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STATUTORY INSTRUMENTS

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**1997 No. 1366**

**ROAD TRAFFIC**

**The Motor Vehicles (Approval) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>28th May 1997</i>
<i>Laid before Parliament</i>		<i>5th June 1997</i>
<i>Coming into force</i>	- -	<i>30th June 1997</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 54, 61, 63 and 66 of the Road Traffic Act 1988(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Approval) (Amendment) Regulations 1997 and shall come into force on 30th June 1997.

**Preliminary**

2. The Motor Vehicles (Approval) Regulations 1996(2) shall be amended as follows.

**Amendment to regulation 4 (approval requirements relating to relevant passenger vehicles)**

3. In regulation 4(6) for “in item 6 of column 2” there shall be substituted “in column 2 of item 6”.

**Amendment to regulation 6 (approval requirements relating to relevant goods vehicles)**

4. In regulation 6(7) for “relevant passenger vehicle” there shall be substituted “relevant goods vehicle”.

**Amendments to regulation 7 (application for Minister’s approval certificate)**

5. In regulation 7—

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(1) 1988 c. 52; section 61 was amended by the Road Traffic Act 1991 (c. 40), Schedule 8 and section 63 was amended by S.I. 1992/3107. Section 66 was amended by the Vehicle Excise and Registration Act 1994 (c. 22), Schedule 3, paragraph 24(1) and by S.I. 1992/3107.  
(2) S.I. 1996/3013.

- (a) in paragraph (1) for “issue for a Minister’s” there shall be substituted “issue of a Minister’s”; and
- (b) in paragraph (6) for “is made in accordance with the paragraphs (1) to (3)” there shall be substituted “made in accordance with paragraphs (1) to (3)”.

#### **Replacement certificates**

6. After regulation 12 there shall be inserted—

##### **“Replacement certificates**

**12A.**—(1) If a Minister’s approval certificate has been lost or defaced, an application for the issue of a replacement for the original certificate may be made in writing to the Secretary of State at the place from which the original certificate was issued.

(2) The application shall—

- (a) specify the identification number of the vehicle in respect of which the original certificate was issued; and
- (b) be accompanied by the prescribed fee.

(3) As soon as reasonably practicable after he receives the application and fee, the Secretary of State shall issue to the applicant a replacement for the certificate to which the application relates and any such replacement shall have the same effect as the certificate which it replaces and shall be marked “replacement”.

#### **Amendment to regulation 14 (obligatory certificates)**

7. In regulation 14(3) for “1st July 1997” there shall be substituted “1st January 1998”.

Signed by authority of the Secretary of State for Transport

28th May 1997

*Helene Hayman*  
Parliamentary Under Secretary of State,  
Department of Transport

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Motor Vehicles (Approval) Regulations 1996 (“the Approval Regulations”) which come into force on 1st July 1997.

Regulations 3, 4 and 5 correct errors made in the original text of the Approval Regulations.

Regulation 6 provides for the replacement of a Minister’s approval certificate where an original has been lost or defaced.

Regulation 7 postpones the date appointed for the purposes of section 63(1) of the Road Traffic Act 1988 (“the 1988 Act”) from 1st July 1997 to 1st January 1998. The effect of this is twofold. Firstly it will be an offence, on or after 1st January 1998, to use a vehicle of a relevant class without the appropriate certificates in force under sections 54 to 58 of that Act. Secondly a licence under the Vehicle Excise and Registration Act 1994 will not be granted in respect of a vehicle to which regulation 14 of the Approval Regulations applies unless, on the first application after 1st January 1998, evidence is produced that there is or are one or more certificates in force for the vehicle under sections 54 to 58 of the 1988 Act from which it appears that the vehicle complies with the approval requirements.