

2004 No. 2106

ROAD TRAFFIC

**The Motor Vehicles (Type Approval and Approval Marks)
(Fees) (Amendment) Regulations 2004**

<i>Made</i> - - - -	<i>4th August 2004</i>
<i>Laid before Parliament</i>	<i>24th August 2004</i>
<i>Coming into force</i> - -	<i>1st October 2004</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 61(1) and (2) of the Road Traffic Act 1988(a), and the powers conferred by section 56(1) and (2) of the Finance Act 1973(b) with the consent of the Treasury, and of powers conferred by the Department of Transport (Fees) Order 1988(c) and section 128 of the Finance Act 1990(d), and in relation to the exercise of the powers conferred by section 61(1) and (2) of the Road Traffic Act 1988, after consultation with representative organisations in accordance with the provisions of section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval and Approval Marks) (Fees) (Amendment) Regulations 2004 and shall come into force on 1st October 2004.

Preliminary

2. The Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999(e) shall be amended in accordance with the following provisions of these Regulations.

Amendment to Regulation 3 (Interpretation)

3. In regulation 3(2) for the definition of “Framework Directive” there shall be substituted—

““Framework Directive” means Council Directive 70/156/EEC(f) as amended by amendments up to and including those effected by Commission Directive 2004/78/EC(g);”

(a) 1988 c. 52; section 61 was amended by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8.

(b) 1973 c. 51.

(c) S.I. 1988/643, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant references in S.I. 1988/643 are Table II and paragraph 4 of Table III of Schedule 1. S.I. 1988/643 was amended by S.I. 1996/1961; there are other amending instruments but none is relevant.

(d) 1990 c. 29.

(e) S.I. 1999/2149, amended by S.I. 2003/2258.

(f) OJ No. L42, 23.2.1970, p.1.

(g) OJ No. L153, 30.4.2004, p.100.

Increase in Fees

4. In the regulation specified in the first column of the table below, for the fee specified opposite that regulation in the second column, there shall be substituted the fee specified opposite that regulation in the third column.

TABLE

<i>Regulation</i>	<i>Existing Fee</i>	<i>Substituted Fee</i>
Regulation 4(1)	£84	£86
Regulation 9(5)	£50	£51
Regulation 10(4), (5) and (6)	£35	£36
Regulation 11(1)(b)	£56	£58
Regulation 13(2)(a)	£115	£117
Regulation 13(2)(b)	£252	£257
Regulation 13(4)(a)	£112	£114
Regulation 13(4)(b)	£329	£336

Amendments to Schedules 1 to 4

5. For Schedules 1 to 4 there shall be substituted the Schedules set out in the Schedule to these Regulations.

Amendments to Schedule 5

6.—(1) The Table in Part I of Schedule 5 shall be amended as follows.

(2) In item 8 (Rear view mirrors), there shall be added in the third and fourth columns after the last entry—

2003/97/EC†	L25, 29.1.04, p.1
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(3) In item 59 (Fuel consumption), there shall be added in the third and fourth columns after the last entry—

2004/3/EC†	L49, 19.2.04, p.36
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(4) In item 73 (Speed limiters), there shall be added in the third and fourth columns after the entry of the Principal Directive—

2004/11/EC†	L44, 14.2.04, p.19
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(5) In item 90 (Motorcycles), there shall be added in the third and fourth columns after the last entry—

2003/77/EC*	L211, 21.8.03, p.24
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(6) After item 98, there shall be added as a new item in the first, second, fourth and fifth columns—

99	2003/102/EC†	L321, 6.12.03, p.15	Pedestrian protection
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7. In the Table in Part II of Schedule 5 there shall be added after the last entry in the third, fourth and fifth columns—

432/2004	10.3.2004	L71, 10.3.04, p.3
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8.—(1) The Table in Part III of Schedule 5 shall be amended as follows.

(2) In item 14 (Seat belt anchorages), there shall be added after the last entry in the third and fourth columns—

14.06	26 Feb 04
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Signed by authority of the Secretary of State

22nd July 2004

David Jamieson
Parliamentary Under Secretary of State
Department for Transport

We consent to the making of these Regulations to the extent that they are made in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973.

4th August 2004

John Heppell
Joan Ryan
Two Lords Commissioners
Of Her Majesty's Treasury

THE SCHEDULE

Regulation 5

“SCHEDULE 1

Regulations 5 and 6

FEEs FOR THE EXAMINATION OF A COMPLETE VEHICLE TO WHICH THE GREAT BRITAIN REGULATIONS OR THE EUROPEAN REGULATIONS APPLY WITH A VIEW TO THE ISSUE OF CERTAIN DOCUMENTS

PART 1

THE GREAT BRITAIN REGULATIONS

<i>(1)</i> <i>Description of examination</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
Examination of a vehicle with a view to the issue of a type approval certificate	60000	1,771
Examination of a vehicle with a view to the issue of a Minister's approval certificate under section 58(1)	60001	1,771
Examination of a vehicle where there has been a valid application for a certificate by virtue of section 58(4)	60002	1,730

