STATUTORY RULES OF NORTHERN IRELAND

2004 No. 486

ROAD TRAFFIC AND VEHICLES

Motor Cycles Etc. (Single Vehicle Approval) (Fees) Regulations (Northern Ireland) 2004

Made - - - - 25th November 2004

Coming into operation 8th January 2005

The Department of the Environment, in exercise of the powers conferred on it by Articles 31D(1) and (2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cycles Etc. (Single Vehicle Approval) (Fees) Regulations (Northern Ireland) 2004 and shall come into operation on 8th January 2005.

Interpretation and application

2.—(1) In these Regulations –

"the Approval Regulations" means the Motor Cycles Etc. (Single Vehicle Approval) Regulations (Northern Ireland) 2004(**2**);

"approval requirements" has the same meaning as in the Approval Regulations;

"further application" means an application made in accordance with regulation 5(6) of the Approval Regulations;

"low power moped" means a vehicle fitted with pedals and an auxiliary engine of a power output not exceeding 1 kilowatt and a maximum speed not exceeding 25 kilometres per hour being a moped within the meaning of the first indent of Article 1(2) of Directive 92/61/EEC relating to the type-approval of two or three wheel motor vehicles(**3**) as amended by Directive 2000/7/EC of the European Parliament and of the Council(**4**);

"original application" means an application made in accordance with regulation 5(1) to (3) of the Approval Regulations, not being a further application;

(**1**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"; Article 31D was inserted by S.I. 1985/755 (N.I. 6), Article 3 and amended by S.R. 1993 No. 246, regulation 5
(**2**) S.R. 2004 No. 484
(**3**) O.J. No. L225, 10.8.1992, p. 72
(**4**) O.J. No. L106, 03.5.2000, p. 1

"relevant vehicles" means those vehicles to which the Approval Regulations apply;

"same model" means, in relation to two or more vehicles, vehicles that are the same as each other in all the aspects of their technical specification relevant to the subject matter of Schedule 2 to the Approval Regulations; and

"Schedule 1 vehicle" has the same meaning as in Schedule 1 to the Approval Regulations.

(2) For the purposes of these Regulations, a vehicle is to be regarded as being manufactured on or after a particular date if it is first assembled on or after that date, even if it includes one or more parts which were manufactured before that date.

(3) For the purposes of these Regulations a day shall not include any day that is a Saturday, Sunday or public holiday.

(4) For the purposes of these Regulations, "public holiday" shall not include Good Friday and shall include Easter Tuesday.

(5) These Regulations apply to relevant vehicles.

Fees for original applications

3.—(1) The fee prescribed for the purposes of regulation 5(3)(b) of the Approval Regulations, in respect of an original application, is –

(a) £70 in the case of a vehicle which has two wheels other than a low power moped;

(b) £85 in the case of a vehicle which has three or more wheels other than a low power moped; and

(c) £45 in the case of a low power moped.

Fees for further applications

4.—(1) The fee prescribed for the purposes of regulation 5(7)(d) of the Approval Regulations, in respect of a further application is £15.

(2) Any fee which would otherwise be payable by virtue of regulation 5(7)(d) of the Approval Regulations, in respect of a further application, shall not be payable if, by agreement, the vehicle is submitted for examination at the place at which it was previously examined before the end of the fifth day following that examination on which the Department will accept vehicles for examination and the requirements of paragraph (3) are met.

(3) The requirements of this paragraph are that the further application must be due only to a failure to comply with –

(a) the requirements of one or more items of the Table in respect of which sufficient documentary evidence is produced to the Department before the examination to satisfy it as to compliance with those requirements; or

(b) the requirement in item 27 of the Table,

or any combination of sub-paragraphs (a) and (b).

(4) For the purposes of this regulation –

(a) a reference to "the Table" means the Table in Schedule 2 to the Approval Regulations; and

(b) references to approval requirements set out or referred to in column 3 of the Table in relation to numbered items in column 1 of that Table shall be taken as being subject to any entries in relation to any of those items in column 4 or 5 of the Table.

Fees – replacement certificates

5. The fee prescribed for the purposes of regulation 10(2)(b) of the Approval Regulations is £12.