh Office;
- (xi) a vehicle temporarily in Great Britain displaying a registration mark mentioned in Regulation 5 of the Motor Vehicles (International Circulation) Regulations 1971, a period of twelve months not having elapsed since the vehicle was last brought into Great Britain;
- (xii) a vehicle proceeding to a port for export;
- (xiii) a vehicle in the service of a visiting force or of a headquarters (within the meaning given by Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965).
- (xiv) a vehicle provided for police purposes and maintained in workshops approved by the Secretary of State as suitable for such maintenance, being a vehicle provided in England and Wales by a police authority or the Receiver for the Metropolitan Police District, or, in Scotland, by a police authority or a joint police committee;
- (xv) a vehicle which has been imported into Great Britain and to which section 44(2)(b) applies, being a vehicle owned by or in the service of the naval, military or air forces of Her Majesty raised in the United Kingdom and used for naval, military or air force purposes;
- (xvi) a vehicle in respect of which a test certificate issued in accordance with Article 34 of the Road Traffic (Northern Ireland) Order 1981 is in force or which are licensed under the Vehicles (Excise) Act (Northern Ireland) 1972;
- [<sup>F40</sup>(xvii) an electrically propelled goods vehicle the design gross weight of which does not exceed 3500 kilograms;]<sup>F41</sup>...
- (xviii) subject to the provisions of paragraph (4), a hackney carriage or a cab in respect of which there is in force a licence under—
  - (a) section 6 of the Metropolitan Public Carriage Act 1869, or

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- (b) the Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision,
- to ply for hire;
- (xix) subject to the provisions of paragraph (4), a private hire car in respect of which there is in force a licence granted by a local authority [<sup>F42</sup>or Transport for London], or, in Scotland, by a local authority or a police authority.
- [<sup>F43</sup>(xx) an agricultural motor vehicle.]
- [<sup>F44</sup>(xxi) a motor vehicle constructed and not merely adapted for the purpose of street cleansing or the collection or disposal of refuse or the collection or disposal of the contents of gullies and which is either—
- (a) a three wheeled vehicle, or
- (b) a vehicle which—
- (i) is incapable by reason of its construction of exceeding a speed of 20 miles per hour on the level under its own power, or
- (ii) has an inside track width of less than 810 millimetres;
- (xxii) a goods vehicle, the design gross weight of which does not exceed 3500 kilograms and in respect of which a goods vehicle test certificate was issued between 1st February 1990 and 17th March 1991, while that certificate is valid; <sup>F45</sup>...
- (xxiii) before 1st August 1991, a goods vehicle the design gross weight of which does not exceed 3500 kilograms and which is of a class specified in Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1988.]
- [<sup>F46</sup>(xxiv) a tramcar; and
- (xxv) a trolley vehicle which is not an auxiliary trolley vehicle.]
- [<sup>F47</sup>(1A) This paragraph applies to a vehicle at a time when it is being used on a public road during any calendar week if—
- (a) it is being used only in passing from land in the occupation of the person keeping the vehicle to other land in his occupation, and
- (b) it has not been used on public roads for distances exceeding an aggregate of six miles in that calendar week,
- and for the purposes of this paragraph “public road” has the meaning given in section 62(1) the Vehicle Excise and Registration Act 1994.]
- (2) Pursuant to section 44(6) the Secretary of State hereby exempts from section 44(1) the use of a vehicle—
- (a) (i) for the purpose of submitting it by previous arrangement for, or bringing it away from, an examination, or
- (ii) in the course of an examination, for the purpose of taking it to, or bringing it away from, any place where a part of the examination is to be or, as the case may be, has been, carried out, or of carrying out any part of the examination, the person so using it being either—
- (A) an examiner, or a Ministry Inspector or an inspector appointed by a designated council, or
- (B) a person acting under the personal direction of an examiner, a Ministry Inspector or a designated Council, or

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(iii) where a test certificate is refused on an examination—

- (A) for the purpose of delivering it by previous arrangement at, or bringing it away from, a place where work is to be or has been done on it to remedy for a further examination the defects on the ground of which the test certificate was refused; or
  - (B) for the purpose of delivering it, by towing it, to a place where the vehicle is to be broken up;
- (b) for any purpose for which the vehicle is authorised to be used on roads by an order under section 42;
  - (c) where the vehicle has been imported into Great Britain, for the purpose of its being driven after arrival in Great Britain on the journey from the place where it has arrived in Great Britain to a place of residence of the owner or driver of the vehicle;
  - (d) for the purpose of removing it in pursuance of section 3 of the Refuse Disposal (Amenity) Act 1978, of moving or removing it in pursuance of regulations under section 20 of the Road Traffic Regulation Act 1967 as altered by the Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967, or of removing it from a parking place in pursuance of an order under section 31(1) of the Road Traffic Regulation Act 1967, an order relating to a parking place designated under section 35 thereof, or a provision of a designation order having effect by virtue of section 39(2) thereof;
  - (e) where the vehicle has been detained or seized by a police constable, for police purposes connected with such detention or seizure;
  - (f) where the vehicle has been removed, detained or seized or condemned as forfeited under any provision of the Customs and Excise Management Act 1979 for any purpose authorised by an officer of Customs and Excise;
  - (g) for the purpose of testing it by a motor trader as defined in section 16(8) of the Vehicles (Excise) Act 1971, to whom a trade licence has been issued under that section, during the course of, or after completion of repairs carried out to that vehicle by that motor trader.

(3) Pursuant to section 44(7) the Secretary of State hereby exempts from section 44(1) the use of a vehicle on any island in any area mainly surrounded by water, being an island or area from which motor vehicles, unless constructed for special purposes can at no time be conveniently driven to a road in any other part of Great Britain by reason of the absence of any bridge, tunnel, ford or other way suitable for the passage of such motor vehicle:

[<sup>F48</sup>Provided that—

- (a) in relation to a vehicle in any of Classes I to [<sup>F49</sup>VIA],] this Regulation does not apply to any of the following islands, namely, the Isle of Wight, the islands of Arran, Bute, Great Cumbrae, Islay, Lewis, Mainland (Orkney), Mainland (Shetland), Mull, North Uist and Skye [<sup>F50</sup>and
- (b) in relation to a vehicle in Class VII this Regulation does not apply in any of the following islands, namely, the Isle of Wight, the Islands of Lewis, Mainland (Orkney), Mainland (Shetland) and Skye.]

(4) The exemptions specified in paragraph (1)(xviii) and (xix) do not obtain unless the authority which issued the licence [<sup>F51</sup>(“the licensing authority”)] holds a certificate issued by the Secretary of State evidencing that he is satisfied that the issue of the licence is subject to the vehicle first passing an annual test relating to the prescribed statutory requirements; and, as from 1st January 1983,

- (a) in the case of a vehicle of a kind mentioned in paragraph (1)(xviii) first used more than one year before the licence there mentioned was issued, or

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- (b) in the case of a vehicle of a kind mentioned in paragraph (1)(xix) first used more than three years before the licence there mentioned was issued

[<sup>F52</sup>the licensing authority] also issued to the licensee a certificate recording that on the date on which the certificate was issued that authority was, as a result of a test, satisfied that the prescribed statutory requirements were satisfied.

(5) In this Regulation—

[<sup>F53c</sup>“auxiliary trolley vehicle” means a trolley vehicle which is adapted to operate under power provided from a source on board when it is not operating from power transmitted to it from some external source;]

“private hire car” means a motor vehicle which is not a vehicle licensed to ply for hire under the provisions of the Metropolitan Public Carriage Act 1869, Town Police Clauses Act 1847, the Burgh Police (Scotland) Act 1892 or any similar local statutory provision with respect to hackney carriages but which is kept for the purpose of being let out for hire with a driver for the carrying of passengers in such circumstances that it does not require to be licensed to ply for hire under the said provisions; and

“test” means an examination of a vehicle in relation to the prescribed statutory requirements conducted—

- (i) [<sup>F54</sup>by a person appointed to act as an inspector under section 43, or a person authorised as an examiner or acting on his behalf, or]
- (ii) by a person on behalf of a police authority in England or Wales, or
- (iii) by a person on behalf of a police authority or a joint police committee in Scotland.

#### Textual Amendments

- F38** Reg. 6(1)(v) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(a)**
- F39** Reg. 6(1)(vii) substituted (1.7.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1995 \(S.I. 1995/1457\)](#), regs. 1, **2(2)**
- F40** Reg. 6(1)(xvii) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(b)**
- F41** Word in reg. 6(1) omitted (18.3.1991) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(c)**
- F42** Words in reg. 6(1)(xix) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(a)** (with reg. 1(3))
- F43** Reg. 6(1)(xx) added (1.3.1985) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1985 \(S.I. 1985/45\)](#), regs. 1, **4**
- F44** Reg. 6(1)(xxi)-(xxiii) added (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(1)(c)**
- F45** Word in reg. 6(1) omitted (1.7.1992) by virtue of [Tramcars and Trolley Vehicles \(Modification of Enactments\) Regulations 1992 \(S.I. 1992/1217\)](#), regs. 1, **12(a)**
- F46** Reg. 6(1)(xxiv)(xxv) added (1.7.1992) by [Tramcars and Trolley Vehicles \(Modification of Enactments\) Regulations 1992 \(S.I. 1992/1217\)](#), regs. 1, **12(a)**
- F47** Reg. 6(1A) inserted (1.7.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1995 \(S.I. 1995/1457\)](#), regs. 1, **2(3)**
- F48** Words in reg. 6(3) substituted (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(2)(a)**
- F49** Word in reg. 6(3)(a) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **6**

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- F50** Words in reg. 6(3) added (18.3.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 1\) Regulations 1991 \(S.I. 1991/253\)](#), regs. 1(b), **6(2)(b)**
- F51** Words in reg. 6(4) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(b)(i)** (with reg. 1(3))
- F52** Words in reg. 6(4) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **4(b)(ii)** (with reg. 1(3))
- F53** Words in reg. 6(5) inserted (1.7.1992) by [Tramcars and Trolley Vehicles \(Modification of Enactments\) Regulations 1992 \(S.I. 1992/1217\)](#), regs. 1, **12(b)**
- F54** Words in reg. 6(5) substituted (1.11.1983) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1983 \(S.I. 1983/1434\)](#), regs. 1, **4**

**Modifications etc. (not altering text)**

- C1** [Reg. 6\(1\)](#) modified (1.4.1992) by [The Retention of Registration Marks Regulations 1992 \(S.I. 1992/510\)](#), regs. 1, **12(3)**

**Commencement Information**

- I6** [Reg. 6](#) in force at 31.12.1981, see [reg. 1](#)

## [<sup>F55</sup>PART II

### APPLICATIONS FOR, AND CONDITIONS AND CESSATIONS OF, APPROVAL, AUTHORISATION AND DESIGNATION]

**Textual Amendments**

- F55** Pt. 2 (regs. 7, 7A, 8, 8A-8F, 9-11) substituted for Pt. 2 (regs. 7-11) (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), 5, **Sch.** (with regs. 1(3), 25)

#### [<sup>F55</sup>Application for approval as nominated tester or inspector or authorisation as authorised examiner

7.—(1) An application by—

- (a) an individual nominated by an authorised examiner, for approval as a nominated tester;
- (b) an individual, for approval as an inspector; or
- (c) a person, for authorisation as an authorised examiner,

shall be made on a form supplied or approved by the Secretary of State.

(2) The application shall be signed—

- (a) where the applicant is a partnership or company, by a person duly authorised in that behalf;
- (b) in any other case, by the applicant; and
- (c) where it relates to approval as a nominated tester, also—
  - (i) by the authorised examiner by whom the applicant is nominated; or
  - (ii) where that authorised examiner is a partnership or company, by a person duly authorised in that behalf.

(3) The application shall be sent to the Secretary of State at such office of VOSA as he may direct.

(4) Where—

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- (a) a person who wishes to apply for authorisation as an authorised examiner proposes to carry out examinations at more than one place; and
- (b) the Secretary of State so requires,

the applicant shall make such additional applications as the Secretary of State may, by notice to the applicant, require.]

### [<sup>F55</sup>Application for designation

**7A.**—(1) An application by a council for designation for the purposes of sections 45 and 46 of the 1988 Act shall be made on a form supplied or approved by the Secretary of State, and shall be signed by the proper officer.

(2) The application shall be sent to the Secretary of State at the office of VOSA for the area which includes that of the council by which the application is made.]

### [<sup>F55</sup>Approvals, authorisations and designations

**8.**—(1) The Secretary of State may, after making such investigations and carrying out such inspections as he thinks fit, by an instrument in writing approve, authorise or designate (as the case may be) a person by whom an application has been made under regulation 7 or 7A.

(2) The Secretary of State may at any time, by an instrument in writing, authorise any other person, other than an officer of the Secretary of State, to carry out examinations for the purposes of section 45 of the 1988 Act.

(3) An approval under paragraph (1) shall be subject to the conditions set out in regulation 8A (“the approval conditions”) and to such other conditions as may be specified in the approval.

(4) Every authorisation under paragraph (1) or (2) shall be subject to the conditions set out in regulation 8B (“the general authorisation conditions”).

(5) The authorisation of an examiner who is not an individual shall be subject (in addition to the general authorisation conditions) to the conditions set out in regulation 8C (“the corporate authorisation conditions”) and to such other conditions as may be specified in the authorisation.

(6) The authorisation of an examiner who is an individual shall be subject (in addition to the general authorisation conditions) to the conditions set out in regulation 8D (“the individual authorisation conditions”) and to such other conditions as may be specified in the authorisation.

(7) A designation under paragraph (1) shall be subject to the conditions set out in regulation 8E (“the designation conditions”) and to such other conditions as may be specified in the designation.

(8) Where the Secretary of State is minded not to approve, authorise or designate a person by whom, or on whose behalf, an application is made under regulation 7 or 7A (“the applicant”), he shall give notice to the applicant to that effect.

