

# Requirements for Authorisation for an Authorised Examiner (November 2009)

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## 1. Introduction

An Authorised Examiner (AE) is the organisation that operates and manages one or more VTSs and is responsible for controlling the quality of testing carried out. Except in the case of a 'sole trader' the AE is not a person but a legal entity (e.g. a company, partnership or a local authority). A Designated Council (DC) is a Local Authority authorised to carry out MOT tests.

**Note:** Unless stated DCs are treated the same as AEs within this document.

This document sets out the requirements to be met when applying to become an AE or DC. It is intended to assist with the application process by providing the information required on how to start a new application or to apply for a variation to an existing authorisation.

Normally an application to become an AE is made in conjunction with an application for a VTS. However, VOSA will accept an application to become an AE without a link to a Nominated Tester or an approved Vehicle Testing Station (VTS). In all cases applicants should be conversant with their responsibilities. Before final authorisation to test is granted and a VTS Device installed an AE must demonstrate compliance with all requirements.

This document covers:

- Who is eligible to become an Authorised Examiner?
- What are the AEs responsibilities?
- How to apply.
- What is the application process?
- What supporting documentation is required?
- The additional AE requirements necessary in relation to a site application.
- What are the MOT Computerisation mandatory roles?

Dependant on the nature of your application you may also need to refer to other documents within the Application Pack, these include the;

- Requirements for Authorisation for a Vehicle Test Station (All Classes);
- Requirements for Authorisation Class 1 and 2;
- Requirements for Authorisation Class 3 and 4;
- Requirements for Authorisation Class 5;
- Requirements for Authorisation Class 7;
- Application for MOT Authorisation Form (VT01).

- 2 All applicants should be fully aware of the requirements before completing and returning an Application for MOT Authorisation Form (VT01). The application must be made by the legal entity that holds full control and responsibility for MOT testing functions. Authorisations are granted in accordance with the conditions applicable to the authorisation. These conditions include compliance with the requirements set out in this and the other documents within the Application Pack, The MOT Testing Guide (6<sup>th</sup> Edition) and appropriate Inspection Manuals (as amended) together with any additional specific conditions contained within the written authorisation notice. AEs are in law fully responsible for ensuring that statutory MOT Testing at all their VTSs is carried out to the required standard and in the manner instructed by VOSA. Failure to comply with the authorisation requirements for the MOT Testing Scheme may lead to your application being rejected.
- 3 An AE entity may be authorised without access to approved facilities however, before authorisation to test is granted an AE must have an approved testing facility. Authorisation of an AE and Approval of a Vehicle Test Station (VTS) may be done using a single application form; the specific requirements for a VTSs' approval are set out in Requirements for Authorisation for a Vehicle Test Station (All Classes) document.

## **2. Who is eligible to become an Authorised Examiner**

Authorisation to carry out MOT testing will be granted only to applicants who can satisfy VOSA that they are of good repute and where applicable that their premises, equipment and personnel meet the required standards.

- 1 An application may be made for appointment as an AE by:
  - a. a Sole Trader;

In the case of a sole trader the AE would be the person making the application, and who must sign it.
  - b. a Partnership;

In the case of a partnership the AE would be the partnership itself (e.g. the partnership of F Bloggs and A N Other) and the application is to be signed by a person 'duly authorised' by the partnership to do so. Confirmation that the person is 'duly authorised' in a form of a statement to that effect signed by each of the partners will normally be required together with a copy of the current partnership agreement.

c. a Company;

In the case of a company, the AE would be the company itself, not the directors or company management staff regardless of who owns the company and who the directors are. The application is to be signed by any person 'duly authorised' by the company to do so. Written confirmation that the person is 'duly authorised' signed by an 'officer of the company' is required. A copy of the current registrar of company's record showing details of officers of the company will also normally be required to validate the confirmation.

d. a Designated Council;

A Designated Council being the Council of a County, of a District or of a London Borough or (in Scotland) a Unitary Authority or Island Council of a region or of an Islands area, or The City of London.