PART II

THE GREAT BRITAIN REGULATIONS (LOW VOLUME TYPE APPROVAL)

<i>(1)</i> <i>Description of examination</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
Examination of a low volume type approval vehicle with a view to the issue of a Minister's approval certificate under section 58(1)	60010	1,769
Examination of a low volume type approval vehicle where there has been a valid application for a certificate by virtue of section 58(4)	60011	616

PART III

THE EUROPEAN REGULATIONS

<i>(1)</i> <i>Description of examination or part of examination</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
Receipt of application and planning of the examination process	60020	293
Examination of a vehicle	60021	1,876
Compilation and administrative checking of documentation in relation to:		
(a) each type of vehicle, and	60022	411
(b) for each variant—		
(i) where less than 5 versions are involved	60023	49
(ii) where 5 or more versions are involved	60024	99
Further compilation and administrative checking of documentation, submitted in place of original documentation, in relation to:		
(a) each type of vehicle, and	60025	204
(b) for each variant—		
(i) where less than 5 versions are involved	60026	25
(ii) where 5 or more versions are involved	60027	49

SCHEDULE 2

Regulation 5(2) and (3)

FEEs FOR THE EXAMINATION WITH A VIEW TO THE ISSUE OF CERTAIN DOCUMENTS OF A COMPLETE VEHICLE TO WHICH THE GREAT BRITAIN REGULATIONS FOR GOODS VEHICLES APPLY

(1) <i>Description of examination</i>	(2) <i>Amount of fee/Vehicle category</i>									
	(a) <i>L2, L5, N1</i>		(b) <i>N2</i>		(c) <i>N3</i>					
					<i>2 axle</i>		<i>3 axle</i>		<i>4 axle</i>	
	<i>Fee No.</i>	<i>Fee (£)</i>	<i>Fee No.</i>	<i>Fee (£)</i>	<i>Fee No.</i>	<i>Fee (£)</i>	<i>Fee No.</i>	<i>Fee (£)</i>	<i>Fee No.</i>	<i>Fee (£)</i>
Examination of a type vehicle consisting of 50 or less variants with a view to the issue of a type approval certificate	70000	866	70001	1,586	70002	2,496	70003	2,751	70004	2,751
Examination of a type vehicle consisting of more than 50 variants with a view to the issue of a type approval certificate	70005	866	70006	1,586	70007	3,051	70008	3,639	70009	3,639
Examination of a vehicle with a view to the issue of a Minister's approval certificate under section 58(1)	70010	866	70011	1,165	70012	1,420	70013	1,453	70014	1,453
Examination of a vehicle with a view to the issue of a Minister's approval certificate under section 58(4)	70015	832	70016	1,131	70017	1,386	70018	1,386	70019	1,386

SCHEDULE 3

Regulation 9(1)

FEES FOR THE ISSUE OF DOCUMENTS IN RESPECT OF VEHICLE PARTS

<i>(1)</i> <i>Description of document</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
(A) ECE REGULATIONS		
Type approval certificate	80000	36
Type approval certificate modifying a type approval certificate	80001	75
(B) COMMUNITY INSTRUMENTS		
Type approval certificate	80002	36
Issuing of amended pages and index sheet of an information package in accordance with the first indent of article 5(3) of the Framework Directive, in relation to a previously issued type approval certificate, where an extension to the original approval is deemed unnecessary	80003	36
Issuing of an amended type approval certificate together with amended pages and index sheet of information package in accordance with the second indent of article 5(3) of the Framework Directive, in relation to a previously issued type approval certificate, where an extension to the original approval is deemed necessary	80004	75
(C) NATIONAL TYPE APPROVAL SCHEME		
Type approval certificate	80005	36
Minister's approval certificate under section 58(1)	80006	36
(D) DUPLICATE		
Duplicate type approval, Minister's approval, EEC or ECE type approval certificate	80007	47
(E) LETTERS OF COMPLIANCE OR NO CONCERN		
Acknowledgement at the request of the holder:	80008	36
<p>(i) that its type approved products are recognised as being tested and in conformity with the type approval standards and are suitable for use on roads in this country; or</p> <p>(ii) that, notwithstanding a departure from the particulars specified in a type approval, Minister's approval, EEC or ECE type approval certificate, or in a related information document, an application for an extension, variation or substitution of those documents is considered to be unnecessary</p>		

NB Where both EEC and ECE certificates are issued concurrently in respect of the same vehicle part, the total fee for two certificates shall be one and a half times Nos 80000, 80001, 80002, 80003 or 80004 above as appropriate.