(9) The applicant (or any person acting on his behalf) may, within 14 days from the date of the notice given under paragraph (8), make to the Secretary of State, at the address specified in the notice, written representations to the effect that the applicant should be approved, authorised or designated (as the case may be).]

### [<sup>F55</sup>The approval conditions

**8A.** The conditions referred to in regulation 8(3) are that the person to whom the approval relates—

- (a) shall not carry out any examination—
  - (i) unless he has successfully completed a course of instruction in the carrying out of examinations provided under section 45(6A) of the 1988 Act;

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- (ii) at a particular vehicle testing station, unless by electronic communication or notice to the Secretary of State, at the office of VOSA for the area in which that testing station is situated, he has informed the Secretary of State of his intention to carry out examinations at that testing station;
- (b) where the approval is expressed to be limited to examinations—
  - (i) of a specified class of motor vehicle; or
  - (ii) of a specified description,shall not carry out examinations in relation to any other class of motor vehicle or description of examination;
- (c) shall carry out examinations using such methods and to such standards as have been notified to him by the Secretary of State; and
- (d) if the Secretary of State so requires, shall attend further courses of instruction, or otherwise satisfy the Secretary of State of his competence to continue to carry out examinations.]

**[<sup>F55</sup>The general authorisation conditions**

**8B.** The conditions referred to in regulation 8(4) are that the authorised examiner—

- (a) shall comply with any limitation as to—
  - (i) the class of motor vehicle that may be examined;
  - (ii) the type of examination that may be carried out; or
  - (iii) the vehicle testing station at which examinations may be carried out,to which the authorisation is expressed to be subject;
- (b) unless he is himself to carry out the examination, shall not cause or permit an examination to be carried out at any vehicle testing station at which he is authorised to carry out examinations by a person other than—
  - (i) a nominated tester approved by the Secretary of State to carry out examinations at that testing station; or
  - (ii) a section 66A examiner;
- (c) shall, as regards each of the vehicle testing stations at which he is authorised to carry out examinations, by electronic communication or notice to the Secretary of State, at the office of VOSA for the area in which the testing station is situated, inform the Secretary of State—
  - (i) of the names of the individuals who are nominated testers at that testing station; and
  - (ii) the name of any such individual who ceases to act in that capacity;
- (d) shall ensure that every test certificate resulting from an examination carried out at any of its testing stations is signed by the person who carried out the examination or by such other person as the Secretary of State may in any particular case direct;
- (e) shall ensure that every notice of the refusal of a test certificate resulting from an examination carried out at any of its testing stations is signed by the person who carried out the examination;
- (f) shall comply with any direction of the Secretary of State as to the individuals by whom—
  - (i) examinations may not be carried out; or
  - (ii) test certificates or notices of the refusal of a test certificate may not be signed;

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- (g) shall, at each vehicle testing station at which he is authorised to carry out examinations supervise the carrying out of examinations by the nominated testers authorised to carry out examinations at that testing station;
- (h) shall, subject to regulation 8F, so long as the authorisation is in force, display in a conspicuous place outside the vehicle testing station at which he is authorised to carry out examinations a sign of the size, colour and type shown in diagram 864.1 in Schedule 4 (miscellaneous informatory signs) to the Traffic Signs Regulations and General Directions 2002;
- (i) shall, so long as the authorisation is in force, display at each vehicle testing station at which he is authorised to carry out examinations, in some conspicuous place and so as to be legible by persons submitting vehicles for examination at that testing station—
  - (i) the authorisation in which that testing station is specified; and
  - (ii) a list of the names of the individuals for the time being approved or authorised by the Secretary of State to carry out examinations at that testing station;

and

- (j) after not less than three clear days' notice given to the authorised examiner by the Secretary of State, shall make available—
  - (i) any vehicle testing station at which he is authorised to carry out examinations; and
  - (ii) the apparatus at that testing station with which examinations are carried out,

for the purpose of the carrying out by a section 66A examiner of any examination or the investigation of a complaint as to the result of an examination (whether or not the examination was carried out at that testing station).]

#### [<sup>F55</sup>The corporate authorisation conditions

**8C.** The conditions referred to in regulation 8(5) are—

- (a) that the authorised examiner shall, so long as the authorisation is in force, secure—
  - (i) where the examiner is a company, that at least one of its directors or senior managers has successfully completed a course of instruction in the functions of authorised examiners, provided under section 45(6A) of the 1988 Act; and
  - (ii) where the examiner is persons in partnership, that at least one of the partners has successfully completed such a course;
- (b) that, where the authorised examiner is persons in partnership and there is a change in the firm's constitution, it shall inform the Secretary of State, at the office of VOSA for the area in which its testing station is situated, of the particulars of the change within 7 days of the effective date of the change; and
- (c) that, where the authorised examiner is a company and a person becomes, or ceases to be—
  - (i) the secretary of the company,
  - (ii) a director, or
  - (iii) a senior manager to whom the description mentioned in paragraph (a)(i) applies,

it shall inform the Secretary of State, at the office of VOSA for the area in which its testing station is situated, of the occurrence of that event, and of the identity of the person or persons concerned, within 7 days of the occurrence of the event.]



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**[<sup>F55</sup>The individual authorisation conditions**

**8D.** The conditions referred to in regulation 8(6) are that the individual to whom the authorisation relates—

- (a) shall not carry out any examination—
  - (i) unless he has successfully completed a course of instruction in the carrying out of examinations provided under section 45(6A) of the 1988 Act;
  - (ii) at a particular vehicle testing station, unless by electronic communication to the Secretary of State, at the office of VOSA for the area in which that testing station is situated, or by such other means as the Secretary of State may from time to time require, he has informed the Secretary of State of his intention to carry out examinations at that testing station;
- (b) shall, within 7 days of entering into a partnership with a view to carrying on at his vehicle testing station a business comprising the carrying out of examinations, inform the Secretary of State, at the office of VOSA for the area in which his vehicle testing station is situated, of his entry into partnership and of the identity of the other members of the firm; and
- (c) shall complete a course of instruction in the functions of authorised examiners provided under section 45(6A) of the 1988 Act.]

**[<sup>F55</sup>The designation conditions**

**8E.** The conditions referred to in regulation 8(6) are that the council—

- (a) shall comply with any limitation as to—
  - (i) the class of motor vehicle that may be examined;
  - (ii) the type of examination that may be carried out; or
  - (iii) the vehicle testing station at which examinations may be carried out, to which the designation is expressed to be subject;
- (b) shall not cause or permit examinations to be carried out at any of their vehicle testing stations—
  - (i) by a person other than an inspector or a section 66A examiner; or
  - (ii) unless at least one individual (who may be an inspector), employed by the council, has completed a course of instruction in the functions of designated councils under these Regulations, provided under section 45(6A) of the 1988 Act;
- (c) shall, as regards each of their vehicle testing stations, by electronic communication or notice to the Secretary of State, at the office of VOSA for the area in which the testing station is situated, inform the Secretary of State—
  - (i) of the names of the inspectors appointed by the council to carry out examinations at that testing station; and
  - (ii) of the revocation of the appointment of any such inspector;
- (d) shall secure that every test certificate resulting from an examination carried out at any of their testing stations is signed by the person who carried out the examination or by such other person as the Secretary of State may in any particular case direct;
- (e) shall secure that every notice of the refusal of a test certificate resulting from an examination carried out at any of their testing stations is signed by the person who carried out the examination;
- (f) shall comply with any direction of the Secretary of State as to the individuals by whom—

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- (i) examinations may not be carried out; or
- (ii) test certificates or notices of the refusal of a test certificate may not be signed;
- (g) shall, subject to regulation 8F, so long as the designation remains in force, display in a conspicuous place outside the vehicle testing station to which the designation relates, a sign of the size, colour and type shown in diagram 864.1 in Schedule 4 (miscellaneous informatory signs) to the Traffic Signs Regulations and General Directions 2002;
- (h) shall, so long as the designation remains in force, display at each vehicle testing station to which the designation relates, in some conspicuous place and so as to be legible by persons submitting vehicles for examinations at that testing station—
  - (i) the designation in which that testing station is specified; and
  - (ii) a list of the names of the inspectors for the time being approved by the Secretary of State to carry out examinations at that testing station; and
- (i) after not less than three clear days' notice given to the council by the Secretary of State, shall make available—
  - (i) any vehicle testing station to which their designation relates; and
  - (ii) the apparatus at that testing station with which examinations are carried out,
 for the purpose of the carrying out by a section 66A examiner of any examination or the investigation of a complaint as to the result of an examination (whether or not the examination was carried out at that testing station).]

#### [<sup>F55</sup>Supplementary provision relating to vehicle testing station signs

- 8F.**—(1) This paragraph applies to a sign—
- (a) exhibited outside a vehicle testing station immediately before 1st June 2003; and
  - (b) of the size, colour and type shown in diagram 864 in Schedule 4 to the Traffic Signs Regulations 1994 (“a vehicle testing station sign”).
- (2) A sign to which paragraph (1) applies shall, for the purposes of regulations 8B(h) and 8E(g), be treated as a vehicle testing station sign so long as it continues—
- (a) to be exhibited outside the vehicle testing station outside which it was exhibited immediately before 1st June 2003; and
  - (b) to comply with the Traffic Signs Regulations 1994 as if those Regulations had not been revoked.]

#### [<sup>F55</sup>Cessations: general

- 9.**—(1) An individual shall cease to be an authorised examiner—
- (a) if he dies;
  - (b) if he is adjudged bankrupt or, in Scotland, has his estate sequestrated;
  - (c) if he becomes a patient within the meaning of Part VII of the Mental Health Act 1983 or, in Scotland, becomes incapable of managing his own affairs;
  - (d) if he has not attended a course of instruction under section 45(6A) when required by the Secretary of State to attend such a course;
  - (e) if he has attended such a course when so required but has failed to complete it successfully; or
  - (f) if he notifies the Secretary of State that he no longer wishes to be an authorised examiner.
- (2) Persons in partnership shall cease to be an authorised examiner—

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- (a) if the firm is dissolved; or
  - (b) they notify the Secretary of State that they no longer wish to be an authorised examiner.
- (3) A company shall cease to be an authorised examiner if—
- (a) in relation to the company—
    - (i) a winding-up order is made;
    - (ii) a resolution for voluntary winding-up is passed;
    - (iii) a receiver or manager of the company’s undertaking is appointed; or
    - (iv) the taking of possession, by or on behalf of the holders of any debenture secured by a floating charge, or of any property of the company comprised in or subject to the charge, occurs; or
  - (b) the secretary of the company notifies the Secretary of State that the company no longer wishes to be an authorised examiner.
- (4) A council shall cease to be designated if the proper officer notifies the Secretary of State that the council no longer wish to be designated.
- (5) An individual shall cease to be a nominated tester—
- (a) if the circumstances specified in sub-paragraph (a) of paragraph (1), or in any of sub-paragraphs (c) to (e) of that paragraph, apply in his case;
  - (b) as regards the carrying out of examinations at a particular vehicle testing station, if his nomination is revoked in relation to that testing station;
  - (c) if he notifies the Secretary of State that he no longer wishes to be a nominated tester.
- (6) A person shall cease to be an inspector—
- (a) if the circumstances specified in sub-paragraph (a) of paragraph (1), or in any of sub-paragraphs (c) to (e) of that paragraph, apply in his case;
  - (b) as regards the carrying out of examinations at a particular vehicle testing station, if his appointment is revoked in relation to that testing station;
  - (c) if he notifies the Secretary of State that he no longer wishes to be an inspector.
- (7) Where an authorised examiner, inspector or nominated tester notifies the Secretary of State that he wishes to cease to be an authorised examiner, inspector or nominated tester (as the case may be) in respect of some only of the vehicle testing stations at which he is approved or authorised to carry out examinations, he shall cease to be an authorised examiner, inspector or nominated tester to that extent.
- (8) Where a designated council notifies the Secretary of State that it wishes to cease to be designated in respect of some only of the vehicle testing stations to which its designation relates, the council shall cease to be designated to that extent.
- (9) The date on which—
- (a) the person to whom a notice given under paragraph (1)(f), (2)(b), (3)(b), (5)(c) or (6)(c) relates shall cease to be an authorised examiner, inspector or nominated tester (as the case may be);
  - (b) the council to which a notice given under paragraph (4) relates shall cease to be designated;
  - (c) the person to whom a notice given under paragraph (7) relates shall cease to be an authorised examiner, inspector or nominated tester (as the case may be) to any extent; or
  - (d) the council to which a notice given under paragraph (8) relates shall cease to be designated to any extent,

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shall be the date (if any) specified in the notice; and, if no date is so specified, on such date as the Secretary of State may by notice specify.]

**[<sup>F55</sup>Cessations: action by Secretary of State**

**10.**—(1) The Secretary of State may at any time give to an authorised examiner, designated council, inspector or nominated tester a notice which states—

- (a) that from such date as is specified in the notice, unless the notice is cancelled before that date—
  - (i) the person shall cease to be an authorised examiner;
  - (ii) the person shall cease to be an inspector;
  - (iii) the person shall cease to be a nominated tester;
  - (iv) the person shall cease to be an authorised examiner, inspector or nominated tester (as the case may be) in respect of such vehicle testing stations as may be specified in the notice;
  - (v) the council shall cease to be designated; or
  - (vi) the council shall cease to be designated in respect of such vehicle testing stations as may be specified in the notice;
- (b) where that date is less than 35 days from the date of the notice, that the Secretary of State considers it necessary that the notice shall have early effect; and
- (c) that within 14 days from the date of the notice, the person to whom the notice relates (or any person acting on his behalf) may make to the Secretary of State, at an address specified in the notice, written representations to the effect, as the case may be—
  - (i) that the person should not cease to be, or should again become, an authorised examiner, nominated tester or inspector; or
  - (ii) that the council should not cease to be, or should again be, designated.