**Note:** Any authorisation by VOSA allows only the legal entity authorised to provide the testing service. If a company is reconstituted in a way that leads to a new company registration and number being issued then it will be regarded as a new entity and a new authorisation is needed. If, in a partnership, a partner leaves or joins the partnership this becomes a new entity and a new authorisation is needed. The same is true in the case of a sole trader who either takes on a partner or forms a company.

### 3. Authorised Examiners (AEs) Responsibilities

#### 3.1 General

#### 3.2 Premises and Equipment

#### 3.3 Access by VOSA Staff and Contractors

#### 3.4 Security

#### 3.5 Testing Responsibilities

#### 3.6 Cessation for Disciplinary Reasons

#### 3.7 Changes to Businesses

- 1 The main responsibilities of the AE are outlined below, further details on the administration of the MOT Testing Scheme can also be found in The MOT Testing Guide (6<sup>th</sup> Edition). It is important that you understand all that is required to be an AE before signing the application.

#### 3.1 General

- 1 AEs are held fully responsible for the actions of their staff and others acting on their behalf or with their agreement, all such staff must be adequately supervised and fully conversant with their testing duties. For a partnership or company, all partners or directors and officers of the company are equally responsible. Each authorised entity is required to have an Authorised Examiner Designated Manager (AEDM) (see Section 7). The responsibilities of NTs are set out in The MOT Testing Guide (6<sup>th</sup> Edition).
- 2 Every new AE is required to have at least one person, the AEDM, who has attended a VOSA MOT Managers Course (see Section 7.1).

- 3 AEs **must** notify the local VOSA Office of any criminal conviction of the AE, one of its partners, directors or officers of the company whether or not the conviction arises from action related to the authorisation as soon as practicable. A 'criminal conviction' is a judgement made by a court that a person or company is guilty of **any** offence. The penalty imposed may range from an absolute discharge through to imprisonment. VOSA does not, however, need to be notified of the imposition of 'fixed penalty' tickets.
- 4 AEs **must**, as soon as practicable, notify the local VOSA Office of convictions of any of their NTs for an offence that is either directly connected with their MOT testing activities, that may have a bearing on the MOT Testing Scheme, or that involved acts of violence or intimidation.
- 5 The extent of an AE's liability for vehicle damage is set out in Regulation 14 (1) of the Motor Vehicles (Tests) Regulations 1981 (SI 1981 No 1694) as amended. AEs must not display disclaimers against liability for loss, damage or injury caused while vehicles are in their custody for MOT tests and must ensure that no vehicle presenter is asked to sign any such disclaimer. Appendix 4 of The MOT Testing Guide (6<sup>th</sup> Edition) describes fully the scope of AE's liabilities.
- 6 The Secretary of State can give notice at any time that the Computer device installed at each VTS (VTS Device) and/or documentation provided for testing purposes shall be returned or collection arranged.

**Note:** A charge will be made for any damage to the VTS Device that is not as a result of fair wear and tear. Any refund due on cessation of a VTS may be used as full or part payment toward the cost of any damage to the MOT Computerised equipment.

### 3.2 Premises and Equipment

- 1 After approval of the site, every AE must, at all times, properly maintain the premises, facilities and testing equipment at all the VTSs for which they are responsible. The facilities and equipment include the following:
  - a. all facilities and equipment that were present at the time of the VTS's approval and any additions or alternatives that were agreed with VOSA by prior notification;  
and
  - b. all facilities and equipment required by any mandatory upgrade introduced by VOSA.
- 2 AEs must take reasonable measures to protect the VTS Device from theft and/or damage (See Section 6).
- 3 If a VTS is offering 'on demand' MOT testing, the AE must keep available all testing equipment and facilities, solely for such testing. However, an AE opting to provide MOT testing 'by appointment' may use the equipment and facilities for other purposes when it is not required for MOT testing.
- 4 All testing equipment must be kept in good working order and measuring apparatus must be kept calibrated in accordance with VOSA's requirements. Testing must stop on any class or type of vehicle, if any mandatory item of equipment falls out of calibration or malfunctions in a way that could prevent a test being properly conducted on that class or type of vehicle.

