
STATUTORY INSTRUMENTS

1997 No. 263

**The Goods Vehicles (Plating and Testing)
(Amendment) (No. 2) Regulations 1997**

Citation and Commencement

1.—(1) These Regulations may be cited as the Goods Vehicles (Plating and Testing) (Amendment) (No. 2) Regulations 1997.

(2) These Regulations shall come into force for the purposes of regulation 12 and of the Schedule on 1st April 1997 and for all other purposes on 5th March 1997.

Preliminary

2. The Goods Vehicles (Plating and Testing) Regulations 1988(1) shall be further amended as follows.

Regulation 3 (interpretation)

3.—(1) Regulation 3(1) shall be amended as follows.

(2) After the definition of “appeal officer” there shall be inserted the following definition—

““appropriate day”, means—

- (a) in relation to a vehicle which is a motor vehicle, the last day of the calendar month in which falls the first anniversary of the date on which it was registered; and
- (b) in relation to a vehicle which is a trailer, the last day of the calendar month in which falls the first anniversary of the date on which it was first sold or supplied by retail;”.

(3) In the definition of “examination”, for sub-paragraph (e) there shall be substituted the following sub-paragraph—

“(e) an examination or re-examination for the purposes of an appeal against a determination made under these Regulations;”.

(4) For the definition of “first examination” there shall be substituted—

““first examination” means an examination or, as the case may be, examinations for which a vehicle is submitted under regulation 9;”.

(5) The definition of “the standard lists” shall be omitted.

Regulation 8 (conditions of acceptance of vehicle)

4. For regulation 8(1) there shall be substituted the following paragraph—

“(1) In this regulation, “examiner” means—

- (a) in relation to an examination not being an examination for the purposes of an appeal against a determination under these Regulations, a vehicle examiner; or

- (b) in relation to an examination for the purposes of an appeal against a determination under these Regulations, the appeal officer.”

Regulation 9 (dates by which vehicles are to be submitted for first examination)

- 5. For regulation 9 there shall be substituted the following regulation—

“9.—(1) Every motor vehicle to which paragraph (3) applies shall be submitted for a goods vehicle test on or before the appropriate day.

(2) Every motor vehicle to which paragraph (3) does not apply and every trailer shall be submitted for both a plating examination and a goods vehicle test on or before the appropriate day.

(3) This paragraph applies to a motor vehicle if the following requirements are met, namely—

- (a) a plating certificate is in force for the vehicle; and
- (b) that plating certificate is a certificate of conformity or a Minister’s approval certificate that is treated as a plating certificate by virtue of section 59(4) of the 1988 Act.

(4) Paragraphs (1) and (2) shall not prevent the Secretary of State authorising the submission of a vehicle for a first examination after the date by which the vehicle is required by those paragraphs to be submitted for first examination.”

Regulation 10 (dates by which vehicles are to be submitted for periodical tests)

- 6. For regulation 10 there shall be substituted the following regulation—

“10.—(1) Where a goods vehicle test certificate for a vehicle is issued on an examination, the vehicle shall be submitted for a further examination before the certificate expires.

(2) Where a goods vehicle test certificate for a vehicle is refused on an examination, the vehicle shall be submitted for a further examination—

- (a) if one goods vehicle certificate is in force for the vehicle at the time of the refusal, before the expiration of the certificate;
- (b) if more than one goods vehicle certificate is in force for the vehicle at the time of the refusal, before the expiration of the last of those certificates to have been issued; or
- (c) in any other case, on or before the appropriate day or before the vehicle is used on a road (whichever is the later).

(3) Paragraphs (1) and (2) and regulation 11 shall not prevent the Secretary of State authorising the submission of a vehicle for a periodical test after the date by which the vehicle is required by those provisions to be submitted for a periodical test.”

Regulation 11 (period of validity of goods vehicle test certificate)

- 7. For regulation 11 there shall be substituted the following regulation—

“11.—(1) A goods vehicle test certificate issued in the circumstances described in column (2) of an item in the Table below shall be valid for the period described in column (3) of that item.

(1) Item	(2) Circumstances	(3) Period of validity
1.	Vehicle submitted for a first examination during the two month period ending with the appropriate day.	The period beginning with the date of issue of the certificate and ending with the first anniversary of the appropriate day.
2.	Vehicle submitted for a periodical test during the two month period ending with the expiry date of a current goods vehicle test certificate.	The period beginning with the date of issue of the certificate and ending with the first anniversary of the expiry date of that certificate.
3.	Vehicle submitted for a periodical test in circumstances other than those described in items 1 and 2 of this Table.	The period beginning with the date of issue of the certificate and ending with the last day of the same calendar month in the following year.

(2) In this regulation, a reference to the end of a period is a reference to the end of the final day of that period.”

Substitution of heading to Part III

8. For the heading to Part III, there shall be substituted the following heading—

“EXAMINATION FOR PLATING ON A FIRST EXAMINATION”

Revocation of regulations 17, 18 and 19 (examination for plating)

9. Regulations 17, 18 and 19 shall be omitted.

Amendments to regulation 20 (examination for plating)

10.—(1) Regulation 20(1) shall be amended as follows.

(2) For the words preceding sub-paragraph (a) there shall be substituted the words “Where a vehicle is submitted for an examination for plating on a first examination, a vehicle examiner shall determine the plated weights of the vehicle having regard—”.

(3) In sub-paragraph (e), for the words after “motor vehicle,” there shall be substituted the words “the requirements of regulations 15, 16 and 18 of the Construction and Use Regulations;”.

New regulation 25A (interpretation of Part IV)

11. In Part IV, before regulation 26, there shall be inserted the following—

“Interpretation of this Part

25A. In this Part, a reference to a periodical test includes a goods vehicle test carried out pursuant to regulation 22.”

New Part VA (alteration of plated weights without examination)

12. After Part V there shall be inserted the Part set out in the Schedule to these Regulations.

Consequential amendments

13.—(1) In regulation 8(2), sub-paragraph (n) shall be omitted.

(2) In regulation 21—

(a) in paragraph (1) the words “save as provided in paragraph (2)” shall be omitted and after the words “examination for plating” there shall be inserted the words “on a first examination”;

(b) paragraph (2) shall be omitted; and

(c) in paragraph (3)(b)—

(i) in sub-paragraph (iii), “19,” and

(ii) sub-paragraph (iv),

shall be omitted.

(3) For regulation 22 there shall be substituted the following regulation—

“22. After an examination for plating has been carried out on a vehicle, a goods vehicle examiner shall arrange for the vehicle to undergo a goods vehicle test.”

(4) In regulation 25(11)(b), sub-paragraph (i) shall be omitted.

(5) For regulation 31 there shall be substituted the following regulation—

“31. In the following provisions of this Part, a reference to a re-examination shall where appropriate be read as a reference to an examination that is not a re-examination.”

(6) In regulation 36(4), sub-paragraph (b) shall be omitted.

(7) In regulation 37(4)(b), sub-paragraph (ii) shall be omitted.

(8) In regulation 41(3), for “17” there shall be substituted “20”.

(9) In regulation 43(2)(c), for the words “in regulation 17(2)(a) and” there shall be substituted the words “in regulation”.

Signed by authority of the Secretary of State for Transport

6th February 1997

John Bowis
Parliamentary Under Secretary of State,
Department of Transport