(2) Where a notice has been given under paragraph (1), and has not been cancelled—

- (a) the person to whom it relates shall cease or, as the case may be, cease to the specified extent, to be an authorised examiner, nominated tester or inspector; or
- (b) the council to which it relates shall cease or, as the case may be, cease to the specified extent, to be designated,

on the date specified in the notice.]

**[<sup>F55</sup>Cessations: return of documents and apparatus**

**11.**—(1) Subject to paragraph (4), a person who ceases to any extent to be an authorised examiner, inspector or nominated tester shall—

- (a) deliver to the Secretary of State, at such place and within such period as the Secretary of State may by notice or electronic communication specify; or
- (b) if the Secretary of State by notice or electronic communication so requires, permit the collection, from such premises as may be specified in the notice or communication, of,

such documents and apparatus referred to in paragraph (3) as are in the person's possession or under his control.

(2) Subject to paragraph (4), the proper officer of a council which ceases to any extent to be designated shall—

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(a) deliver to the Secretary of State, at such place and within such period as the Secretary of State may by notice or electronic communication specify; or

(b) if the Secretary of State by notice or electronic communication so requires, permit the collection, from such premises as may be specified in the notice or communication, of, such documents and apparatus referred to in paragraph (3) as are in the council's possession or under their control.

- (3) The documents and apparatus referred to in paragraphs (1) and (2) are—
- (a) all unused forms for test certificates and notifications of the refusal of test certificates;
  - (b) all copies of test certificates and notifications of the refusal of test certificates;
  - (c) all other records kept in accordance with regulation 22;
  - (d) the instrument of approval, authorisation or designation (as the case may be);
  - (e) all apparatus supplied by or on behalf of the Secretary of State to any vehicle testing station at which examinations were carried out—
    - (i) by the person concerned; or
    - (ii) by persons appointed by the council concerned.

- (4) Where—
- (a) a person cease to be an authorised examiner, an inspector or a nominated tester in respect of some only of the vehicle testing stations at which he formerly carried out examinations; or
  - (b) a council ceases to be designated in respect of some only of the vehicle testing stations at which examinations were carried out by persons appointed by the council,

the Secretary of State may, by notice or electronic communication to the person or council concerned, allow him or them to retain such documents and apparatus as may be specified in the notice.]

### PART III

#### EXAMINATIONS

<sup>F56</sup> . . . . .

<p><b>Textual Amendments</b></p> <p><b>F56</b> Pt. 3 Table omitted (31.10.1989) by virtue of <a href="#">The Motor Vehicles (Tests) (Amendment) (No.2) Regulations 1989 (S.I. 1989/1694)</a>, regs. 1, <b>3(1)</b></p>
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#### Applications for examinations

**12.**—(1) An application for an examination of a vehicle in [<sup>F57</sup>Class VI or VIA] under these Regulations shall be made to the Secretary of State [<sup>F58</sup>and, subject to paragraph (1A) below, shall be in writing].

[<sup>F59</sup>(1A) An application for a re-examination of a vehicle in [<sup>F60</sup>Class VI or VIA] under these Regulations need not be in writing if the application is made before the expiration of 28 days after the last examination.]

(2) An application for an examination (including a re-examination) of a vehicle in a class other than [<sup>F61</sup>Class VI or VIA] under these Regulations shall be made as indicated in the Table below:—

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(1)	(2)	(3)
Item No.	Person or body to whom application must be made	Manner in which appointment must be made
1.	An [ <sup>F62</sup> authorised] examiner or a designated council.	By arrangement following application made in writing or, during the normal working week, by telephone to, or in person at (whether by submitting the vehicle or not), the vehicle testing station where the applicant desires the vehicle to be examined.
2.	The Secretary of State.	By arrangement following prior application.

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(3) Subject to the following provisions of these Regulations, [<sup>F63</sup>authorised] examiners and designated councils shall ensure that—

- (a) where in accordance with the provisions of paragraph (2) an appointment is requested for the carrying out of an examination <sup>F64</sup>..., an appointment is forthwith offered for the carrying out of the examination at the earliest time at which it is reasonably practicable for the examination to be carried out during the normal working week;
- (b) where in accordance with the provisions of paragraph (2) a vehicle is submitted for examination <sup>F65</sup>... without any appointment for the carrying out of the examination having been previously made, the applicant is informed either that the examination can be carried out forthwith or, if not, of the earliest time at which it is reasonably practicable for the examination to be carried out during the normal working week;
- (c) except in so far as prevented by circumstances beyond the control of the examiner or council, examinations are carried out in accordance with the appointments made or the information given in pursuance of the preceding provisions of this paragraph or at such other times as may be arranged between the applicant and the examiner or council.

(4) On an appointment being made or a time being arranged for the carrying out of an examination in accordance with paragraph (3) the [<sup>F66</sup>authorised] examiner or the designated council, as the case may be, shall record the hour and the date thereof and the name of the person by whom the application for the examination is made:

Provided that no such record needs to be made in a case where a vehicle is submitted for examination at a vehicle testing station of an [<sup>F66</sup>authorised] examiner or designated council, without any appointment for the carrying out of the examination having been previously made, and the examination is carried out forthwith.

(5) [<sup>F67</sup>Any authorised examiner, inspector, nominated tester or section 66A examiner]<sup>F68</sup>... may carry out an examination of a motor vehicle in accordance with the provisions of these Regulations notwithstanding that the foregoing provisions of this Regulation have not been complied with <sup>F69</sup>....

(6) Nothing in this Regulation shall be taken as entitling an [<sup>F70</sup>authorised examiner or a nominated tester] to carry out an examination of a vehicle not being of a type included in the authorisation of the examiner, or as imposing on a designated council or an inspector <sup>F71</sup>... any obligation with respect to the carrying out of an examination of a vehicle not being of a type which that council have for the time being notified to the Secretary of State as a type of vehicle which will be examined by [<sup>F72</sup>their inspectors].

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### Textual Amendments

- F57** Words in [reg. 12\(1\)](#) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, [7](#)
- F58** Words in [reg. 12\(1\)](#) substituted (31.10.1989) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No.2\) Regulations 1989 \(S.I. 1989/1694\)](#), regs. 1, [3\(2\)\(a\)](#)
- F59** [Reg. 12\(1A\)](#) inserted (31.10.1989) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No.2\) Regulations 1989 \(S.I. 1989/1694\)](#), regs. 1, [3\(2\)\(b\)](#)
- F60** Words in [reg. 12\(1A\)](#) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, [7](#)
- F61** Words in [reg. 12\(2\)](#) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, [7](#)
- F62** Word in [reg. 12\(2\)](#) Table inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(a\)](#) (with [reg. 1\(3\)](#))
- F63** Word in [reg. 12\(3\)](#) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(b\)\(i\)](#) (with [reg. 1\(3\)](#))
- F64** Words in [reg. 12\(3\)\(a\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(b\)\(ii\)\(iii\)](#) (with [reg. 1\(3\)](#))
- F65** Words in [reg. 12\(3\)\(b\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(b\)\(ii\)\(iii\)](#) (with [reg. 1\(3\)](#))
- F66** Word in [reg. 12\(4\)](#) inserted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(c\)](#) (with [reg. 1\(3\)](#))
- F67** Words in [reg. 12\(5\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(d\)\(i\)](#) (with [reg. 1\(3\)](#))
- F68** Words in [reg. 12\(5\)](#) omitted (9.10.1995) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), [reg. 1](#), [Sch. para. 1](#)
- F69** Words in [reg. 12\(5\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(d\)\(ii\)](#) (with [reg. 1\(3\)](#))
- F70** Words in [reg. 12\(6\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(e\)\(i\)](#) (with [reg. 1\(3\)](#))
- F71** Words in [reg. 12\(6\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(e\)\(ii\)](#) (with [reg. 1\(3\)](#))
- F72** Words in [reg. 12\(6\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), [6\(e\)\(iii\)](#) (with [reg. 1\(3\)](#))

### Commencement Information

- I7** [Reg. 12](#) in force at 31.12.1981, see [reg. 1](#)

### Requirements as to vehicles submitted for examinations

**13.**—<sup>F73</sup>(1) <sup>F74</sup>An authorised examiner, a section 66A examiner, a nominated tester and an inspector<sup>F75</sup>... shall not be under any obligation to carry out an examination of a motor vehicle where—

- (a) on the submission of a vehicle for an examination the applicant does not, after being requested to do so, produce the registration book issued under the Road Vehicles (Registration and Licencing) Regulations 1971 relating to the vehicle, or other evidence, acceptable to the examiner, inspector <sup>F76</sup>or nominated tester, as the case may be] or Secretary of State, of the date of the vehicle's first use or manufacture and the chassis or serial number given to the vehicle by its manufacturer and, if the manufacturer has also given the vehicle an identification number, that number also;

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- (b) the vehicle or any part thereof or any of its equipment is so dirty as to make it unreasonably difficult for the examination to be carried out in accordance with the provisions of these Regulations;
- (c) the examiner or inspector [<sup>F77</sup>or nominated tester, as the case may be] is not able with the facilities and apparatus available to him at the place at which the examination would otherwise be carried out to complete the examination without the vehicle being driven and the vehicle is not when submitted for examination, either for want of fuel or oil or for any other reason, fit to be driven to such extent as may be necessary for the purposes of the carrying out of the examination;
- (d) before the carrying out of an examination of a motor vehicle any things which are on the vehicle, and are not part of its equipment or accessories, are required by the examiner or inspector [<sup>F78</sup>or nominated tester, as the case may be] to be removed from the vehicle or to be secured in such manner as he may think necessary and the things are not removed or secured accordingly; <sup>F79</sup>...
- (e) in a case where the fee for the examination is payable in advance of the examination the examiner, or inspector [<sup>F80</sup>or nominated tester, as the case may be], <sup>F75</sup>... is not satisfied that the fee payable for the examination has been paid as required by Regulation 20(2) (a) or (b)(i); <sup>F81</sup>...
- <sup>F82</sup>(f) in the case of a [<sup>F83</sup>Class VI or VIA] vehicle—
  - (i) the vehicle is not submitted for examination at the time and date fixed for the examination; <sup>F84</sup>...
  - (ii) the driver of the vehicle is requested to remain in it or its vicinity throughout the examination, to drive it, to operate its controls, to remove or refit its panels or to open or close its doors and he declines to do so [<sup>F85</sup>; or
  - (iii) wheelchair restraining devices are not installed in the vehicle at the time it is submitted for examination]];
- <sup>F86</sup>(g) the vehicle emits substantial quantities of avoidable smoke;
- (h) a proper examination of the vehicle cannot readily be carried out as a consequence of any door, tailgate, boot lid, engine cover, fuel cap or other device designed to be capable of being readily opened, being locked or otherwise fixed so that it cannot be readily opened; <sup>F87</sup>...
- (j) without prejudice to sub-paragraph (c), the condition of the vehicle is such that, in the opinion of the examiner or inspector [<sup>F88</sup>or nominated tester, as the case may be], a proper examination of the vehicle would involve a danger of—
  - (i) injury to any person, or
  - (ii) damage to the vehicle or any other property]] [<sup>F89</sup>; <sup>F90</sup>...
- (k) in the case of a vehicle propelled by a compression ignition engine, to which regulation 61(10BA) of the Construction and Use Regulations applies, the exhaust system has been so altered that the examiner or inspector [<sup>F91</sup>or nominated tester, as the case may be] is not able, with the facilities and apparatus available to him at the place at which the examination would otherwise be carried out, to determine whether Part II of Schedule 7B to those Regulations applies to the vehicle];
- <sup>F92</sup>(l) the vehicle—
  - (i) does not have a registration mark, vehicle identification number, chassis number or serial number; or



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(ii) has one or more of those marks and numbers, but either none of them is legible or such one or more as is legible is in a script other than English.]

F93(2) .....

**Textual Amendments**

- F73** Reg. 13 renumbered as reg. 13(1) (9.10.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), regs. 1, **5(1)**
- F74** Words in reg. 13(1) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(a)** (with reg. 1(3))
- F75** Words in reg. 13(1) omitted (9.10.1995) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), regs. 1, **5(1)(a)**
- F76** Words in reg. 13(1)(a) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(b)** (with reg. 1(3))
- F77** Words in reg. 13(1)(c) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(c)** (with reg. 1(3))
- F78** Words in reg. 13(1)(d) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(d)** (with reg. 1(3))
- F79** Word in reg. 13 omitted (1.11.1991) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 4\) Regulations 1991 \(S.I. 1991/2229\)](#), regs. 1(1)(c), **4(a)**
- F80** Words in reg. 13(1)(e) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(e)** (with reg. 1(3))
- F81** Word in reg. 13(1) omitted (9.10.1995) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), regs. 1, **5(1)(b)**
- F82** Reg. 13(f) added (1.11.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 4\) Regulations 1991 \(S.I. 1991/2229\)](#), regs. 1(1)(c), **4(c)**
- F83** Words in reg. 13(1)(f) substituted (1.8.1998) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 1998 \(S.I. 1998/1672\)](#), regs. 1, **8**
- F84** Word in reg. 13(1)(f) revoked (1.11.2001) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 2001 \(S.I. 2001/3330\)](#), regs. 1, **3(2)**
- F85** Reg. 13(1)(f)(iii) and word inserted (1.11.2001) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 2001 \(S.I. 2001/3330\)](#), regs. 1, **3(3)**
- F86** Reg. 13(1)(g)-(j) inserted (9.10.1995) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), regs. 1, **5(1)(b)**
- F87** Word in reg. 13(1) omitted (26.6.2000) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2000 \(S.I. 2000/1432\)](#), regs. 1, **4(2)(a)**
- F88** Words in reg. 13(1)(j) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(f)(i)** (with reg. 1(3))
- F89** Reg. 13(1)(k) and word added (26.6.2000) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2000 \(S.I. 2000/1432\)](#), regs. 1, **4(2)(b)**
- F90** Word in reg. 13(1)(j)(ii) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(f)(ii)** (with reg. 1(3))
- F91** Words in reg. 13(1)(k) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(g)** (with reg. 1(3))
- F92** Reg. 13(1)(l) inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(h)** (with reg. 1(3))
- F93** Reg. 13(2) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **7(i)** (with reg. 1(3))

**Commencement Information**

- I8** Reg. 13 in force at 31.12.1981, see [reg. 1](#)

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## Conditions as to responsibility for damage to vehicles and third party liabilities

14.—(1) Where a motor vehicle has been submitted for an examination to be carried out by [<sup>F94</sup>a person other than a section 66A examiner, the authorised examiner or] designated council <sup>F95</sup>... (as the case may be) shall have the same responsibility for—

- (a) loss of or damage to the vehicle or its equipment or accessories occurring in connection with the carrying out of the examination during any period while the vehicle is, in connection with the carrying out of the examination, in the custody of [<sup>F96</sup>the authorised examiner or designated council (as the case may be)]<sup>F95</sup>..., and
- (b) loss of or damage to any other property or personal injury (whether fatal or not), being loss, damage or injury arising out of the use of the vehicle in connection with the carrying out of the examination,

as would rest on a person who, having the same facilities for carrying out the examination as are available to the person who is to carry out the examination, had undertaken for payment to accept the custody of the vehicle and to carry out the same examination under a contract making no express provision with respect to the incidence of liability as between the parties thereto for any such loss, damage or injury.