- 5 If an AE wishes to replace or modify any fixed test equipment or to alter buildings or layout of equipment he must confirm in writing (using an Application for MOT Authorisation Form (VT01)), with supporting drawings, that the Requirements for Authorisation will not be contravened by the changes. The AE must obtain VOSA Area Office approval for the proposed changes **before** putting them in place.

### **3.3 Access by VOSA Staff and Contractors**

- 1 AEs must allow the inspection of their testing arrangements, equipment, facilities, records, and the checking of their NT's competence, re-examinations of recently tested vehicles by VOSA staff at any time during normal working hours or when the VTS is open. AEs should always ask to see the official warrant that VOSA enforcement staff carry. If you have doubts about anyone asking to see official documents, refuse access and call your local VOSA office.
- 2 The AE must provide VOSA, Siemens, or its contractors, access to the premises for the installation, maintenance and removal of the VTS Device(s) including associated equipment. Any visit by a Siemens representative will usually be by prior arrangement. Failure to honour any appointment or allow access to the premises may result in the AE being charged for any subsequent visit at the current advertised price. If VTS staff have any doubt as to the authenticity of the Siemens representative they should ask for proof of identity. Siemens identity cards will be headed with the 'SIEMENS' logo and will have a colour photograph of the holder. If you have any doubt regarding the authenticity of the holder refuse access and call Siemens.
- 3 AEs must allow their VTSs to be used by VOSA for examining vehicles subject to an appeal or complaint about a test result provided that 3 days' notice has been given. The notice period may be reduced by mutual agreement. VOSA will pay one half of the relevant test fee for the use of the premises and equipment, unless the arrangement is cancelled at least 24 hours ahead.

### **3.4 Security**

- 1 AEs are responsible for ensuring that blank MOT Emergency Testing (ET) certificates are not accessible at any time to unauthorised persons. (See The MOT Testing Guide (6<sup>th</sup> Edition) for further details).
- 2 The AE shall take reasonable precautions to ensure that all Smart Card users safeguard the cards including the spare smart card and passwords for which they are responsible. Outside working hours the security of the Smart Card is the responsibility of the card holder.

### **3.5 Testing Responsibilities**

- 1 AEs must ensure that the MOT tests are carried out without avoidable distraction or interruption and strictly in accordance with the conditions of their authorisation, which includes compliance with The MOT Testing Guide (6<sup>th</sup> Edition), the appropriate Inspection Manual and any other instructions issued by VOSA. They must ensure that, for each test, all assessments of pass/fail criteria are made, all appropriate documents are signed and all database input details are confirmed by the NT who carried out the test. AEs must ensure that assistance is always available to NTs for those parts of the test that require it.

- 2 AEs must be able to offer MOT testing during the hours notified to VOSA via the VTS Device. It is the AE's responsibility to ensure that the opening hours recorded on the system are correct. Conducting a test outside these hours is permissible but discretionary.
- 3 AEs must offer an appointment to test any vehicle of a class within their authorisation at the earliest practicable date and time, with consideration for their existing MOT workload and customer requirements. In order to meet this responsibility, AEs will be expected to staff and maintain their VTSs as operational concerns.
- 4 Appointments made for vehicles without a current MOT certificate (which can not be legally driven to and from the testing station without a prior appointment) must be recorded in writing. The record must include the vehicle's registration mark (VRM), the date and time of the appointment and the name of the person making it. This record must be kept for at least 3 months after the date of the appointment.
- 5 An AE must not carry out an MOT test on a vehicle if it is of a class or type of vehicle which they are not authorised to test, or a type of test they are not authorised to carry out, or the vehicle cannot be accommodated within the test facilities. He must tell the vehicle presenter immediately of any such circumstances, pointing out that consequently the test cannot be carried out.
- 6 Full details of reasons for refusal to test are contained The MOT Testing Guide (6<sup>th</sup> Edition).
- 7 Any individual presenting a vehicle for an MOT test has the right to observe the test in safety from the approved viewing area(s).