SCHEDULE 4

Regulation 9(2), (3) and (4)

FEES FOR THE ISSUE OF DOCUMENTS IN RESPECT OF
VEHICLES

PART I

VEHICLES TO WHICH THE GREAT BRITAIN REGULATIONS APPLY

<i>(1)</i> <i>Description of document</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
(A) TYPE APPROVAL CERTIFICATES		
Type approval certificate in respect of a type vehicle not being issued in replacement of one or more Minister's approval certificates	80011	527
Type approval certificate in respect of a type vehicle issued in replacement of one or more Minister's approval certificates	80012	78
Duplicate type approval certificate	80013	47
(B) MINISTER'S APPROVAL CERTIFICATES		
Minister's approval certificate under section 58(1) when issued after a complete examination of a vehicle which is not a low volume type approval vehicle	80014	300
Minister's approval certificate issued by virtue of section 58(4) in respect of a vehicle which is not a low volume type approval vehicle	80015	0.33
Duplicate Minister's approval certificate for a vehicle which is not a low volume type approval vehicle	80016	47
(C) LOW VOLUME MINISTER'S APPROVAL CERTIFICATES		
Minister's approval certificate under section 58(1) when issued after a complete examination of a vehicle which is a low volume type approval vehicle	80017	300
Minister's approval certificate issued by virtue of section 58(4) in respect of a vehicle which is a low volume type approval vehicle	80018	1.11
Duplicate Minister's approval certificate for a vehicle which is a low volume type approval vehicle	80019	47

PART II

VEHICLES TO WHICH THE GREAT BRITAIN REGULATIONS FOR GOODS VEHICLES APPLY

<i>(1)</i> <i>Description of document</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
(A) TYPE APPROVAL CERTIFICATES		
Type approval certificate in respect of a type vehicle consisting of 50 or less variants	80030	191
Type approval certificate in respect of a type vehicle consisting of more than 50 variants	80031	227
Type approval certificate in respect of a type vehicle issued in replacement of one or more Minister's approval certificates	80032	78
Further type approval certificate issued in replacement of a certificate issued under section 55(4)	80033	78
Duplicate type approval certificate	80034	47
(B) MINISTER'S APPROVAL CERTIFICATES		
Minister's approval certificate under section 58(1) when issued after a complete examination of a vehicle	80035	114
Minister's approval certificate under section 58(1) when issued after a partial examination of a vehicle	80036	78
Minister's approval certificate issued by virtue of section 58(4) in respect of a vehicle	80037	0.65
Duplicate Minister's approval certificate for a vehicle	80038	47

PART III

VEHICLES TO WHICH THE EUROPEAN REGULATIONS APPLY

<i>(1)</i> <i>Description of document</i>	<i>(2)</i> <i>Fee No.</i>	<i>(3)</i> <i>Amount of fee (£)</i>
Type approval certificate issued in accordance with article 4(1)(a) of the Framework Directive	80050	71
Duplicate of a type approval certificate which was issued in accordance with article 4(1)(a) of the Framework Directive	80051	47
Issue of amended pages and index sheet of an information package in accordance with the first indent of article 5(4) of the Framework Directive, in relation to a previously issued type approval certificate, where an extension to the original approval is deemed unnecessary	80052	36
Issue of an amended type approval certificate together with amended pages and index sheet of an information package in accordance with the second indent of article 5(4) of the Framework Directive, in relation to a previously issued type approval certificate, where an extension to the original approval is deemed necessary".	80053	71

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999 (“the 1999 Regulations”) which prescribe the fees payable for the examination of vehicles and vehicle parts, the examination of complete vehicles and the issue of documents in connection with the type approval (both European and National) of vehicles and vehicle parts.

Regulation 3 replaces the existing definition of “Framework Directive” in regulation 3(2) of the 1999 Regulations. The new definition encompasses the further amendments that have been made to Council Directive 70/156/EEC (on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers) by Directives 2003/97/EC (OJ No. L25, 29.1.2004, p.1), 2004/03/EC (OJ No. L49, 19.2.2004, p.36) and 2004/78/EC (OJ No. L153, 30.4.2004, p.100).

The other changes relate to the fee amounts. *Regulations 4, 5 and the Schedule* provide for an average increase of 2% (over the amounts set out in The Motor Vehicles (Type Approval and Approval Marks) (Fees) (Amendment) Regulations 2003 (S.I. 2003/2258) in respect of the fees payable. This is with the exception of fee no. 60026 set out in part III of new Schedule 1, which remains unchanged at £25.

Regulations 6, 7 and 8 amend Schedule 5 to the 1999 Regulations so as to take account of new or amended ECE Regulations and Community Instruments. (The terms “ECE Regulations” and “Community Instruments” are defined in regulation 3(2) of the 1999 Regulations.)

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business beyond an increase in fees in line with inflation.

Copies of the ECE Regulations and Community Instruments referred to in these Regulations may be obtained from the Stationery Office.

STATUTORY INSTRUMENTS

2004 No. 2106

ROAD TRAFFIC

**The Motor Vehicles (Type Approval and Approval Marks)
(Fees) (Amendment) Regulations 2004**

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