STATUTORY RULES OF NORTHERN IRELAND

2001 No. 170

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Approval) (Fees) Regulations (Northern Ireland) 2001

Made - - - -	*11th April 2001*
Coming into operation	*1st June 2001*

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 powers conferred by section 128(2) of the Finance Act 1990(**2**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Commencement and citation

1. These Regulations may be cited as the Motor Vehicles (Approval) (Fees) Regulations (Northern Ireland) 2001 and shall come into operation on 1st June 2001.

Interpretation

2. In these Regulations—

"the Approval Regulations" means the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001(**3**);

"exceptional circumstances" means an accident, a fire, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts for that vehicle);

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

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

"relevant vehicle" means a vehicle to which Part II of the Approval Regulations applies.

(**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. 1996 No. 87
(**3**) S.R. 2001 No. 172

Application

3. These Regulations apply to every motor vehicle to which Part II of the Approval Regulations applies.

Fees — application for Department's approval certificate

4. The fee prescribed for the purposes of regulation 5(3)(*b*) of the Approval Regulations, in respect of an original application, is £200.

5.—(1) The fee prescribed for the purposes of regulation 5(7)(*d*) of the Approval Regulations, in respect of a further application, is £45.

(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 the requirement of one or more items of the Table in Schedule 2 to the Approval Regulations in respect of which sufficient documentary evidence is produced to the Department before the examination to satisfy it as to compliance with those requirements.

Fees — general provisions

6. If the applicant—

(a) has before the time appointed for the examination of a vehicle for the purposes of either an original application or a further application, given the Department notice of not less than one clear day that he does not propose to submit the vehicle for examination at that time; or

(b) satisfies the Department that the vehicle cannot, or as the case may be, could not be submitted for examination at the time appointed because of exceptional circumstances occurring not more than 7 days before that time and of which the applicant gives notice to the Department (whether in writing or otherwise) within 3 days of the occurrence of those circumstances,

then, unless another time is arranged for the examination, the application shall be treated as one in respect of which no fee is payable and any sum previously paid in respect of that application shall be repaid to the applicant.

Fees — replacement certificates

7. The fee prescribed for the purposes of regulation 9(2)(*b*) of the Approval Regulations is £10.

Provisions as to notices

8.—(1) Any notice given under these Regulations may be given by post.

(2) For the purposes of calculating the period of any notice given under these Regulations, no period of time shall include any day that is a Saturday, Sunday, or public holiday.

(3) For the purposes of this regulation "public holiday" shall not include Good Friday and shall include Easter Tuesday.