### **3.6 Cessation for Disciplinary Reasons**

- 1 VOSA, on behalf of the Secretary of State, has the discretionary power to take disciplinary action against an AE, including cessation of the authorisation. Failure to adhere to the Requirements of Authorisation may result in disciplinary action against the AE and/or the NT. Section I of The MOT Testing Guide (6<sup>th</sup> Edition) explains the disciplinary and appeal processes.
- 2 When the AE is a sole trader the responsibility for taking action to ensure that the authorisation is operated in accordance with the Secretary of State's requirements and the penalties for failure to do so falls on that person. With partnerships and companies, however, individuals must ensure correct operation of testing. The responsibility therefore falls not only on the company or partnership but also on the following individuals:
  - a. in the case of a company, all the officers of the company and any other person 'duly authorised' by the company to sign applications and other similar documents relating to the authorisation;
  - b. in the case of a partnership, each partner and any other person 'duly authorised' by the partnership to sign applications and other similar documents relating to the authorisation.

- 3 Where the authorisation of the AE operating at a particular site has been ceased, for disciplinary reasons as above, anyone wishing to apply for authorisation at that site must be able to show that they are sufficiently independent from the former AE, partners or officers of the company. The maximum acceptable involvement of the former AE is as a landlord. The former AE shall not be involved in any way with the management or responsibility of any authorisation. However, they may continue as a tester if their nomination has not been ceased. In particular, because of the matrimonial relationship and property rights, it is improbable that the spouse of the former AE, partner or officer of a company would be considered sufficiently independent.

### **3.7 Changes to Businesses**

- 1 The local VOSA Office must be told within 7 working days about any significant changes to the control or operation of the business. Failure to notify such changes within this period may be treated as a shortcoming under Section I of The MOT Testing Guide (6<sup>th</sup> Edition). For further information on changes to business please refer to Section B3 of the MOT Testing Guide (6th Edition).
- 2 A company that continues to operate under the same registration and company number may continue testing provided that any changes to the officers of the company or change in the relationship to any parent company have been notified to VOSA in writing.
- 3 It is possible for the AEDM, or other appropriate roles, to update some authorisation details directly, (e.g. telephone and fax numbers, email and correspondence addresses) via the VTS Device. Any other details must be notified to the local VOSA Office via the VTS Device, or in writing. The AE or AEDM will be required to confirm that the authorisation details are correct, when requested, via the VTS Device.
- 4 When an Authorisation or Designation ceases, the AE or DC is required to return VOSA documents and apparatus supplied for testing purposes to receive any refund due.
- 5 The AE can cease the nomination of an NT. In the case of a multi-site AE, this cessation may be from all sites, a selection of sites, or a single site. A cessation by one AE or DC does not affect any current or future nominations by other AEs. VOSA must be notified by recording the change of details on MOT Computerisation and the replacement List of Nominated Testers displayed.

## **4. How to Apply to become an AE**

### **4.1 Application**

### **4.2 Supporting Evidence**

### **4.1 Application**

An AE (DC) is the legal business entity that operates and manages one or more VTSs and is responsible for controlling the quality of testing carried out.

With the exception of a Sole Trader the AE (DC) is **not** a person but the legal entity, for example a partnership, a company or local authority.

- 1 All applications must be made on an Application for MOT Authorisation Form (VT01). All relevant sections should be completed and the signed form returned to a local VOSA Office along with the relevant enclosures.