[<sup>F97</sup>(1A) Where a motor vehicle has been submitted for an examination to be carried out by a section 66A examiner, paragraph (1) shall apply in relation to the examination as if—

- (a) for the reference to a person other than a section 66A examiner, there were substituted a reference to a section 66A examiner; and
- (b) for references to an authorised examiner or designated council, there were substituted references to the Secretary of State.]

(2) No person submitting a vehicle for an examination or having an interest in such a vehicle shall be requested or required by an [<sup>F98</sup>authorised] examiner, a designated council or the Secretary of State either directly or indirectly to accept any responsibility for, or to give any release or indemnity in respect of, any loss, damage or injury for which the examiner, council or Secretary of State (as the case may be) are responsible under paragraph (1).

(3) Nothing in paragraph (1) or (2) shall preclude any person from being requested or required to accept any responsibility for, or to give a release or indemnity in respect of—

- (a) loss of or damage to a vehicle or its equipment or accessories occurring during any period while the vehicle is in the custody of an [<sup>F99</sup>authorised] examiner, a designated council or the Secretary of State after the time when the vehicle is required to be removed from such custody in pursuance of the provisions of Regulation 17(1), or
- (b) loss, damage or injury arising out of the carrying out by an [<sup>F99</sup>authorised] examiner, at the request of the person submitting the vehicle for an examination or of a person having an interest in the vehicle, of repairs to the vehicle or of repairs or replacements of its equipment or accessories.

(4) In this Regulation—

- (a) references to an examination, in relation to a vehicle which, after the carrying out of an examination, remains in the custody of an [<sup>F100</sup>authorised] examiner, a designated council or the Secretary of State in order that a further examination of that vehicle may be carried out, include references to that further examination, <sup>F101</sup>...
- (b) references to a period while a vehicle is in the custody of a designated council <sup>F102</sup>... include references to any period while a vehicle is, in connection with the carrying out of an examination [<sup>F103</sup>, in the control or care of an inspector, and]

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- (c) references to a period while a vehicle is in the custody of the Secretary of State include references to any period while a vehicle is, in connection with the carrying out of an examination [<sup>F104</sup>, in the control or care of a section 66A examiner].

#### Textual Amendments

- F94** Words in reg. 14(1) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(a)** (with reg. 1(3))
- F95** Words in reg. 14(1) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(2)**
- F96** Words in reg. 14(1)(a) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(b)** (with reg. 1(3))
- F97** Reg. 14(1A) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(c)** (with reg. 1(3))
- F98** Word in reg. 14(2) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(d)** (with reg. 1(3))
- F99** Word in reg. 14(3) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(e)** (with reg. 1(3))
- F100** Word in reg. 14(4)(a) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(i)** (with reg. 1(3))
- F101** Word in reg. 14(4) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(4)(a)**
- F102** Words in reg. 14(4)(b) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 2(4)(a)**
- F103** Words in reg. 14(4)(b) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(ii)** (with reg. 1(3))
- F104** Words in reg. 14(4)(c) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **8(f)(iii)** (with reg. 1(3))

#### Commencement Information

- I9** Reg. 14 in force at 31.12.1981, see reg. 1

#### <sup>F105</sup>Notification of examinations and results

15.—(1) Subject to paragraph (3), the person by whom an examination is to be carried out shall, before carrying out the examination—

- (a) satisfy himself that there is available to him a supply of forms “VT20” (or “VT20W”) and “VT30” (or “VT30W”) sufficient to enable the result of the examination to be recorded; and
- (b) by electronic communication enter in the electronic record—
- (i) his intention to carry out the examination;
- (ii) the registration mark (if any) of the vehicle that he intends to examine; and
- (iii) the vehicle identification number, chassis number or serial number of the vehicle.

(2) Subject to paragraphs (3) and (4), as soon as reasonably practicable after completing an examination, the person by whom it was carried out—

- (a) shall, by electronic communication, enter in the electronic record, as the circumstances require—
- (i) that the prescribed statutory requirements are complied with in relation to the vehicle; or

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- (ii) that the prescribed statutory requirements are not complied with in relation to the vehicle;
  - (b) shall, by electronic communication—
    - (i) make such other entries in the electronic record as the record requires to be made; or
    - (ii) where he has caused those entries to be made, confirm them;
  - (c) may, by electronic communication, make such other entries in the electronic record as the record allows to be made; and where he has caused entries to be so made, he shall confirm them; and
  - (d) shall issue—
    - (i) the test certificate or, as the case may be, the notice of the refusal of a test certificate, generated by the system supporting the electronic record; and
    - (ii) such other documents as the Secretary of State may from time to time require to be issued.
- (3) Where the person by whom the examination is to be carried out—
- (a) has taken such steps as are reasonably practicable to gain access to the electronic record; and
  - (b) has failed to gain access,
- he shall comply with the requirements notified to him by the Secretary of State for advising the Secretary of State that the examination is to be carried out and for recording the result of the examination.
- (4) Where documents cannot be generated by the system supporting the electronic record, the person carrying out the examination shall issue a test certificate on form “VT20” or “VT20W” or, as the circumstances require, a notice of the refusal of a test certificate, on form “VT30” or “VT30W”.
- (5) As soon as the electronic record becomes available for use, a person who has complied with the requirements mentioned in paragraph (3)—
- (a) shall, by electronic communication—
    - (i) confirm the entries required to be made by paragraph (2)(a) and (b); and
    - (ii) confirm any other entries that may have been made; and
  - (b) may, by electronic communication, make such other entries in the electronic record as the record allows to be made.
- (6) Where paragraph (4) applies, the authorised examiner or designated council at whose vehicle testing station the examination was carried out, or the Secretary of State—
- (a) if required to do so by the person by whom the vehicle was submitted for examination;
  - (b) on production by that person of the certificate or notice (as the case may be) issued to him in accordance with that paragraph; and
  - (c) if satisfied that no examination under this regulation or regulation 18 has been carried out in relation to the vehicle since that to which the certificate or notice relates,
- shall supply to him, free of charge, the test certificate or, as the case may be, the notice of the refusal of a test certificate generated by the system supporting the electronic record.
- (7) A test certificate shall be signed by the person by whom the examination was carried out or such other person as the Secretary of State may in any particular case direct.
- (8) A notice of the refusal of a test certificate (including a notice issued in the circumstances mentioned in regulation 16) shall be signed by the person by whom the examination was carried out.

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(9) Where a test certificate or notice of the refusal of a test certificate bears a facsimile, by whatever process reproduced, of the signature of a section 66A examiner, the certificate or notice shall be treated as duly signed for the purposes of paragraph (7) or (8).]

#### Textual Amendments

**F105** Reg. 15 substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 9 (with regs. 1(3), 24(1)(a)(2))

#### Refusal of a test certificate where braking test cannot be carried out

**16.**—(1) Where in the course of an examination of a vehicle <sup>F106</sup> ... <sup>F107</sup> ... it is found that there are such defects in the construction or condition of the vehicle or its equipment or accessories that to carry out a braking test of the vehicle in the manner in which braking tests of such vehicles are carried out at the vehicle testing station at which the examination is being carried out would be likely to cause danger to any person or damage to the vehicle or any other property, [<sup>F108</sup>the person carrying out the examination] shall not carry out the braking test but shall complete the rest of the examination in accordance with the provisions of these Regulations.

[<sup>F109</sup>(2) Subject to paragraphs (2A) and (2B), as soon as reasonably practicable after completing the rest of the examination, the person carrying out the examination—

- (a) shall, by electronic communication, enter in the electronic record that the prescribed statutory requirements have not been shown to be met in relation to the vehicle;
- (b) shall by electronic communication—
  - (i) make such other entries in the electronic record as the record requires to be made; or
  - (ii) where he has caused those entries to be made, confirm them;
- (c) may, by electronic communication, make such other entries in the electronic record as the record allows to be made; and where he has caused entries to be so made, he shall confirm them;
- (d) shall issue—
  - (i) the notice of the refusal of a test certificate generated by the system supporting the electronic record; and
  - (ii) such other documents as the Secretary of State may from time to time require to be issued.

(2A) Where the person by whom the examination is to be carried out—

- (a) has taken such steps as are reasonably practicable to gain access to the electronic record; and
- (b) has failed to gain access,

he shall comply with the requirements notified to him by the Secretary of State for recording the result of the examination.

(2B) Where documents cannot be generated by the system supporting the electronic record, the person carrying out the examination shall issue a notice of the refusal of a test certificate, on form “VT30” or “VT30W”.

(2C) As soon as the electronic record becomes available for use, a person who has complied with the requirements mentioned in paragraph (2B)—

- (a) shall, by electronic communication—
  - (i) confirm the entries required to be made by paragraph (2)(a) and (b); and

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- (ii) confirm any other entries that may have been made; and
  - (b) may, by electronic communication, make such other entries in the electronic record as the record allows to be made.
- (2D) Where paragraph (2B) applies, the authorised examiner or designated council at whose vehicle testing station the examination was carried out, or the Secretary of State—
- (a) if required to do so by the person by whom the vehicle was submitted for examination;
  - (b) on production by that person of the notice issued to him in accordance with that paragraph; and
  - (c) if satisfied that no examination under this regulation or regulation 18 has been carried out in relation to the vehicle since that to which the notice relates,
- shall supply to him, free of charge, the notice of the refusal of a test certificate generated by the system supporting the electronic record.]

(3) In this Regulation “braking test”, means that part of the examination of that vehicle which is required or authorised to be carried out to ascertain whether the braking requirements are complied with.

<sup>F110</sup>(4) .....

**Textual Amendments**

**F106** Words in [reg. 16\(1\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\), 10\(a\)\(i\)](#) (with [regs. 1\(3\), 24\(2\)](#))

**F107** Words in [reg. 16\(1\)](#) omitted (9.10.1995) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1995 \(S.I. 1995/2438\)](#), [reg. 1, Sch. para. 4\(a\)](#)

**F108** Words in [reg. 16\(1\)](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\), 10\(a\)\(ii\)](#) (with [regs. 1\(3\), 24\(2\)](#))

**F109** [Reg. 16\(2\)-\(2D\)](#) substituted for [reg. 16\(2\)](#) (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\), 10\(b\)](#) (with [regs. 1\(3\), 24\(1\)\(a\)\(2\)](#))

**F110** [Reg. 16\(4\)](#) omitted (1.6.2003) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), [regs. 1\(1\), 10\(c\)](#) (with [regs. 1\(3\), 24\(2\)](#))

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**Commencement Information**

**I10** [Reg. 16](#) in force at 31.12.1981, see [reg. 1](#)

**Removal of vehicles submitted for examination**

17.—(1) Where a vehicle has been submitted for an examination at a vehicle testing station of an [<sup>F111</sup>authorised] examiner, a designated council or the Secretary of State, the person by whom the vehicle has been so submitted shall save as may otherwise be permitted by the examiner, designated council or the Secretary of State, as the case may be, cause it to be removed from the custody of the examiner, council or the Secretary of State, as the case may be—

- (a) where an appointment or arrangement has been made for the carrying out of the examination on a particular day and the examination has been completed on or before that day, before the end of the second day after that day, or
- (b) in any other case, before the end of the second day after the day on which the person submitting the vehicle for examination is given notice (whether in writing or not)—
  - (i) that the examination has been carried out, or

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(ii) in a case where the examination is not carried out by reason of any of the provisions of Regulation 13 that he is to remove the vehicle from such custody.

(2) In this Regulation—

- (a) references to an examination, in relation to a vehicle which, after the carrying out of an examination, remains in the custody of an [F112authorised] examiner, a designated council or the Secretary of State in order that a further examination of that vehicle may be carried out, include references to that further examination, F113 ...
- (b) references to a vehicle as being in the custody of a designated council F114... include references to a vehicle which is, in connection with the carrying out of an examination [F115:in the control or care of an inspector].
- [F116(c) references to a vehicle as being in the custody of the Secretary of State include references to a vehicle which is, in connection with the carrying out of an examination [F117:in the control or care of a section 66A examiner].]

