

Subsidiary Legislation made under s. 57, 61, 80 and 101.

**MOTOR VEHICLES (RECOGNITION OF TEST
CERTIFICATES) REGULATIONS 2012**

(LN. 2012/073)

Commencement **3.5.2012**

Amending enactments	Relevant current provisions	Commencement date
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EU Legislation/International Agreements involved:
Directive 2009/40/EC

In exercise of the powers conferred upon it by section 57, 61, 80 and 101 of the Traffic Act 2005, and all other enabling powers, and for the purpose of transposing into the law of Gibraltar Article 3(2) of Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Motor Vehicles (Recognition of Test Certificates) Regulations 2012 and come into operation on the day of publication.

Interpretation.

2. In these Regulations—

“Directive” means Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers, as the same may be amended from time to time.

Application of regulations.

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3. These Regulations apply to motor vehicles, trailers and semi-trailers which–
- (a) are required to undergo roadworthiness tests in accordance with the Directive; and
 - (b) are not registered in Gibraltar.

Recognition of roadworthiness test certificates.

4. A motor vehicle, trailer or semi-trailer to which regulation 3 applies shall not be used on a road unless it is covered by a valid roadworthiness certificate which has been issued by the relevant authority in the State in which it is registered.

Offence.

5. A person who uses a motor vehicle, trailer or semi-trailer in contravention of regulation 4 commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Exemption.

6. Regulations 4 and 5 do not apply to a person who uses a motor vehicle, trailer or semi-trailer on a road for the purpose of conveying it to a Motor Vehicle Test Centre established under section 5 of the Traffic Act 2005 for the purposes of registration in Gibraltar.