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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 303**

**Motor Vehicle Testing Regulations (Northern Ireland) 2003**

**PART IV**

**OTHER MATTERS**

**Duplicate test certificates**

**18.**—(1) If a test certificate has been lost or defaced, an application for the issue of a duplicate of the original certificate may be made.

(2) Subject to paragraph (3), the Department shall search the copies of test certificates and other records in its possession and upon tracing sufficient particulars of the certificate to which the application relates to enable a duplicate to be issued and on being paid the fee determined in accordance with paragraph 6 of Schedule 1 shall issue a duplicate marked “Duplicate” and the duplicate so issued shall have the same effect as the original test certificate.

(3) No such search need be made if the original certificate was issued more than thirteen months previously or if the applicant does not furnish with his application the approximate date of its issue, together with particulars of the registration mark of the vehicle to which the certificate relates and also either the address or identity of the vehicle testing centre at which the original certificate was issued.

**Suspension or revocation of test certificates**

**19.**—(1) The Department may suspend or revoke a test certificate if –

- (a) the test certificate has been obtained by misrepresentation;
- (b) the vehicle fails to conform with the prescribed statutory requirements or the condition requirement; or
- (c) the test certificate has been altered, defaced or mutilated.

(2) In the event of any such suspension or revocation –

- (a) the Department shall serve on the owner written notice of such suspension or revocation and the test certificate shall be deemed to be suspended or revoked as from the date of such service; and
- (b) the owner shall deliver the test certificate to the vehicle testing centre specified in the notice within 7 days of the date of service of the notice.

**Production of test certificate on application for licence**

**20.**—(1) Where an application is made for a licence under the 1994 Act for a motor vehicle to which Article 63(2)(a) of the Order applies, the licence shall not be granted unless there is produced a current test certificate.

(2) Where an application is made for a licence under the 1994 Act for a motor vehicle to which Article 63(2)(b) of the Order applies, the licence shall not be granted unless –

- (a) there is produced a current test certificate; or
- (b) the owner of the vehicle declares in writing the year in which the vehicle was manufactured, and a period of 5 years, or such other period specified by an order made by the Department under Article 63(9) of the Order, from the date of manufacture has not expired.

### **General provisions as to repayment of fees**

**21.—**(1) The fees paid in pursuance of regulation 7(2) or 11(3) or (4) shall be repaid –

- (a) if no appointment for an examination of the vehicle is made or the appointment made is subsequently cancelled by the Department;
- (b) if the person for whom the appointment is made gives to the Department notice cancelling the appointment of not less than one clear day before the date of the appointment;
- (c) if the person for whom the appointment is made keeps the appointment but the examination does not take place, or is not completed, for reasons attributable neither to him nor to the vehicle presented for examination; or
- (d) if the person for whom the appointment is made satisfies the Department that the vehicle cannot, or, as the case may be, could not reasonably be presented for examination on the date of appointment due to exceptional circumstances occurring not more than 7 days before the said date and of which notice is given within 3 days of the occurrence thereof to the Department at the vehicle testing centre where the examination is, or, as the case may be, was to be held.

(2) In this regulation “exceptional circumstances” means an accident, a fire, a failure in the supply of fuel or electricity or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts therefore).

### **Fee payable for test under Article 75(5) or inspection under Article 81 of the Order**

**22.—**(1) The fee payable for a test under Article 75(5) of the Order is the appropriate fee determined in accordance with paragraph 5 of Schedule 1.

(2) The fee payable for an inspection under Article 81 of the Order is the appropriate fee determined in accordance with paragraph 4 or 5, as the case may be, of Schedule 1.

### **Computation of time**

**23.—**(1) Save in regulations 11(4), 16(1), 19(2)(b) and 21(1)(d) (insofar as it relates to 7 days), no period of time prescribed in these Regulations shall include any day which is a Saturday, Sunday or public holiday.

(2) For the purposes of these Regulations “public holiday” shall not include Good Friday and shall include Easter Tuesday.

### **Revocation**

**24.** The Regulations specified in Schedule 4 are hereby revoked.