1980 No. 323

ROAD TRAFFIC AND VEHICLES

Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 1980

Made . . . . . *29th September 1980*

Coming into operation . . . *3rd November 1980*

The Department of the Environment in exercise of the powers conferred by sections 29A, 29C, 29D and 189 of the Road Traffic Act (Northern Ireland) 1970(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, and with the approval of the Department(**c**) of Finance as regards regulation 2, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 1980 and shall come into operation on 3rd November 1980.

Regulations amended

2. The Motor Vehicle Testing Regulations (Northern Ireland) 1975(**d**) shall be amended as follows:

(1) For regulation 4 there shall be substituted—

"**4.**—(1) On being notified in writing the applicant shall present the vehicle for testing in reasonably clean condition, together with the registration book, at the time and place specified in the notice.

(2) For the purposes of section 8(2)(*b*) of the Act (which subsection as applied by section 29A(2A) of the Act specifies circumstances in which a fee paid on application for an appointment for a test may be repaid) notice cancelling an appointment for a test shall be given to the Department, at the centre at which the test is to be carried out, not less than 3 clear working days before the date of the appointment.

(3) Where after testing the vehicle the Department is satisfied that it complies in all respects with regulations made under Part III of the Act with respect to the construction and condition of motor vehicles, their accessories and equipment, it shall issue a certificate.

(4) Where the Department is not satisfied under paragraph (3) it shall issue a notice of refusal.

(5) Where a certificate is refused and the defects mentioned in the notice are remedied an applicant may make a further application for a certificate on a form issued by the Department and the Department shall carry out a re-test of the vehicle.

(6) The fee payable for such a re-test shall be the relevant amount prescribed by regulation 8(*a*) or (*b*).

(**a**) 1970 c. 2 (N.I.) as amended by S.I. 1973/1229 (N.I. 17) Article 4 and S.I. 1978/1051 (N.I. 21) Article 14 and Schedule 2

(**b**) S.R. & O. (N.I.) 1973 No. 504 Art. 5(*b*) (II, p. 2992)

(**c**) Formerly Ministry: *See* 1973 c. 36 Schedule 5, paragraph 8(1)

(**d**) S.R. 1975 No. 138 (I, p. 849) as amended by S.R. 1979 No. 321 (II, p. 1447)