

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5305 GIBRALTAR Thursday 7th May 2026

LEGAL NOTICE NO.89 OF 2026.

TRAFFIC ACT 2005

MOTOR VEHICLE TEST (AMENDMENT) REGULATIONS 2026

In exercise of the powers conferred upon the Government under section 7 of the Traffic Act 2005, and all other enabling powers, the Government has made the following Regulations-

Title.

1. These Regulations may be cited as the Motor Vehicle Test (Amendment) Regulations 2026.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendments to the Motor Vehicle Test Regulations 1987.

3.(1) The Motor Vehicle Test Regulations 1987 are amended in accordance with this regulation.

(2) Regulation 37 is amended as follows-

- (a) in subregulation (1A), after “Subject to subregulation (2)” insert “, and to regulation 37A,”; and
- (b) in subregulation (3), for the words from “If an application” to the end of subregulation (3) substitute-

“Where a booking for a biennial or other examination of a motor vehicle or trailer, other than an omnibus falling within subregulation (2), is made at a time when the roadworthiness certificate or roadworthiness classic certificate in respect of that vehicle has not expired, the validity of such certificate shall, by virtue of this subregulation, be automatically extended until the date of the examination or, if the examination does not take place on the date for which it is booked, until such later date as may be appointed by the Chief Examiner for the examination of that vehicle, provided that in no case shall the total period of validity of the certificate, including any extension under this subregulation, exceed 24 months from the date of issue of that certificate .”.

(3) After regulation 37 of the principal Regulations, insert the following new regulation—

“Automatic extension of roadworthiness certificates on booking of examination.

- 37A.(1) Where the owner of a motor vehicle or trailer, other than an omnibus falling within regulation 37(2), makes a booking for the examination or re-examination of that vehicle in accordance with these Regulations, and at the time of booking the roadworthiness certificate or roadworthiness classic certificate in respect of that vehicle has not expired, the validity of such certificate shall be automatically extended in accordance with this regulation.
- (2) An extension under subregulation (1) shall take effect from the date on which the booking is made and shall continue until—
- (a) the date on which the examination takes place; or
 - (b) where the examination does not take place on the date for which it was booked, such later date as may be appointed by the Chief Examiner for the examination of that vehicle, provided that in no case shall the total period of validity of the certificate, including any extension under this regulation, exceed 24 months from the date of issue of that certificate.
- (3) An extension under this regulation shall not cause the total period of validity of the certificate, including the extension, to exceed 24 months from the date of issue of that certificate.
- (4) An extension under this regulation shall cease to have effect if—
- (a) the booking for the examination is cancelled by the owner of the vehicle and no fresh booking is made within 14 days of such cancellation;
 - (b) the vehicle is not presented for examination on the date appointed and the owner fails to make a fresh booking within 14 days; or
 - (c) the vehicle is found on examination not to comply with the prescribed requirements and a notice of refusal is issued under regulation 17, in which case the extension shall cease on the date of issue of the notice of refusal.
- (5) Where an extension ceases to have effect under subregulation (4), the roadworthiness certificate or roadworthiness classic certificate shall be treated as having expired on the date on which it would have expired but for the extension.
- (6) The Chief Examiner shall maintain a record of all extensions granted under this regulation and shall make such record available to the licensing authority and to the Commissioner of Police upon request.

- (7) For the purposes of this regulation, a 'booking' means a booking for an examination or re-examination accepted by the Chief Examiner or the Centre in accordance with these Regulations.”.

Dated: 7th May 2026.

PROF J CORTES,
Minister with responsibility for traffic,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations amend the Motor Vehicles Test Regulations 1987 (“**the principal Regulations**”), which are made under section 7 of the Traffic Act 2005 and govern the periodic examination of motor vehicles and trailers in Gibraltar and the issuance of roadworthiness certificates.

Under the existing regime, where the owner of a motor vehicle applies for an examination within the prescribed time, the Chief Examiner has a discretionary power under regulation 37(3) of the principal Regulations to extend the validity of the roadworthiness certificate to cover the period between the application and the examination. In practice, this requires vehicle owners to make a formal application for an extension, which the Chief Examiner may or may not grant.

The policy objective of these amending Regulations is to simplify and streamline the extension process by providing that an extension of the validity of a roadworthiness certificate is automatically applied when a vehicle owner books an examination, provided that the roadworthiness certificate has not expired at the point of booking. This removes the need for a separate application and removes the discretionary element from the process, providing certainty to vehicle owners that their certificate will remain valid until the examination takes place.

These Regulations make the following changes to the principal Regulations:

Regulation 2(a) amends regulation 37(1A) to make the maximum validity period prescribed therein subject to the new regulation 37A. This ensures that the automatic extension mechanism can operate without conflict with the 24-month maximum validity cap.

Regulation 2(b) substitutes a new regulation 37(3) which provides for automatic (rather than discretionary) extension of roadworthiness certificates upon the making of a booking. The extension runs until the date of the examination, subject to the overall 24-month maximum validity period.

Regulation 3 inserts a new regulation 37A which sets out in full the automatic extension mechanism, including the conditions for its operation, the circumstances in which an extension ceases to have effect, and record-keeping obligations.

The automatic extension does not apply to omnibuses in respect of which more than 12 years have elapsed since the date of manufacture, which are subject to a shorter six-monthly examination cycle under regulation 37(2) of the principal Regulations. This carve-out is preserved for safety reasons.

The Regulations include a number of safeguards to prevent misuse of the automatic extension mechanism:

- The total period of validity of the certificate, including any extension, may not exceed 24 months from the date of issue..
- The extension ceases if the booking is cancelled and no fresh booking is made within 14 days.
- The extension ceases if the vehicle is not presented for examination and no fresh booking is made within 14 days.
- The extension ceases upon the issuance of a notice of refusal following examination, ensuring that vehicles found not to be roadworthy do not benefit from an ongoing extension.
- The Chief Examiner is required to maintain records of all extensions.

The automatic extension under the new regulation 37A is subject to the overall 24-month maximum validity period prescribed by regulations 37(1) and 37(1A). This maximum serves as a safeguard against potential abuse of the extension mechanism, ensuring that no certificate can remain valid for longer than 24 months from its date of issue regardless of when the examination is booked. The extension therefore runs until the date of the examination, but cannot cause the total validity to exceed 24 months.

The existing discretionary power of the Chief Examiner under regulation 37(4) to extend the validity of a certificate at the direction of the Licensing Authority is not affected by these Regulations and remains available for use in circumstances not covered by the automatic extension mechanism.