

2007 No. 495

ROAD TRAFFIC

**The Motor Vehicles (Approval) (Fees) (Amendment)
Regulations 2007**

<i>Made</i> - - - -	<i>21st February 2007</i>
<i>Laid before Parliament</i>	<i>27th February 2007</i>
<i>Coming into force</i> - -	<i>1st April 2007</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 61(1) and (2) of the Road Traffic Act 1988(a), and by virtue of the Department of Transport (Fees) Order 1988(b) and section 128 of the Finance Act 1990(c).

In accordance with section 195(2) of the Road Traffic Act 1988 he has consulted with such representative organisations as he thinks fit.

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Approval) (Fees) (Amendment) Regulations 2007 and shall come into force on 1st April 2007.

Preliminary

2. The Motor Vehicles (Approval) (Fees) Regulations 2001(d) shall be amended as follows.

Increase in fees

3. In the regulations specified in the first column of the Table below, for the fee specified opposite that regulation in the second column, there shall be substituted the fee specified opposite that regulation in the third column.

(a) 1988 c. 52; section 61 was amended by the Road Traffic Act 1991 (c. 40), Schedule 8.
(b) S.I. 1988/643, which was made under section 102 of the Finance (No.2) Act 1987 (c. 51). Relevant amending instruments are S.I. 1995/1684 and 1996/1961. The relevant entry in S.I. 1988/643 is Schedule 1, Table III, item 4.
(c) 1990 c. 29.
(d) 2001/2486.

Table

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing fee (£)</i>	<i>(3)</i> <i>Substituted fee (£)</i>
4(1)(a)	150	158
4(1)(b)	60	63
4(1)(c)	190	200
4(1)(d)	180	190
4(1)(e)	100	106
4(1)(f)	90	95
4(2)(a)	60	63
4(2)(b)	100	106
4(2)(c)	90	95
4(3)(a)(i)	75	79
4(3)(a)(ii)	25	26
4(3)(b)	20	21
4(4)	50	53
5(1)(a)	30	32
5(1)(b)	15	16
5(2)(a)	15	16
9	10	11

Amendment of regulation 4 (fees - application for Minister's approval certificate)

4. In regulation 4(2), for “the condition specified in regulation 5(8)(c)” substitute “regulation 5(8A)”.

Amendment of regulation (fees - appeals)

5. For regulation 7, there shall be substituted—

“7.—(1) Subject to paragraphs (2) to (4), the fee prescribed for the purposes of regulation 9(2) of the Approval Regulations in respect of an appeal is the same amount as the fee payable under regulation 4(1).

(2) Subject to paragraphs (3) and (4), where regulation 5(8A) of the Approval Regulations applies, the fee prescribed for the purposes of regulation 9(2) of the Approval Regulations in respect of an appeal is the same amount as the fee payable under regulation 4(2).

(3) Subject to paragraph (4), where the time appointed for the re-examination of a vehicle for the purposes of such an appeal is, at the applicant's request, out of hours—

- (a) the fee prescribed by paragraph (1) or (2) shall be increased by the same amount as the amount payable under regulation 4(3); and
- (b) such additional amount is payable before the re-examination is carried out.

(4) Where an appeal is refused by virtue of regulation 10 of the Approval Regulations, the fee prescribed for the purposes of regulation 9(2) of those Regulations shall be the same amount as the fee payable under regulation 4(1) or (2) and the balance, if any, of any sum previously paid in respect of that fee shall be repaid to the applicant.”.

Signed by authority of the Secretary of State

21st February 2007

S.J Ladyman
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Approval) (Fees) Regulations 2001 (“the 2001 Regulations”). Those Regulations prescribe the fees payable in connection with applications and appeals under the Motor Vehicles (Approval) Regulations 2001 (“the Approval Regulations”). The Approval Regulations allow single vehicles to be approved before they enter into service in terms of their design, construction, equipment and marking.

Regulation 3 increases the fees prescribed by the 2001 Regulations. The increased fees for passenger vehicles are set out in Table 1 below (with the percentage increase since the fees were last fixed shown in brackets).

Table 1

Passenger vehicles

<i>Nature of service</i>	<i>Existing fee (£)</i>	<i>Substituted fee (£)</i>
The application for the basic single vehicle approval (“SVA”) test.	150	158 (5.3%)
The application for the enhanced SVA test with a model report.	190	200 (5.3%)
The application for the enhanced SVA test without a model report.	180	190 (5.6%)
Certificate issued following inspection by another EEA State (basic SVA).	60	63 (5%)
Certificate issued following inspection by another EEA State (enhanced SVA test with a model report).	100	106 (6%)
Certificate issued following inspection by another EEA State (enhanced SVA test without a model report).	90	95 (5.6%)
Out of hours supplement for the basic and enhanced SVA test.	75	79 (5.3%)
Out of hours supplement for an enhanced SVA test with or without a model report (where the certificate is issued following inspection by another EEA State).	20	21 (5%)
Where the original application is refused by virtue of regulation 10 of the Approval Regulations.	50	53 (6%)
Further application for basic and enhanced SVA test.	30	32 (6.7%)
Out of hours test supplement for further application for basic and enhanced SVA test where the original application is refused other than by virtue of regulation 10 of the Approval Regulations.	15	16 (6.7%)
Replacement Minister’s approval certificate.	10	11 (10%)

The increased fees for goods vehicles are set out in Table 2 below (with the percentage increase since the fees were last fixed shown in brackets).

Table 2

Goods vehicles

<i>Nature of fee</i>	<i>Existing fee (£)</i>	<i>Substituted fee (£)</i>
The application for the basic single vehicle approval ("SVA") test.	60	63 (5%)
The application for the enhanced SVA test with a model report.	100	106 (6%)
The application for the enhanced SVA test without a model report.	90	95 (5.6%)
Certificate issued following inspection by another EEA State (basic SVA).	60	63(5%)
Certificate issued following inspection by another EEA State (enhanced SVA test with a model report).	100	106 (6%)
Certificate issued following inspection by another EEA State (enhanced SVA test without a model report).	90	95 (5.6%)
Out of hours supplement for the basic and enhanced SVA test.	25	26 (4%)
Out of hours supplement for an enhanced SVA test with or without a model report (where the certificate is issued following inspection by another EEA State).	20	21 (5%)
Where the original application is refused by virtue of regulation 10 of the Approval Regulations.	50	53 (6%)
Further application for basic and enhanced SVA test.	15	16 (6.7%)
Out of hours test supplement for further application for basic and enhanced SVA test where the original application is refused other than by virtue of regulation 10 of the Approval Regulations.	Remains unchanged at £6	
Replacement Minister's approval certificate.	10	11 (10%)

Regulation 4 makes a minor amendment to change the reference to the mutual recognition provision in the Approval Regulations.

Regulation 5 substitutes a new regulation 7. The new regulation will have the effect of aligning the fees for an appeal or refusal of an appeal with the provisions in respect of the application fee.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Transport, 5th floor, Southside, 105 Victoria Street, London SW1E 6DT (telephone number: 020 7944 2455). A copy has been placed in the library of each House of Parliament. The regulatory impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website www.opsi.gov.uk.

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