**Note:** Applications received from multi - site AEs will be processed by the VOSA office that covers the location of the AE Registered Office address, this is called the Lead Area Office

- 2 Those applying should not submit their application until confident that they will fully meet all the requirements as set out, further detail of the requirements are contained within the Motor Vehicle (Tests) Regulations as amended, The MOT Testing Guide (6<sup>th</sup> Edition) and other sections of the Applications Pack (as appropriate).

**Note:** Your failure to supply the required documents applicable to your application may lead to your application being delayed or refused.

### 3 Accounts

MOT Computerisation will hold an account for each authorisation or VTS. This will be used to pay for test slots, training courses, stationery and other catalogue items. Payments and orders from and any credits due to a VTS, will be processed through an account.

An AE must select which account type they wish to operate prior to Authorisation. The AE has the option of pre-funding these accounts or paying for the goods or services with the order, there is no requirement for the account to be pre-funded.

**Note:** You may already operate one of VOSA's Pre - Funded Accounts however; you will not be able to make payments for MOT purchases from that account.

## 4.2 Supporting Evidence

### 1 Photographic Identification

All applicants that do not hold a MOT Smart Card and are specified in connection with the AE application must provide a legible copy of a photographic identification document that confirms their name and address. This may take the form of a photocopy of either their;

- UK passport;
- UK ID card;
- UK Driving licence (both parts).

Acceptable Counter Signatories are any person holding one of the following positions, that are not related or family members of the applicant;

- Civil Servant;
- Doctor, dentist,
- Judge, Sheriff, Magistrate, Barrister or Solicitor;
- Librarian, optician, pharmacist;
- Local authority councillor, MP, MEP, AMW, MLA or MSP;
- Minister of religion or other Religious Officer;
- Trading Standards Officer or staff member;
- Your bank or building society manager or staff member;
- Your lawyer or accountant.



## 2 Declaration of Non Conviction

You must provide a declaration of Non Conviction for each person involved with the Authorisation (this includes all company directors).

A person will be considered acceptable if they do not have any unspent convictions, as defined in the Rehabilitation of Offenders Act 1974, for criminal offences connected with the MOT Testing Scheme or the motor trade, or involving acts of violence or intimidation. A 'criminal conviction' is a judgement made by a court that a person or company is guilty of **any** offence. The penalty imposed may range from an absolute discharge through to imprisonment. VOSA does not, however, need to be notified of the imposition of 'fixed penalty' tickets.

You must inform VOSA immediately of any relevant convictions that occur between the date of application and authorisation of your application, or after authorisation.

**Note** If following approval it is brought to VOSA's attention that there are any unspent convictions that have not been disclosed, this may result in the cessation of authorisation to carry out statutory testing. Cessation may occur even though the unspent conviction may not have been of a nature that would have led to refusal on the initial VT01 application.

## 3 Declaration of Conviction for the Company

In the case of a company you must provide a Declaration of Conviction for the company. A 'criminal conviction' is a judgement made by a court that a person or company is guilty of **any** offence. The penalty imposed may range from an absolute discharge through to imprisonment.

You must inform VOSA immediately of any relevant convictions that occur between the date of application and authorisation of your application, or after authorisation.

**Note** If following approval it is brought to VOSA's attention that there are any unspent convictions that have not been disclosed, this may result in the cessation of authorisation to carry out statutory testing. Cessation may occur even though the unspent conviction may not have been of a nature that would have led to refusal on the initial VT01 application.

## 4 Partnership Agreement

A copy of the partnership agreement signed by all partners must be provided.

## 5 Companies Act 2006

If the applicant is subject to the Companies Act 2006 you will need to clearly show the following information;

- the corporate name; or
- the name of each partner; or
- the individual person's name; and
- in relation to each person named, an address at which documents can be served.

in all:

- the places where you carry on your business and where you deal with customers or suppliers;
- business letters;
- written orders for the supply of goods or services;
- invoices and receipts;
- written demands for the payment of business debts.