#### Textual Amendments

- F111 Word in reg. 17(1) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 11(a) (with reg. 1(3))
- F112 Word in reg. 17(2)(a) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 11(b)(i) (with reg. 1(3))
- F113 Word in reg. 17(2) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, Sch. para. 5(a)
- F114 Words in reg. 17(2)(b) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, Sch. para. 5(a)
- F115 Words in reg. 17(2)(b) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 11(b)(ii) (with reg. 1(3))
- F116 Reg. 17(2)(c) inserted (9.10.1995) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, Sch. para. 5(b)
- F117 Words in reg. 17(2)(c) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 11(b)(iii) (with reg. 1(3))

#### Commencement Information

- I11 Reg. 17 in force at 31.12.1981, see reg. 1

## PART IV APPEALS

### Appeal on refusal of a test certificate

18.—(1) A person to whom a notice of the refusal of a test certificate has been issued may appeal to the Secretary of State and, save as may be otherwise permitted by the Secretary of State, any such appeal shall—

- (a) be on a form approved by the Secretary of State and contain the particulars required by that form;
- (b) be sent to [F118any office of VOSA] within 14 days from the date of the said notice.

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(2) As soon as reasonably practicable after the date on which the Secretary of State receives a notice in accordance with paragraph (1) he shall send to the appellant, at his address given on the said notice, a notice stating—

- (a) the place at which the examination for the purposes of the appeal will occur, and
- (b) the time at which that examination will start.

(3) Save as may be otherwise permitted by the Secretary of State, the examination mentioned in paragraph (2) shall not occur unless the applicant, or a person acting on his behalf—

- (a) submits the vehicle in respect of which the appeal is made to the place specified in the notice given by the Secretary of State mentioned in paragraph (2) not later than the time specified in that notice as that at which the examination will start;
- (b) produces to the person appointed by the Secretary of State to carry out the examination—
  - (i) the notice of the refusal of a test certificate issued as a result of the examination in connection with which the appeal is made, and
  - (ii) the registration document relating to the vehicle or other sufficient evidence of the date of its first registration or date of manufacture; and
- (c) gives to that person such information as he may reasonably require in connection with the carrying out of the examination relating to any alteration made or repairs carried out or any accident or other event occurring, since the date of the said notice, which may have affected the vehicle or its equipment or accessories,

and the said officer shall not be required to carry out the examination unless such notice, registration document or other evidence is produced and such other information is given.

(4) The provisions of Regulations <sup>F119</sup>... 13(b), (c) and (d) and 16 shall apply in relation to an examination for the purposes of an appeal as they apply in relation to other examinations, and as if references therein to—

- (a) [<sup>F120</sup>persons carrying out examinations] were references to the person carrying out the examination for the purposes of the appeal;
- (b) a vehicle testing station were references to the place where the examination for the purposes of the appeal occurs.

[<sup>F121</sup>(5) Paragraphs (2) to (6) of regulation 15 shall apply in relation to examinations under this regulation as they apply in relation to examinations under that regulation, subject to the omission, from paragraph (3) of that regulation, of the words “for advising the Secretary of State that the examination is to be carried out and”.

(6) A test certificate issued under this regulation shall be signed by the person by whom the examination was carried out or such other person as the Secretary of State may in any particular case direct.

(6A) A notice of the refusal of a test certificate issued under this regulation shall be signed by the person by whom the examination was carried out.]

(7) The above provisions of this Regulation do not apply where a notification of refusal of a test certificate has been issued following an examination for the purpose of an appeal.

#### Textual Amendments

**F118** Words in reg. 18(1)(b) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 12(a) (with reg. 1(3))

**F119** Word in reg. 18(4) omitted (9.10.1995) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, Sch. para. 6



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**F120** Words in reg. 18(4)(a) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **12(b)** (with reg. 1(3))

**F121** Reg. 18(5)-(6A) substituted for reg. 18(5)(6) (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **12(c)** (with regs. 1(3), 24(1)(a))

#### Commencement Information

**I12** Reg. 18 in force at 31.12.1981, see reg. 1

### Payments to examiners and designated councils at whose premises examinations on appeals are carried out

**19.** Where arrangements are made for the carrying out at a vehicle testing station of an [F122 authorised] examiner or designated council of an examination for the purposes of an appeal under Regulation 18 an amount equal to one half of the amount payable on that appeal shall be payable by the Secretary of State to that examiner or council, as the case may be, in respect of the use of the station and apparatus thereat to be made available under the said arrangements:

Provided that the said amount shall not be payable—

- (a) if the Secretary of State gives the examiner or council not less than one day's notice (whether in writing or otherwise) that the examination is not to take place in accordance with the said arrangements, or
- (b) if the examiner or council, as the case may be, does not make the testing station and the apparatus thereat available to the Secretary of State to his reasonable requirements.

#### Textual Amendments

**F122** Word in reg. 19 inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **13** (with reg. 1(3))

#### Commencement Information

**I13** Reg. 19 in force at 31.12.1981, see reg. 1

## PART V

### FEEES

#### Fees for examinations

**20.**—[F123(1) Subject to the following provisions of this regulation, the fee payable for an examination of a vehicle pursuant to an application made under regulation 12 is—

- (a) in the case of a motor bicycle not having a side car attached to it, [F124£14.65];
- [F125(aa) in the case of a motor bicycle with a side car attached to it, [F12624.05];
- (b) in the case of a vehicle in Class III, [F127£28.15];]
- [F128(c) in the case of a vehicle in Class IV—
  - (i) if the vehicle is a minibus, [F129£41.10],
  - (ii) in any other case, [F130£39.25];
- (ca) in the case of a vehicle in Class IVA, [F131£46.20];]

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- [<sup>F132</sup>(d) in the case of a vehicle in Class V—
- (i) if the vehicle is constructed or adapted to carry more than [<sup>F133</sup>16] passengers, [<sup>F134</sup>£60.35],
  - (ii) in any other case, [<sup>F135</sup>£44.45];
- (da) in the case of a vehicle in Class VA—
- (i) if the vehicle is constructed or adapted to carry more than [<sup>F136</sup>16] passengers, [<sup>F137</sup>£93.30],
  - (ii) in any other case, [<sup>F138</sup>£60.20];]
- (e) save as provided in paragraph (4), in the case of a vehicle in Class VI—
- (i) if the vehicle is constructed or adapted to carry more than [<sup>F139</sup>22] passengers, [<sup>F140</sup>£52],
  - (ii) in any other case, [<sup>F141</sup>£37];
- [<sup>F142</sup>(ea) save as provided in paragraphs (4A) and (4B), in the case of a vehicle in Class VIA—
- (i) if the vehicle is constructed or adapted to carry more than [<sup>F143</sup>22] passengers, [<sup>F144</sup>£52],
  - (ii) in any other case, [<sup>F145</sup>£37];]
- (f) in the case of a vehicle in Class VII, [<sup>F146</sup>£43.15].]

(2) Subject to the following provisions of this Regulation, every fee prescribed by paragraph (1) shall be paid—

- [<sup>F147</sup>(a) if the application is one to which regulation 12(1) applies (not being an application for an re-examination), at the time the application is made;]
- [<sup>F148</sup>(b) if the application is one to which Regulation 12(2) applies or, in the case of an application for a re-examination, is one to which Regulation 12(1) and (1A) applies –]

  - (i) before the examination is carried out if the Secretary of State or [<sup>F149</sup>the person] by whom the examination is to be carried out so requires; and
  - (ii) after the examination is carried out in all other cases.

[<sup>F150</sup>(2A) Subject to paragraph (2B), where, in the case of a vehicle in [<sup>F151</sup>Class VI or VIA], the time appointed for an examination is, at the applicant's request, out of hours, the fee payable for the examination shall be increased by [<sup>F152</sup>£31] in the case of a vehicle which is constructed or adapted to carry more than [<sup>F153</sup>22] passengers, and [<sup>F152</sup>£22] in any other case, such additional amount being payable at or before the time of the appointment.

(2B) Where, in the case of a vehicle in [<sup>F154</sup>Class VI or VIA], the vehicle testing station appointed for an examination is, at the applicant's request, one which was designated under section 8(3) of the 1981 Act after 10th April 1995, the fee payable for the examination shall be increased, or, in a case where paragraph (2A) applies, further increased, by [<sup>F155</sup>£8], such additional amount being payable at or before the time of the appointment.]

(3) Where, on an examination of vehicle other than a vehicle in [<sup>F156</sup>Class VI or VIA], it is found that some or all of the prescribed statutory requirements are not complied with or where, in the circumstances mentioned in Regulation 16, a full examination of the braking system or systems of the vehicle is not carried out, then—

- (a) if the vehicle is left at the vehicle testing station at which the examination took place so that the defects which have been revealed can be repaired, no fee shall be payable in respect of any further examination carried out there on the completion of those repairs,

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<sup>F157</sup>(b) .....

<sup>F158</sup>(3A) No fee shall be payable for the re-examination of a vehicle other than in <sup>F159</sup>Class IVA, VA, VI or VIA] if—

(a) the vehicle is re-examined at the same vehicle testing station where the vehicle failed the examination before the end of the next day following the examination on which the <sup>F160</sup>authorised] examiner, designated council or the Secretary of State (as the case may be) will accept vehicles for examination; and

(b) the re-examination relates only to one or more of the following <sup>F161</sup>matters]—

<sup>F162</sup>anti-lock braking system warning device;]

<sup>F163</sup>audible warning instruments;

<sup>F162</sup>body condition where the re-examination of the body is carried out solely for the purposes of ascertaining whether there are any sharp edges or projections likely to cause injury;]

<sup>F162</sup>brake pedal anti-slip devices;]

direction indicators;

doors and other openings;

emissions;

<sup>F162</sup>fuel filler cap;]

glass and field of vision;

hazard warning signal device;

lamps;

mirrors;

rear retro reflectors;

registration marks;

<sup>F162</sup>seats;]

seat belts;

<sup>F162</sup>steering wheel;]

<sup>F164</sup>tyres (other than in respect of a vehicle in Class I or II);]

vehicle identification numbers; <sup>F165</sup>...

<sup>F166</sup>wheels (other than in respect of a vehicle in Class I or II); or]

windscreen cleaning.]

[  
<sup>F167</sup>(3B) Subject to paragraph (3C), where, on an examination of a vehicle in Class IVA or VA, it is found that some or all of the prescribed statutory requirements, other than those referred to in item 28A in paragraph 3A of Schedule 2, are not complied with, then, provided the vehicle is re-examined at the same vehicle testing station where it failed the examination, the fee payable for the re-examination shall be calculated as if the vehicle was in Class IV or V respectively.

(3C) No fee shall be payable for the re-examination of a vehicle in Class IVA or VA, in respect of which it is found that some or all of the prescribed statutory requirements, other than those referred to in item 28A in paragraph 3A of Schedule 2, are not complied with if—

(a) the vehicle is re-examined in the circumstances referred to in paragraph (3A)(a); and

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- (b) the re-examination relates only to one or more of the matters referred to in paragraph (3A) (b).]

[<sup>F168</sup>(4) [<sup>F169</sup>Where either—

- (i) on an examination of a vehicle in Class VI constructed or adapted to carry more than 22 passengers, it is found that one or more of the prescribed statutory requirements are not complied with, or when, in the circumstances mentioned in regulation 16, a full examination of the braking system or systems of the vehicle is not carried out; or
- (ii) on an examination of a vehicle in Class VIA constructed or adapted to carry more than 22 passengers, it is found that one or more of the prescribed statutory requirements, including those referred to in item 28A in paragraph 3A of Schedule 2, are not complied with,

then the fee payable in respect of a further examination—]

- (a) subject to sub-paragraph (c), in a case where the time appointed for the further examination is, at the applicant’s request, out of hours, shall be as shown in column 3 of the Table in relation to a vehicle of that description;
- (b) subject to sub-paragraph (c), in a case where the vehicle testing station appointed for an examination is, at the applicant’s request, one which was designated under section 8(3) of the 1981 Act after 10th April 1995, shall be as shown in column 4 of the Table in relation to a vehicle of that description;
- (c) in a case where both sub-paragraph (a) and (b) apply, shall be as shown in column 5 of the Table in relation to a vehicle of that description, and
- (d) in any other case, shall be as shown in column 2 of the Table in relation to a vehicle of that description.

[<sup>F170</sup>TABLE

FEES RELATING TO THE RE-EXAMINATION OF VEHICLES IN [<sup>F171</sup>CLASS VI OR VIA]

Column 1 <i>Description of Vehicle</i>	Column 2 <i>Normal Fee</i>	Column 3 <i>Out of Hours Fee</i>	Column 4 <i>Designated Premises Fee</i>	Column 5 <i>Out of Hours at Designated Premises Fee</i>
Vehicles in [ <sup>F172</sup> Class VI or VIA] constructed or adapted to carry more than [ <sup>F172</sup> 22] passengers.	(a) [ <sup>F173</sup> £25], if the vehicle is submitted for a further examination within 14 days of the date of the issue of the notice of refusal of a test certificate, or (b) [ <sup>F173</sup> £52], in any other case.	(a) [ <sup>F173</sup> £41], in the circumstances described in paragraph (a) of the entry in column 2, or (b) [ <sup>F173</sup> £83], in any other case.	(a)[ <sup>F173</sup> £29.50], in the circumstances described in paragraph (a) of the entry in column 2, or (b) [ <sup>F173</sup> £60], in any other case.	(a)[ <sup>F173</sup> £45.50], in the circumstances described in paragraph (a) of the entry in column 2, or (b) [ <sup>F173</sup> £91], in any other case.
Other vehicles in [ <sup>F172</sup> Class VI or VIA].	(a) [ <sup>F173</sup> £18], if the vehicle is submitted for a further examination	(a) [ <sup>F173</sup> £30], in the circumstances described in paragraph (a) of	(a)[ <sup>F173</sup> £22.50], in the circumstances described in paragraph (a) of	(a)[ <sup>F173</sup> £34.50], in the circumstances described in paragraph (a) of

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Column 1 <i>Description of Vehicle</i>	Column 2 <i>Normal Fee</i>	Column 3 <i>Out of Hours Fee</i>	Column 4 <i>Designated Premises Fee</i>	Column 5 <i>Out of Hours at Designated Premises Fee</i>
	within 14 days of the date of the issue of the notice of refusal of a test certificate, or	the entry in column 2, or (b) [F173£59], in any other case.	the entry in column 2, or (b) [F173£45], in any other case.	the entry in column 2, or (b) [F173£67], in any other case.]]
	(b) [F173£37], in any other case.			

