

2009 No. 863

ROAD TRAFFIC

**The Motor Vehicles (Approval) (Fees) (Amendment)
Regulations 2009**

<i>Made</i> - - - -	<i>2nd April 2009</i>
<i>Laid before Parliament</i>	<i>8th April 2009</i>
<i>Coming into force</i> - -	<i>29th April 2009</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 for Transport (Fees) Order 2009(b).

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 2009 and come into force on 29th April 2009.

Preliminary

2. The Motor Vehicles (Approval) (Fees) Regulations 2001(c) are amended as follows.

Increase in fees

3. In the regulations specified in column (1) of the Table, for each amount specified in column (2) substitute the amount specified in column (3).

Table

<i>(1)</i> <i>Regulation</i>	<i>(2)</i> <i>Existing amount (£)</i>	<i>(3)</i> <i>Substituted amount (3)</i>
4(1)(b)	76	83
4(1)(e)	127	138
4(1)(f)	114	124
4(3)(a)(ii)	31	34
5(1)(b)	19	21

(a) 1988 c.52; section 61 was amended by Schedule 8 to the Road Traffic Act 1991 (c.40).

(b) S.I. 2009/711. The relevant provisions in S.I. 2009/711 are article 5 and paragraphs 32, 34 and 35 of Schedule I, together with article 9 and Schedule 2.

(c) S.I. 2001/2486, amended by S.I. 2007/495 and 2008/1443.

5(2)(b)	7	8
9	12	13

Amendments to regulation 4 (fees-application for Minister’s approval certificate)

4.—(1) Regulation 4 shall be amended as follows.

(2) In paragraph (1), for sub-paragraph (g), substitute—

“(g) in the case of any new vehicle which satisfies the conditions of regulation 5(8)(b) of the Approval Regulations,

- (i) £41 if the vehicle is a goods vehicle, and
- (i) £38 in any other case.”.

(3) In paragraph (2), for sub-paragraphs (a) to (c), substitute—

“(a) in the case of any Schedule 2 vehicle,

- (i) £83 if the vehicle is a goods vehicle, and
- (ii) £76 in any other case;

(b) in the case of any vehicle which is not a Schedule 2 vehicle but which is the subject of a model report,

- (i) £138 if the vehicle is a goods vehicle,
- (ii) and £127 in any other case;

(c) in the case of any vehicle which is not a Schedule 2 vehicle and which is not the subject of a model report,

- (i) £124 if the vehicle is a goods vehicle, and
- (ii) £114 in any other case.”.

(4) In paragraph (3), for sub-paragraph (b), substitute—

“(b) the fees prescribed by paragraphs 1(g), 2(b) or (c) shall be increased by—

- (i) £27 in the case of a goods vehicle, and
- (ii) £25 in any other case.”.

(5) For paragraph (4), substitute—

“(4) Where an original application is refused by virtue of regulation 10 of the Approval Regulations, the fee prescribed for the purposes of regulation 6(3)(b) of those Regulations shall be—

- (a) £70 in the case of any goods vehicle, and
- (b) £64 in any other case,”

and the balance of any sum previously paid in respect of that fee shall be repaid to the applicant.”.

Signed by authority of the Secretary of State

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

2nd April 2009

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 (S.I. 2001/25) (“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 fee to accompany the application for issue of a replacement approval certificate by 8.3% from £12 to £13.

Regulations 3 and 4 increase the fees for goods vehicles. The increased fees for goods vehicles are set out in the Table (with the percentage increase since the fees were last fixed shown in brackets).

Table

<i>Nature of fee</i>	<i>Existing fee (£)</i>	<i>Substituted fee (£)</i>
An application for the basic single vehicle approval (“SVA”) test.	76	83(9.2%)
An application for the enhanced SVA test with a model report.	127	138(8.7%)
An application for the enhanced SVA test without a model report.	114	124(8.8%)
An application for a certificate issued following inspection by another EEA State (basic SVA).	76	83(9.2%)
An application for a certificate issued following inspection by another EEA State (enhanced SVA test with a model report).	127	138(8.7%)
Certificate issued following inspection by another EEA State (enhanced SVA test without a model report).	114	124(8.8%)
An application for a SVA certificate for a new vehicle with EC Type Approval.	38	41(7.9%)
Out of hours supplement for the basic and enhanced SVA test.	31	34(9.7%)
Out of hours supplement for the basic and enhanced SVA test with or without a model report (where the certificate is issued following inspection by another EEA State).	25	27(8.0%)
An application for SVA which is refused by virtue of regulation 10 of the Approval Regulations.	64	70(9.4%)
Further application for basic and enhanced SVA test.	19	21(10.5%)
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.	7	8(14.3%)

In the case of all vehicles, by regulation 7 of the 2001 Regulations, the fee payable on an appeal against the refusal of an application for a Minister’s approval certificate is the same amount as the appropriate fee payable under regulation 4 for an application for the issue of a Minister’s approval certificate. The fees payable on an appeal are therefore also increased accordingly.

With the exception of the fee to accompany an application for issue of a replacement approval certificate under regulation 9, all other fees for passenger vehicles remain the same.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the VOSA Corporate Office, Berkeley House, Croydon Street, Bristol BS5 0DA (telephone: 0117 954 3200). A copy has been placed in the library of each House of Parliament. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website www.opsi.gov.uk.

STATUTORY INSTRUMENTS

2009 No. 863

ROAD TRAFFIC

The Motor Vehicles (Approval) (Fees) (Amendment)
Regulations 2009

£4.00