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STATUTORY INSTRUMENTS

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**2007 No. 634**

**ROAD TRAFFIC**

**The International Carriage of Dangerous Goods  
by Road (Fees) (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>28th February 2007</i>
<i>Laid before Parliament</i>		<i>6th March 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 56(1) and (2) of the Finance Act 1973<sup>(1)</sup> and by virtue of the Department of Transport (Fees) Order 1988<sup>(2)</sup>.

In relation to the exercise of his powers under the Finance Act 1973 he has the consent of the Treasury.

**Citation and commencement**

1. These Regulations may be cited as the International Carriage of Dangerous Goods by Road (Fees) (Amendment) Regulations 2007 and shall come into force on 1st April 2007.

**Preliminary**

2. The International Carriage of Dangerous Goods by Road (Fees) Regulations 1988<sup>(3)</sup> shall be amended as follows.

**Amendment to regulation 2 (interpretation)**

3. In regulation 2, for sub-paragraph (a) there shall be substituted—

“(a) “ADR certificate” means a special certificate of approval issued for a vehicle in pursuance of paragraphs 9.1.2.1 and 9.1.3.1 of Part 9 of Annex B to the European Agreement Concerning the International Carriage of Dangerous Goods by Road of the 30th September 1957 (ADR)<sup>(4)</sup>, as amended by such amendments thereto as are

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(1) 1973 c. 51.

(2) S.I. 1988/643, which was made under the Finance (No. 2) Act 1987 (c. 51), section 102 and the relevant entry in S.I. 1988/643 is in Schedule 1, Table II, item C.

(3) S.I. 1988/370, amended by S.I. 1991/458, 1992/714, 1993/3067, 1997/158, 2001/1812, 2002/537, 2003/1811, 2004/1884 and 2005/2456.

(4) ADR 2007 is published by the United Nations Economic Commission for Europe.

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in force on the day the International Carriage of Dangerous Goods by Road (Fees) (Amendment) Regulations 2007 are made, and references to an inspection of a vehicle or the issue of a certificate or a copy thereof are references to such an inspection, or issue of a certificate or copy, by the Secretary of State for Transport.”.

#### **Increase in fees**

4. In the regulations specified in column (1) of the Table below, for the amounts specified in column (2) there shall be substituted the amounts specified in column (3).

**Table**

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing Amount (£)</i>	<i>(3)</i> <i>Substituted Amount (£)</i>
3(a)	82	87
3(b)	82	87
4(2)	42	44
5(2)	82	87
6	12	13

#### **Fee for a first ADR certificate for a tractor for a semi trailer**

5.—(1) In regulation 3, after “regulations” there shall be inserted “3A,”.

(2) After regulation 3, there shall be inserted—

“**3A.** Where an application is made for a first ADR certificate in respect of a tractor for a semi trailer, and an inspection of the tractor is waived, the fee payable upon receipt of such an application shall be £25.”.

#### **Amendment to regulation 7 (payment)**

6. In regulation 7(1), after “regulation 3” there shall be added “or 3A”.

Signed by authority of the Secretary of State

21st February 2007

*S.J Ladyman*  
Minister of State  
Department for Transport

We consent to the making of these Regulations

28th February 2007

*Frank Roy*  
*Claire Ward*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

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

These Regulations amend the International Carriage of Dangerous Goods by Road (Fees) Regulations 1988 (“the 1988 Regulations”). The 1988 Regulations prescribe the fees payable in connection with the issue of special certificates of approval for vehicles used to carry dangerous goods, in pursuance of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR). An “ADR certificate” is a special certificate of approval as defined in regulation 2 of the 1988 Regulations. “ADR” is the acronym for “Accord Européen Relatif au Transports International des Marchandises Dangereuses par Route”.

*Regulation 3* substitutes a new definition of “ADR certificate” in regulation 2 of the 1988 Regulations.

*Regulation 4* increases the fees prescribed by the 1988 Regulations where an ADR certificate is applied for. The increased fees are set out in the Table below (with the percentage increase since the fees were last fixed shown in brackets).

**Table**

<i>Nature of service</i>	<i>Existing fee (£)</i>	<i>Substituted fee (£)</i>
The inspection in relation to an application for an ADR certificate where the inspection is carried out on the same day as an examination under the Goods Vehicles (Plating and Testing) Regulations 1988.	82	87 (6.1%)
The inspection in relation to an application for an ADR certificate in any other case (plus the amount which would be payable in respect of an examination under the Goods Vehicles (Plating and Testing) Regulations 1988).	82	87 (6.1%)
Where a vehicle fails to pass an inspection and arrangements are made for a further inspection to be carried out not more than 14 days after the first inspection.	42	44 (4.8%)
Where the inspection in relation to an application for an ADR certificate is not arranged to be carried out on the same day as an examination under the Goods Vehicle (Plating and Testing) Regulations 1988, but is in fact carried out on the same day.	82	87 (6.1%)
The issue of a copy of an ADR certificate which has been lost or destroyed.	12	13 (8.3%)

*Regulation 5* inserts a new regulation 3A into the 1988 Regulations to provide for a new fee regarding an application for a first ADR certificate in respect of a tractor for a semi trailer. The 2007 amendments to the ADR Agreement allow a physical inspection of a tractor for a semi trailer

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to be waived where it conforms to a tractor of an approved type, is subject to a declaration of conformity, and has not been modified so as to affect the validity of that declaration. In such cases, the fee payable will be £25, which will cover the administrative work required to process such an application. *Regulation 5* also makes a consequential amendment to regulation 3.

*Regulation 6* amends regulation 7(1) of the 1988 Regulations to require the fee prescribed by regulation 3A to accompany the application made for an ADR certificate.

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: 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](http://www.opsi.gov.uk).

Copies of ADR 2007 may be obtained on-line at the United Nations Economic Commission for Europe website <http://www.unece.org/trans/danger/publi/adr/adr2007/07ContentsE.html> or from the Stationery Office.