**Note:** For more information on the requirements of the Act, please visit the Companies House web site at <http://www.companieshouse.gov.uk>

6 A copy of the Companies House record of Appointments that confirms that all the listed applicants are known to Companies House.

## 7 Trained AEDM

Every new AE is required to have at least one person, the AEDM, who has attended a VOSA MOT Managers course which covers testing responsibilities, administrative arrangements, disciplinary and appeal processes. See section 7.2 for further information.

## 8 Bankrupt or Sequestrated

A person that is adjudged bankrupt or, in Scotland, has his estate sequestrated is not eligible to apply whilst this status remains. For applicants that have been subject to this order, within five years of the application date, VOSA require either a copy of the Certificate of Discharge or an independent declaration to confirm that you are no longer under these restrictions.

## 5. Receipt of Application by VOSA

5.1 Approval in Principle (AIP) given

5.2 Authorisation Granted

5.3 Intent to refuse the Authorisation or the Designation

1 If the information supplied in the application form and enclosures is satisfactory, VOSA will progress the application. Where the application form or enclosures are incomplete, they will be returned to the applicant with details of the additional information required.

2 After reviewing the application and following appropriate enquiries and possible inspections the applicant will be informed in writing of the outcome of VOSA's considerations, which will have one of the following results;

- a. Approval in Principle (AIP) given;
- b. Authorisation/Designation granted;

- c. Intention to Refuse notified.

## **5.1 Approval in Principle (AIP) given**

- 1 Where the requirements for authorisation/designation are not met but with reasonable changes they can be met, the applicant will be given written Approval in Principle (AIP). This will list items to be complied with before authorisation/designation is granted, and will include a time limit after which the AIP will expire. Final approval will only be given when all the required changes (or agreed alternatives) have been made.
- 2 Where the applicant is not prepared to comply with an item, or items, listed they must notify the local VOSA Office as soon as is possible, and before the expiry date of the AIP. The application will then be dealt with as in 5.4 below.

## **5.2 Delays to Authorisation**

- 1 To reduce the number of dormant applications, all applications will be reviewed periodically. A letter will be sent by recorded delivery, seeking evidence of good intent (which could be a letter confirming the application is proceeding). This review will be carried out during the 6th month after receipt of the application and a 1 month period given for the reply. If no reply is received or the reply is such that the terms of the initial AIP are no longer valid, then the original application will be terminated without further notice.

## **5.3 Authorisation Granted**

- 1 When VOSA is satisfied that:
  - a. the Requirements for Authorisation have been met;
  - b. the AE or an appropriate person within the partnership or company has attended the MOT Managers Course;
  - c. Prospective testers have satisfied VOSA that they can be included on the list of Nominated Testers;
  - d. a quality control system (if applicable) has been agreed. For more information on the requirements for quality control systems see The MOT Testing Guide (6<sup>th</sup> Edition) section B6;

Authorisation will be granted or, in the case of a council's application, Designation will be recommended. This will always have a standard set of conditions but may be subject to additional conditions specified in the Authorisation/Designation letter.

- 2 It is emphasised that responsibility for ensuring that premises and equipment comply with other relevant Acts, Regulations, Bylaws, Health and Safety at Work requirements, etc., rests with the applicant.
- 3 Once authorised VOSA may, on receipt of a lawful request, release information about you and your business to other enforcement bodies (e.g. the Police, HM Revenue and Customs) for the purpose of investigating and detecting crime or the prosecution of offenders. VOSA will not release personal information in response to general enquiries, but has an obligation under The Freedom of Information Act to release other information. Such information includes your trading name, address and phone number to assist the public in finding a suitable class of VTS in their area.