F174(4A) .....

F174(4B) .....

[F175(5) Save as provided in paragraphs (5A) and (5B), the fees prescribed by [F176 paragraphs [F177(1) and (4)]] shall be payable notwithstanding that the vehicle is not submitted for examination in accordance with any such appointment or arrangement as is mentioned in Regulation 12.

(5A) If, in the case of a vehicle not in [F178 Class VI or VIA], the applicant for the examination has not less than one day before the time so appointed or arranged given the examining authority notice (whether in writing or otherwise) that the applicant does not propose to submit the vehicle for examination at the time so appointed or arranged, the application shall be treated for the purposes of this Regulation as one in respect of which no fee is payable, and any amount previously paid in respect of such a fee shall be repayable by the examining authority to the applicant unless another time is arranged for the carrying out of the examination.

(5B) If, in the case of a vehicle in [F179 Class VI or VIA], the applicant—

- (a) has not less than 7 days before the day fixed under these Regulations for the carrying out of the examination given the Secretary of State notice (whether in writing or otherwise) at the address from which the notice of the appointment was issued that the applicant does not propose to submit the vehicle for examination on that day, or
- (b) satisfies the Secretary of State that the vehicle cannot, or, as the case may be, could not be submitted for the examination on the day or at the time fixed for the examination because of exceptional circumstances occurring not more than 7 days before the said time and of which the applicant gives notice to the Secretary of State (whether in writing or otherwise) at the said address within 3 days of the occurrence of those circumstances,

then the applicant may either—

- (i) make an application in writing to the Secretary of State at the said address, either at the time of the notice given under sub-paragraph (a) or (b) of this paragraph or within 28 days of the date thereof, for another examination of the same kind for that vehicle or another vehicle to be carried out within three months of the date of the application, and in that event the said fee shall be treated as having been paid in respect of that application unless the fee in respect of that application is greater, in which case the fee already paid shall be treated as having been paid towards the fee payable in respect of that application, or
- (ii) give notice to Secretary of State at the place mentioned in sub-paragraph (i) above, and at the time of the notice given under sub-paragraph (a) or (b) of this paragraph or within 28 days of the date thereof, that no other examination of the same kind is required for that vehicle or another vehicle, and in that event [F180 the fee shall be reduced to £1.50 (the balance of any sum paid in respect of the fee being refundable)].]

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(6) No fee shall be payable on an application for an examination of any vehicle, not being a vehicle in [<sup>F181</sup>Class VI or VIA], in any case where in pursuance of any of the provisions of Regulation 13 an authorised examiner [<sup>F182</sup>], [<sup>F183</sup>inspector or section 66A examiner] does not carry out the examination, and any amount previously paid in any such case in respect of such a fee shall be repaid by the examining authority to the applicant.

(7) The [<sup>F184</sup>fees prescribed by [<sup>F185</sup>paragraph (4)]] shall not be payable if—

[<sup>F186</sup>(a) the vehicle is re-examined before the end of the next day following an earlier examination of it being a day on which the Secretary of State will accept vehicles for examination;

(b) the person who re-examines the vehicle on behalf of the Secretary of State was already at the premises at which the re-examination occurs for the purpose of carrying out an examination on another vehicle;]

[<sup>F187</sup>(c) the re-examination relates only to one or more of the following requirements specified in Schedule 2—

(i) audible warning instruments,

(ii) bumpers,

(iii) cleanliness of body,

(iv) (irection indicators,

(v) field of vision,

(vi) fire extinguishing apparatus,

(vii) first aid equipment,

(viii) hazard warning signal device,

(ix) lamps,

(x) markings of doors,

(xi) markings of emergency exits,

(xii) markings of fuel tanks and carburettors,

(xiii) mirrors,

(xiv) rear retro reflectors,

(xv) spare wheel carrier,

(xvi) speed limiter <sup>F188</sup>... plate,

(xvii) speedometer,

(xviii) windscreen cleaning, and

(xix) the specified requirements of the Community Recording Equipment Regulation.]

[<sup>F189</sup>(8) In this Regulation “exceptional circumstances” means an accident, a fire, an epidemic, severe weather, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts for a vehicle).]]

#### Textual Amendments

**F123** Reg. 20(1) substituted (1.8.1991) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 3\) Regulations 1991 \(S.I. 1991/1525\)](#), regs. 1(b), **4(a)**

**F124** Sum in reg. 20(1)(a) substituted (1.8.2002) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 2002 \(S.I. 2002/1698\)](#), regs. 1, **3(4)**

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- F125** Reg. 20(1)(aa)(b) substituted for reg. 20(1)(b) (1.1.1993) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1992 (S.I. 1992/1609), regs. 1(a), **4**
- F126** Sum in reg. 20(1)(aa) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F127** Sum in reg. 20(1)(b) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F128** Reg. 20(1)(c)(ca) substituted for reg. 20(1)(c) (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(3)(a)**
- F129** Sum in reg. 20(1)(c)(i) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F130** Sum in reg. 20(1)(c)(ii) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F131** Sum in reg. 20(1)(ca) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F132** Reg. 20(1)(d)(da) substituted for reg. 20(1)(d) (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(3)(b)**
- F133** Word in reg. 20(1)(d)(i) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(2)**
- F134** Sum in reg. 20(1)(d)(i) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F135** Sum in reg. 20(1)(d)(ii) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F136** Word in reg. 20(1)(da)(i) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(2)**
- F137** Sum in reg. 20(1)(da)(i) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F138** Sum in reg. 20(1)(da)(ii) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F139** Word in reg. 20(1)(e)(i) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(2)**
- F140** Sum in reg. 20(1)(e)(i) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F141** Sum in reg. 20(1)(e)(ii) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F142** Reg. 20(1)(ea) inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(3)(c)**
- F143** Word in reg. 20(1)(ea)(i) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(2)**
- F144** Sum in reg. 20(1)(ea)(i) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F145** Sum in reg. 20(1)(ea)(ii) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F146** Sum in reg. 20(1)(f) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(4)**
- F147** Reg. 20(2)(a) substituted (31.10.1989) by The Motor Vehicles (Tests) (Amendment) (No.2) Regulations 1989 (S.I. 1989/1694), regs. 1, **4(2)**
- F148** Words in reg. 20(2)(b) substituted (31.10.1989) by The Motor Vehicles (Tests) (Amendment) (No.2) Regulations 1989 (S.I. 1989/1694), regs. 1, **4(3)**
- F149** Words in reg. 20(2)(b)(i) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **14(a)** (with reg. 1(3))
- F150** Reg. 20(2A)(2B) substituted for reg. 20(2A) (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **4(2)**

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- F151** Words in reg. 20(2A) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F152** Sums in reg. 20(2A) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F153** Word in reg. 20(2A) substituted (1.8.2002) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2002 (S.I. 2002/1698), regs. 1, **3(3)**
- F154** Words in reg. 20(2B) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F155** Sum in reg. 20(2B) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(3)**
- F156** Words in reg. 20(3) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F157** Reg. 20(3)(b) omitted (1.8.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(b), **4(b)**
- F158** Reg. 20(3A) inserted (1.8.1991) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(b), **4(c)**
- F159** Words in reg. 20(3A) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(5)**
- F160** Word in reg. 20(3A)(a) inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **14(b)** (with reg. 1(3))
- F161** Word in reg. 20(3A)(b) substituted (9.10.1995) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), regs. 1, **6(3)**
- F162** Words in reg. 20(3A)(b) inserted (9.10.1995) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), regs. 1, **6(3)**
- F163** Words in reg. 20(3A)(b) substituted for reg. 20(3A)(b)(i)-(vi) (2.1.1993) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1992 (S.I. 1992/3160), regs. 1, **3**
- F164** Words in reg. 20(3A)(b) inserted (1.11.2001) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2001 (S.I. 2001/3330), regs. 1, **5(2)(a)**
- F165** Word in reg. 20(3A)(b) revoked (1.11.2001) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2001 (S.I. 2001/3330), regs. 1, **5(2)(b)**
- F166** Words in reg. 20(3A)(b) inserted (1.11.2001) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 2001 (S.I. 2001/3330), regs. 1, **5(2)(b)**
- F167** Reg. 20(3B)(3C) inserted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(6)**
- F168** Reg. 20(4) substituted (3.3.1997) by The Motor Vehicles (Tests) (Amendment) Regulations 1997 (S.I. 1997/81), regs. 1, **4(3)**
- F169** Words in reg. 20(4) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(5)**
- F170** Reg. 20(4) Table substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(7)**
- F171** Words in reg. 20(4) Table heading substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(6)**
- F172** Words in reg. 20(4) Table substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(7)**
- F173** Sums in reg. 20(4) Table substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(8)**
- F174** Reg. 20(4A)(4B) revoked (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(9)**
- F175** Reg. 20(5)-(5B) substituted for reg. 20(5) (30.8.1984) by The Motor Vehicles (Tests) (Amendment) (No. 4) Regulations 1984 (S.I. 1984/1126), regs. 1, **4**
- F176** Words in reg. 20(5) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(9)**



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- F177** Words in reg. 20(5) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(10)**
- F178** Words in reg. 20(5A) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F179** Words in reg. 20(5B) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F180** Words in reg. 20(5B)(ii) substituted (31.10.1989) by The Motor Vehicles (Tests) (Amendment) (No.2) Regulations 1989 (S.I. 1989/1694), regs. 1, **4(6)**
- F181** Words in reg. 20(6) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(4)**
- F182** Words in reg. 20(6) substituted (9.10.1995) by The Motor Vehicles (Tests) (Amendment) (No. 2) Regulations 1995 (S.I. 1995/2438), reg. 1, **Sch. para. 7**
- F183** Words in reg. 20(6) substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **14(c)** (with reg. 1(3))
- F184** Words in reg. 20(7) substituted (1.8.1998) by The Motor Vehicles (Tests) (Amendment) Regulations 1998 (S.I. 1998/1672), regs. 1, **11(10)**
- F185** Words in reg. 20(7) substituted (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(11)**
- F186** Reg. 20(7)(a)(b) substituted (1.11.1991) by The Motor Vehicles (Tests) (Amendment) (No. 4) Regulations 1991 (S.I. 1991/2229), regs. 1(1)(c), **7(b)**
- F187** Reg. 20(7)(c) substituted (1.8.1991) by The Motor Vehicles (Tests) (Amendment) (No. 3) Regulations 1991 (S.I. 1991/1525), regs. 1(b), **4(d)**
- F188** Word in reg. 20(7)(c)(xvi) revoked (1.4.2002) by The Motor Vehicles (Tests) (Amendment) Regulations 2002 (S.I. 2002/488), regs. 1, **3(12)**
- F189** Reg. 20(8) added (30.8.1984) by The Motor Vehicles (Tests) (Amendment) (No. 4) Regulations 1984 (S.I. 1984/1126), regs. 1, **6**

#### Commencement Information

- I14** Reg. 20 in force at 31.12.1981, see reg. 1

### Fees on appeals

**21.—(1)** The fee payable on an appeal made in accordance with the provisions of Regulation 18 is the same amount as the fee payable under Regulation 20(1).

(2) Save as provided in paragraph (4), every fee prescribed by paragraph (1) as the fee payable on an appeal shall be paid at the same time as the appeal is made, and if that fee is not so paid the Secretary of State shall not be obliged to deal with the appeal.

(3) After the completion of the examination for the purposes of the appeal the Secretary of State may repay to the appellant, as he thinks fit, either the whole or a part of the fee paid on the appeal where it appears to him there are substantial grounds for contesting the whole or part of the decision appealed against.

(4) A fee payable on an appeal in accordance with the foregoing provisions of this Regulation shall be payable notwithstanding that the vehicle is not submitted for examination in accordance with the provisions of Regulation 18:

Provided that if the appellant has before the time fixed under Regulation 18 for the carrying out of the examination given the Secretary of State not less than two days' notice (whether in writing or otherwise) at [<sup>F190</sup>the office of VOSA] at which his appeal was lodged or if he has been given such a notice as is specified in Regulation 18(2), at the address specified in that notice as the address to which any communication relating to the appeal is to be sent, that the appellant does not propose to submit the vehicle for examination at that time, the appeal shall be treated for the purposes of this Regulation as one in respect of which no fee is payable and any amount previously paid in respect

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of such a fee shall be repaid by the Secretary of State to the appellant unless another time is arranged for the carrying out of the examination.

#### Textual Amendments

**F190** Words in reg. 21(4) proviso substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **15** (with reg. 1(3))

#### Commencement Information

**I15** Reg. 21 in force at 31.12.1981, see [reg. 1](#)

## PART VI OTHER MATTERS

### [<sup>F191</sup>Other records to be kept and returns to be furnished

**22.**—(1) Without prejudice to regulations 15, 16 and 18, authorised examiners, designated councils, inspectors and nominated testers shall, by electronic communication in the electronic record, or in such other form and by such other means as the Secretary of State may from time to time specify, record such particulars as may be so specified.

(2) Where the electronic record is temporarily inaccessible for the purpose of recording particulars pursuant to paragraph (1), the particulars shall be recorded in such other form and by such other means as the Secretary of State may specify.

(3) Where particulars are recorded as mentioned in paragraph (2), appropriate entries shall be made or, as the Secretary of State may require, be confirmed, in the electronic record as soon as reasonably practicable after it has become accessible.

(4) Records (other than the electronic record) under this regulation shall be kept for a period sufficient to ensure that, upon an inspection under regulation 24, particulars of any matter recorded within the period of 18 months preceding the date of the inspection are available for inspection.]

#### Textual Amendments

**F191** [Reg. 22](#) substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **16** (with regs. 1(3), 24(1)(a))

### [<sup>F192</sup>Duplicate test certificates

**23.**—(1) If a test certificate has been lost or defaced, an application for the issue of a duplicate of the original certificate may, at any time before the end of the period of 18 months beginning with the date on which the examination to which the certificate relates was carried out, be made—

- (a) at the vehicle testing station from which the original certificate was obtained,
- (b) at any other vehicle testing station, or
- (c) at any office of VOSA.

(2) The applicant shall provide with his application—

- (a) particulars of the registration mark (if any) of the vehicle concerned;

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- (b) where the application is made as mentioned in paragraph (1)(b), such other information as the authorised examiner or designated council at whose testing station the application is made reasonably requires in order to access relevant data from the electronic record;
  - (c) where the application is made as mentioned in paragraph (1)(c), such other information as the Secretary of State reasonably requires.
- (3) The person to whom an application is made under paragraph (1) shall—
- (a) upon tracing sufficient particulars of the certificate to which the application relates to enable a duplicate to be issued; and
  - (b) on being paid—
    - (i) where the certificate relates to a motor bicycle not having a side car attached to it, the amount equal to half of the fee specified in regulation 20(1)(a);
    - (ii) in any other case, £10,issue a duplicate, marked “Duplicate”; and the duplicate so issued shall have the same effect as the original test certificate.
- (4) A duplicate issued under paragraph (3) need not be signed by the person who carried out the examination as the result of which the original certificate was obtained.]

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**Textual Amendments**

**F192** Reg. 23 substituted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), 17 (with regs. 1(3), 24(1)(a))

**[<sup>F193</sup>Correction of errors in records and test certificates**

**23A.**—(1) A person authorised in that behalf by the Secretary of State may, in accordance with the terms of his authorisation, correct an error in the records or in any test certificate.

(2) Subject to paragraph (3), a test certificate may be corrected at any time during the period of the certificate’s validity.

(3) Where, in respect of the same vehicle, two or more test certificates are valid, a correction may be made only to the certificate that is the later or latest to be issued.

(4) The person by whom a correction is made shall—

- (a) if appropriate, make an entry in the electronic record to reflect the correction; and
- (b) where the correction is of an error in a test certificate, supply to the person who furnishes the certificate containing the error, the test certificate (as corrected) generated by the system supporting the electronic record.]

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**Textual Amendments**

**F193** Reg. 23A inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), 18 (with reg. 1(3))

**Inspection of premises, apparatus and records**

**24.** [<sup>F194</sup>A person authorised by the Secretary of State] may at any time, during the normal working week on production if so required of his authority, enter any vehicle testing station of an [<sup>F195</sup>authorised examiner or designated council] and upon such entry he shall be entitled to—

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- (a) inspect the station and the apparatus provided at the station for the purpose of carrying out examinations and watch any examination which may be taking place including any part of the examination which is carried out on a road or elsewhere than at the station,
- (b) satisfy himself as to the efficiency of such apparatus and, in the case of apparatus designed to give an indication of a measurement, to require evidence to be furnished to him that it will do so accurately within reasonable limits,
- (c) inspect all records <sup>F196</sup> ... <sup>F197</sup> ... which are required to be kept or preserved at that station in accordance with Regulation 22, and
- (d) be furnished with such information as he may reasonably require with respect to any of the said matters.

#### Textual Amendments

- F194** Words in reg. 24 substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **19(a)** (with reg. 1(3))
- F195** Words in reg. 24 substituted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **19(b)** (with reg. 1(3))
- F196** Words in reg. 24(c) omitted (1.6.2003) by virtue of The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **19(c)** (with reg. 1(3))
- F197** Words in reg. 24(c) omitted (18.3.1991) by virtue of The Motor Vehicles (Tests) (Amendment) (No. 1) Regulations 1991 (S.I. 1991/253), regs. 1(b), **8(3)(b)**

#### Commencement Information

- I16** Reg. 24 in force at 31.12.1981, see reg. 1

#### [<sup>F198</sup>Return of apparatus and documents

**24A.**—(1) Without prejudice to regulation 11, the Secretary of State may at any time, by notice or electronic communication to an authorised examiner or designated council, require the examiner or council—

- (a) to deliver to him, at such place and within such period as may be specified in the notice or communication; or
- (b) to permit the collection, from such premises as may be specified in the notice or communication, of,

apparatus or documents supplied to the examiner or council, by or on behalf of the Secretary of State, for the purposes of, or for purposes connected with, examinations to be carried out at any of the examiner's or council's vehicle testing stations.

- (2) A communication or notice under paragraph (1) may refer to the delivery or collection of—
  - (a) particular apparatus or apparatus of a description specified in the communication or notice;
  - (b) a particular document or documents of a description so specified.]

#### Textual Amendments

- F198** Reg. 24A inserted (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), **20** (with reg. 1(3))

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## [<sup>F199</sup>Charges for entries in the electronic record and payments on account

**25.**—(1) An entry in the electronic record that the prescribed statutory requirements are complied with in relation to a vehicle shall not be made unless the authorised examiner or, as the case may be, the designated council at whose vehicle testing station the examination of the vehicle was carried out has paid to the Secretary of State the sum of £1.19.

(2) Every authorised examiner and every designated council shall make such payments to the Secretary of State in anticipation of charges that may become payable by them under paragraph (1) as will, in the opinion of the examiner or council, ensure that the requirements of regulation 15(1) (a) are capable of being met as regards examinations at each of their vehicle testing stations.

(3) Payments under paragraph (2)—

- (a) must be designated by the examiner or council concerned as referable to a named vehicle testing station of the examiner or council; and
- (b) may only be of an amount equal to the charge for 100 entries of the description mentioned in paragraph (1), or any multiple of 100.

### Textual Amendments

**F199** Regs. 25-25B substituted for reg. 25 (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **21** (with regs. 1(3), 24(1)(b))

## Charges for apparatus, etc. connected with the electronic record

**25A.**—(1) Subject to paragraphs (2) to (5), an authorised examiner or designated council shall pay to the Secretary of State or to such other person as, by notice to the examiner or council, he may direct, in respect of the provision by him, or on his behalf, of any apparatus or service specified in column (1) of the Table in Schedule 3 to these Regulations, the amount specified in relation to that apparatus or service in column (2) of that Table.

(2) Item 1 shall be provided free of charge unless—

- (a) the visit is the second (or subsequent) to the vehicle testing station for the purpose of installing apparatus and is attributable to a failure on the part of the authorised examiner or, as the case may be, the designated council, to comply with requirements notified by or on behalf of the Secretary of State in advance of the date appointed for the first (or previous) visit; or
- (b) the visit is attributable to the cancellation, by the authorised examiner or, as the case may be, the designated council, of an arrangement to install apparatus at an earlier date.

(3) The Secretary of State may waive any charge payable in respect of item 1 or item 2.

(4) Items 6 to 15 shall be provided free of charge where the apparatus to be replaced is unserviceable by reason of fair wear and tear.

(5) Item 16 shall be provided free of charge except where the apparatus to be replaced—

- (a) is unserviceable for reasons other than fair wear and tear; and
- (b) is the third (or subsequent) item of that description to have become unserviceable in the preceding five years for reasons other than fair wear and tear.

(6) Where, as respects apparatus of a description specified in column (1) of the Table in Schedule 3 to these Regulations—

- (a) a person fails to comply with regulation 11(1) or a requirement imposed under regulation 24A(1); or

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(b) the apparatus delivered or, as the case may be, made available for collection, in compliance with that provision or requirement, is in an unserviceable condition by reason other than fair wear and tear; or

(c) the person to whom it was supplied is unable to return it to the Secretary of State,

the Secretary of State may, by notice to the person concerned, require the payment to him of such amount, not exceeding that specified in relation to the apparatus in column (2) of that Table, as may be specified in the notice.

(7) In this regulation, references to a numbered item are references to the apparatus or service bearing that number in column (1) of the Table in Schedule 3 to these Regulations.

#### Textual Amendments

**F199** Regs. 25-25B substituted for reg. 25 (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 21 (with regs. 1(3), 24(1)(b))

#### Refunds

**25B.**—(1) As soon as reasonably practicable after a cessation has taken effect in accordance with regulation 9 or 10, the Secretary of State shall repay to the person or council concerned the amount (if any) determined in accordance with the formula A–B, where—

“A” is the amount held by the Secretary of State immediately before the cessation on account of any charge that might have become payable by that person or council in connection with the carrying out of examinations; and

“B” is the amount payable to the Secretary of State in accordance with regulation 25A(6).

(2) On receipt of any unused forms for test certificates sent to him in accordance with regulation 11(1) or (2), the Secretary of State shall repay to the person or council concerned, an amount equal to the amount paid to the Secretary of State by that person or council for the supply of those forms.

(3) Where unissued and cancelled forms for test certificates are returned to the Secretary of State because they have been spoilt or defaced, the Secretary of State may make a refund to the person or council concerned of such amount as he considers appropriate.]

#### Textual Amendments

**F199** Regs. 25-25B substituted for reg. 25 (1.6.2003) by The Motor Vehicles (Tests) (Amendment) Regulations 2003 (S.I. 2003/1113), regs. 1(1), 21 (with regs. 1(3), 24(1)(b))

#### Notices

**26.** Except as otherwise provided in these Regulations, every notice under these Regulations shall be—

(a) in writing, and

(b) if given by the Secretary of State to an examiner by post, addressed to the examiner at the registered office of the examiner if the examiner is a company and at the place specified in the authorisation of the examiner as his principal place of business in any other case.

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### Commencement Information

**I17** Reg. 26 in force at 31.12.1981, see [reg. 1](#)

### Computation of time

**27.** No period of time prescribed in these Regulations shall include any day which is [<sup>F200</sup>a Saturday, Sunday, Good Friday, Christmas Day or] a bank holiday under the Banking and Financial Dealings Act 1971.

### Textual Amendments

**F200** Words in [reg. 27](#) inserted (1.11.1983) by [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1983 \(S.I. 1983/1434\)](#), [regs. 1, 5](#)

### Commencement Information

**I18** Reg. 27 in force at 31.12.1981, see [reg. 1](#)

### [<sup>F201</sup>Certificates of temporary exemption

**28.—**(1) A public service vehicle in respect of which a certificate complying with the provisions specified in paragraph (2) below has been issued in the circumstances specified in paragraph (3) below is exempt from the provisions of section 44(1) of the Road Traffic Act 1972 until that certificate expires.

(2) Those provisions are that the certificate—

(a) is in a form approved by the Secretary of State which shall contain—

- (i) 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,
- (ii) the date on which the certificate is issued, and
- (iii) the period during which the vehicle is exempted from the provisions of section 44(1) of the Road Traffic Act 1972; and

(b) is signed by a person authorised in that behalf by the Secretary of State.

(3) The circumstances mentioned in paragraph (1) above are an accident, a fire, an epidemic, severe weather, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts therefor).

(4) No certificate <sup>F202</sup>... issued by virtue of this Regulation shall be valid for more than 3 months.]

### Textual Amendments

**F201** Reg. 28 added (1.1.1983) by [The Motor Vehicles \(Tests\) Amendment \(No. 4\) Regulations 1982 \(S.I. 1982/1715\)](#), [regs. 1, 2](#)

**F202** Words in [reg. 28\(4\)](#) omitted (1.11.1983) by virtue of [The Motor Vehicles \(Tests\) \(Amendment\) \(No. 2\) Regulations 1983 \(S.I. 1983/1434\)](#), [regs. 1, 6](#)

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[<sup>F203</sup> **Access to particulars in the records**

**29.** The Secretary of State may make particulars contained in the records (including the electronic record) available for use—

- (a) by a chief officer of police; or
- (b) on payment of a fee, if any is required by the Secretary of State to be paid, of such amount as appears to the Secretary of State to be reasonable in the circumstances of the case, by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him.

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**Textual Amendments**

**F203** Regs. 29, 30 inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **22** (with reg. 1(3))

**Sale of particulars in, and information derived from, the records**

**30.** The Secretary of State may sell particulars contained in, or information derived from, the records (including the electronic record)—

- (a) to such persons as he thinks fit, and
- (b) for such price and on such other terms, and subject to such restrictions, as he thinks fit,

if those particulars do not (or that information does not) identify the premises at which any examination was carried out or any person concerned with the carrying out of the examination.]

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**Textual Amendments**

**F203** Regs. 29, 30 inserted (1.6.2003) by [The Motor Vehicles \(Tests\) \(Amendment\) Regulations 2003 \(S.I. 2003/1113\)](#), regs. 1(1), **22** (with reg. 1(3))

*David Howell*  
Secretary of State for Transport



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**Changes and effects yet to be applied to :**

- Sch. 2 para. 1(a) items 1-6A substituted for Sch. 2 para. 1(a) items 1-6 by [S.I. 2003/1698 reg. 9\(2\)](#)
- Sch. 2 para. 1 table word substituted by [S.I. 2017/850 reg. 9\(b\)](#)
- Sch. 2 para. 2 table words added by [S.I. 2017/850 reg. 10\(a\)\(iii\)](#)
- Sch. 2 para. 2 table words inserted by [S.I. 2017/850 reg. 10\(a\)\(ii\)](#)
- Sch. 2 para. 2 table words inserted by [S.I. 2017/850 reg. 10\(c\)](#)
- Sch. 2 para. 3 table words inserted by [S.I. 2017/850 reg. 11\(b\)\(i\)](#)
- Sch. 2 para. 3 table words inserted by [S.I. 2017/850 reg. 11\(b\)\(ii\)](#)
- Sch. 2 para. 3 table words inserted by [S.I. 2017/850 reg. 11\(b\)\(iv\)](#)
- Sch. 2 para. 3 table words omitted by [S.I. 2017/850 reg. 11\(b\)\(iii\)](#)
- Sch. 2 para. 4 table words omitted by [S.I. 2017/850 reg. 13\(b\)](#)
- Sch. 2 para. 1 table words substituted by [S.I. 2017/850 reg. 9\(a\)](#)
- Sch. 2 para. 2 table words substituted by [S.I. 2017/850 reg. 10\(a\)\(i\)](#)
- Sch. 2 para. 2 table words substituted by [S.I. 2017/850 reg. 10\(b\)\(i\)](#)
- Sch. 2 para. 2 table words substituted by [S.I. 2017/850 reg. 10\(b\)\(ii\)](#)
- Sch. 2 para. 2 table words substituted by [S.I. 2017/850 reg. 10\(d\)](#)
- Sch. 2 para. 6 words substituted by [S.I. 2017/850 reg. 17](#)
- Sch. 3 item 2A inserted by [S.I. 2003/1698 reg. 10\(2\)](#)
- reg. 3(1) words inserted by [S.I. 2003/1698 reg. 3](#)
- reg. 3(1) words inserted by [S.I. 2014/480 reg. 3\(2\)\(b\)](#)
- reg. 3(1) words inserted by [S.I. 2017/850 reg. 3](#)
- reg. 3(1) words inserted by [S.I. 2019/453 reg. 24\(2\)\(b\)](#)
- reg. 3(1) words omitted by [S.I. 2014/480 reg. 3\(2\)\(a\)](#)
- reg. 3(1) words omitted by [S.I. 2019/453 reg. 24\(2\)\(a\)](#)
- reg. 3(1) words substituted by [S.I. 2010/449 reg. 3](#)
- reg. 5(1) substituted by [S.I. 2017/850 reg. 4\(a\)](#)
- reg. 5(3)(b) words substituted by [S.I. 2010/1172 Sch. 3 para. 6](#)
- reg. 6(1)(xiv) words substituted by [S.I. 2011/3058 reg. 8\(2\)\(a\)](#)
- reg. 6(1)(xxv) full stop omitted by [S.I. 2012/2652 reg. 3\(3\)](#)
- reg. 6(1)(xxii)(xxiii) omitted by [S.I. 2017/850 reg. 5\(b\)](#)
- reg. 6(1)(xxiv) word omitted by [S.I. 2012/2652 reg. 3\(2\)](#)
- reg. 6(1)(xvii) words inserted by [S.I. 2018/25 reg. 3\(2\)](#)
- reg. 6(5) words inserted by [S.I. 2017/850 reg. 7](#)
- reg. 6(5) words substituted by [S.I. 2011/3058 reg. 8\(2\)\(b\)](#)
- reg. 6(5) words substituted by [S.I. 2020/818 Sch. 6 para. 8\(3\)](#)
- reg. 7(3) word substituted by [S.I. 2014/480 reg. 3\(3\)](#)
- reg. 9(1)(b) word substituted by [S.I. 2016/481 Sch. 2 para. 13](#)
- reg. 9(1)(b) words inserted by [S.I. 2012/2404 Sch. 3 para. 3](#)
- reg. 9(1)(c) words substituted by [S.I. 2007/1898 Sch. 1 para. 7](#)
- reg. 12(3)(c) words inserted by [S.I. 2003/1698 reg. 4](#)
- reg. 13 substituted by [S.I. 2003/1698 reg. 5](#)
- reg. 20(1)(a) sum substituted by [S.I. 2003/1698 reg. 6\(2\) Table](#)
- reg. 20(1)(a) sum substituted by [S.I. 2004/1632 reg. 2\(2\) Table](#)
- reg. 20(1)(a) sum substituted by [S.I. 2005/1832 reg. 3\(2\) Table](#)
- reg. 20(1)(a) sum substituted by [S.I. 2006/2680 reg. 3\(2\) Table](#)
- reg. 20(1)(a) sum substituted by [S.I. 2008/1402 reg. 3\(2\) Table](#)

- reg. 20(1)(a) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(a) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(b) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(b) sum substituted by S.I. 2004/1632 reg. 2(2) Table
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- reg. 20(1)(b) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(b) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(e)(i) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(e)(i) word substituted by S.I. 2014/2114 reg. 3(2)
- reg. 20(1)(e)(ii) sum substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(e)(ii) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(e)(ii) word substituted by S.I. 2014/2114 reg. 3(3)
- reg. 20(1)(f) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(f) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(aa) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2003/1698 reg. 6(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(2A) sums substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(2A) sums substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(2A) sums substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(2A) sums substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(2A) sums substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(2A) sums substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(2A) words omitted by S.I. 2010/449 reg. 4(4)
- reg. 20(2B) omitted by S.I. 2010/449 reg. 4(5)
- reg. 20(2B) sum substituted by S.I. 2003/1815 reg. 3(2) Table
- reg. 20(2B) sum substituted by S.I. 2004/1879 reg. 2(2) Table

- reg. 20(2B) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(2B) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(2B) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(3A) words omitted by S.I. 2006/1998 reg. 2(3)
- reg. 20(3A)(a) words added by S.I. 2006/1998 reg. 2(4)
- reg. 20(3A)(b) word inserted by S.I. 2013/271 reg. 11(a)
- reg. 20(3A)(b) words inserted by S.I. 2009/643 reg. 3(3)
- reg. 20(3A)(b) words inserted by S.I. 2013/271 reg. 11(b)
- reg. 20(3A)(b) words omitted by S.I. 2006/1998 reg. 2(5)(a)
- reg. 20(3A)(b) words substituted by S.I. 2006/1998 reg. 2(5)(b)
- reg. 20(4) Table sums substituted by S.I. 2003/1815 reg. 3(3) Table
- reg. 20(4) Table sums substituted by S.I. 2004/1879 reg. 2(4) Table
- reg. 20(4) Table sums substituted by S.I. 2005/2341 reg. 2(3) Table
- reg. 20(4) Table sums substituted by S.I. 2007/506 reg. 3(3) Table
- reg. 20(4) Table sums substituted by S.I. 2008/1461 reg. 2(3) Table
- reg. 20(4) Table sums substituted by S.I. 2009/802 reg. 2(3) Table
- reg. 20(4) Table sums substituted by S.I. 2010/449 reg. 4(6)(b) Table
- reg. 20(4) word substituted by S.I. 2012/307 reg. 3(3)
- reg. 20(4) words inserted by S.I. 2004/1879 reg. 2(3)
- reg. 20(4) Table words substituted by S.I. 2014/2114 reg. 3(6)
- reg. 20(5B)(ii) words substituted by S.I. 2003/1815 reg. 3(4)
- reg. 20(7) sum substituted by S.I. 2007/506 reg. 3(4)
- reg. 20(7) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(7) words substituted by S.I. 2004/1879 reg. 2(5)
- reg. 20(7)(c)(xix) words substituted by S.I. 2019/453 reg. 24(3)(b)
- reg. 21(4) word substituted by S.I. 2014/480 reg. 3(10)
- reg. 25(1) sum substituted by S.I. 2003/1698 reg. 7(2)
- reg. 25(1) sum substituted by S.I. 2006/2680 reg. 4
- reg. 25(1) sum substituted by S.I. 2008/1402 reg. 4
- reg. 25(1) sum substituted by S.I. 2009/643 reg. 4
- reg. 25(1) sum substituted by S.I. 2010/449 reg. 5
- reg. 25(2) modified by S.I. 2003/1698 reg. 7(3)
- reg. 25A(4) words inserted by S.I. 2003/1698 reg. 8(3)
- reg. 25A(5)(a) words inserted by S.I. 2003/1698 reg. 8(4)(a)
- reg. 25A(5)(b) words inserted by S.I. 2003/1698 reg. 8(4)(b)
- reg. 28 omitted by S.I. 2020/812 reg. 7(1)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Sch. 2 para. 1(c) inserted by S.I. 2003/1698 reg. 9(3)
- Sch. 2 para. 3(b) item 27A inserted by S.I. 2007/506 reg. 4(2)(b)
- Sch. 2 para. 2(e) inserted by S.I. 2013/271 reg. 12(1)
- Sch. 2 para. 4(b) item 32 omitted by S.I. 2007/506 reg. 4(3)(b)
- Sch. 2 para. 5(e) omitted by S.I. 2017/850 reg. 15(b)
- Sch. 2 para. 2(d) substituted by S.I. 2003/1698 reg. 9(4)
- Sch. 2 para. 5(a) word inserted by S.I. 2013/271 reg. 12(5)
- Sch. 2 para. 5A(a) word inserted by S.I. 2013/271 reg. 12(6)
- Sch. 2 para. 3(b) word substituted by S.I. 2007/506 reg. 4(2)(a)
- Sch. 2 para. 3A(a) word substituted by S.I. 2013/271 reg. 12(3)
- Sch. 2 para. 4(a) words inserted by S.I. 2007/506 reg. 4(3)(a)
- Sch. 2 para. 4A words inserted by S.I. 2007/506 reg. 4(4)
- Sch. 2 para. 3(b) table words inserted by S.I. 2013/271 reg. 12(2)
- Sch. 2 para. 4(a) words substituted by S.I. 2007/506 reg. 4(3)(a)

- Sch. 2 para. 4A words substituted by S.I. 2007/506 reg. 4(4)
- Sch. 2 para. 1(c) item 13A words substituted by S.I. 2009/643 reg. 5(2)
- Sch. 2 para. 2(b) item 22 words substituted by S.I. 2009/643 reg. 5(3)
- Sch. 2 para. 2(d) item 27 words substituted by S.I. 2009/643 reg. 5(4)
- Sch. 2 para. 4(a) words substituted by S.I. 2013/271 reg. 12(4)
- Sch. 2 para. 3(a) words substituted by S.I. 2017/850 reg. 11(a)
- Sch. 2 para. 3A(a) words substituted by S.I. 2017/850 reg. 12
- Sch. 2 para. 4(a) words substituted by S.I. 2017/850 reg. 13(a)
- Sch. 2 para. 4A words substituted by S.I. 2017/850 reg. 14
- Sch. 2 para. 5(a) words substituted by S.I. 2017/850 reg. 15(a)
- Sch. 2 para. 5A(a) words substituted by S.I. 2017/850 reg. 16
- Sch. 2 para. 5(f) words substituted by S.I. 2019/453 reg. 24(3)(c)
- Sch. 2 para. 5A(c) words substituted by S.I. 2019/453 reg. 24(3)(d)
- reg. 5(6) inserted by S.I. 2017/850 reg. 4(b)
- reg. 5(6)(b) words substituted by S.I. 2020/818 Sch. 6 para. 8(2)
- reg. 6(1)(xxi)(b) substituted by S.I. 2017/850 reg. 5(a)
- reg. 6(1)(xivA) inserted by S.I. 2006/594 Sch. para. 6
- reg. 6(1)(xxvi) and word inserted by S.I. 2012/2652 reg. 3(3)
- reg. 6(1)(xxvii)(xxviii) inserted by S.I. 2017/850 reg. 5(d)
- reg. 6(1)(xxix) inserted by S.I. 2020/382 reg. 2(2)
- reg. 6(1)(xxix) revoked by S.I. 2020/382 reg. 3
- reg. 6(1)(xxvi) substituted by S.I. 2017/850 reg. 5(c)
- reg. 6(1B) inserted by S.I. 2020/382 reg. 2(3)
- reg. 6(1B) revoked by S.I. 2020/382 reg. 3
- reg. 6(1B)(a) words substituted by S.I. 2020/790 reg. 2
- reg. 6(3)(b) words substituted by S.I. 2017/850 reg. 6
- reg. 7A(2) word substituted by S.I. 2014/480 reg. 3(4)
- reg. 8A(a)(ii) word substituted by S.I. 2014/480 reg. 3(5)
- reg. 8B(c) word substituted by S.I. 2014/480 reg. 3(6)
- reg. 8C(b) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8C(c) word substituted by S.I. 2014/480 reg. 3(7)
- reg. 8D(a)(ii) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8D(b) word substituted by S.I. 2014/480 reg. 3(8)
- reg. 8E(c) word substituted by S.I. 2014/480 reg. 3(9)
- reg. 13(1)(m) words substituted by S.I. 2019/453 reg. 24(3)(a)
- reg. 20(1)(c)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(c)(i) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(c)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(d)(i) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(d)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table

- reg. 20(1)(d)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(e)(ea) substituted by S.I. 2012/307 reg. 3(2)
- reg. 20(1)(ca) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(ca) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(da)(i) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2004/1632 reg. 2(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2005/1832 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2006/2680 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2008/1402 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2009/643 reg. 3(2) Table
- reg. 20(1)(da)(ii) sum substituted by S.I. 2010/449 reg. 4(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(ea)(i) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(ea)(i) word substituted by S.I. 2014/2114 reg. 3(4)
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2004/1879 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2005/2341 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2007/506 reg. 3(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2008/1461 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2009/802 reg. 2(2) Table
- reg. 20(1)(ea)(ii) sum substituted by S.I. 2010/449 reg. 4(3) Table
- reg. 20(1)(ea)(ii) word substituted by S.I. 2014/2114 reg. 3(5)
- reg. 20(3)(3ZA) substituted by S.I. 2007/1161 reg. 2(2)
- reg. 20(3)(3ZA) substituted for reg. 20(3) by S.I. 2006/1998 reg. 2(2)
- reg. 20(3B)(3C) substituted by S.I. 2006/1998 reg. 2(6)
- reg. 20(4)(i) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 20(4)(ii) words omitted by S.I. 2010/449 reg. 4(6)(a)
- reg. 23(1)(c) word substituted by S.I. 2014/480 reg. 3(11)
- reg. 23(3)(b) substituted by S.I. 2005/1832 reg. 4
- reg. 25A(3A)(3B) inserted by S.I. 2003/1698 reg. 8(2)
- reg. 31 inserted by S.I. 2013/271 reg. 13
- reg. 31(2) words substituted by S.I. 2017/850 reg. 8