## **5.4 Intent to refuse the Authorisation or the Designation**

- 1 Where the Secretary of State is minded to refuse the application for authorisation, VOSA will notify the applicant in writing, detailing the reason(s) why the application may be refused.
- 2 The intention to refuse may be sent to the applicant at any stage during the application process when it becomes apparent that the application does not or is unlikely in the foreseeable future to meet the criteria.
- 3 The applicant may appeal against the intention to refuse to Authorise or Designate. Any appeal must be made in writing to the local VOSA Office and be received within 14 working days from the date of the notification of the intention. An informal hearing may be requested in accordance with the Informal Hearing Notes for Guidance and Code of Practice issued with the notice (see The MOT Testing Guide (6<sup>th</sup> Edition) for further information).
- 4 If at the end of this appeal period no such appeal has been received VOSA will write to the applicant confirming the refusal to Authorise.

**Note:** If an application is from an entity or involves individuals that have been subject to cessation for disciplinary reasons, that application will not normally be considered until shortly before the cessation period expires (see The MOT Testing Guide (6<sup>th</sup> Edition) for further information). As such there can be no “intent to refuse” until the cessation period has expired.

- 5 If at any time in the application process the applicant considers he cannot, or refuses to, meet the conditions he may give written notice to this effect to the local VOSA Office. On receipt of the applicant’s letter the local VOSA Office will confirm intent to refuse authorisation.

## **6. Additional Requirements before a Site is Authorised to Test**

- 6.1 MOT Testing Guide and Inspection Manuals
- 6.2 Evidence of Sole Use
- 6.3 Test Appointments
- 6.4 Nominated Testers (NTs)
- 6.5 Quality control (QC)
- 6.6 VTS Device and Associated equipment

- 1 VOSA will accept an application to become an AE without a link to an NT or an approved VTS, however before final authorisation to test is granted and a VTS Device installed an AE must demonstrate compliance with these requirements. The following additional requirements are required to be in place at each site to be approved.

### **6.1 MOT Testing Guide and Inspection Manuals**

- 1 Purchase a copy of The MOT Testing Guide (6<sup>th</sup> Edition) and copies of the relevant Inspection Manuals for all the classes of vehicle for which authorisation to test is sought.

## 6.2 Evidence of Exclusive Use

- 1 Evidence that the applicant has the sole use of the proposed MOT facility, including the test bay, reception area/office and adequate parking spaces, i.e. proof of ownership or a copy of lease or rental agreement;

- a. If the applicant is the site owner:

Copies of documents from the land registry confirming that the applicant is the registered owner of the land. If a land registry entry is not available alternative proof of ownership must be accompanied by a written explanation from a solicitor.

- b. If the applicant is not the site owner:

Evidence that the applicant has the right of exclusive use of the premises, in the form of a lease, rental agreement or licence. The following needs to be included in the document:

- i. the rent to be paid for the premises;
- ii. **specific mention** that the prospective AE has exclusive use of the premises necessary for MOT testing, e.g. the MOT test bay, the test facilities, office, security equipment, parking, waiting, viewing and reception areas;
- iii. evidence that the person or body granting the lease (the lessor) owns the site, or that the lessor's lease for the premises allows sub-letting or assignment of all or part of the lease to someone else;
- iv. written confirmation from a solicitor that the lease is a proper and enforceable legal document.

**Note** Irrespective of whether the applicant is the site owner or not, an applicant may provide written confirmation from a solicitor that a proper and enforceable lease is in place, in lieu of the document. This may, at VOSA discretion, allow a time limited approval of authorisation until suitable documents are provided. Failure to provide these documents by the time specified by VOSA will result in a suspension of authorisation until the requirements have been fulfilled.

## 6.3 Test Appointments

- 1 Arrangements for making MOT test appointments by telephone and by personal visit.

AEs **must** offer an appointment to test any vehicle of a class within their authorisation and that can be safely accommodated on their MOT equipment at the earliest practicable date and time bearing in mind their existing MOT workload. See Section 3.5 Testing Responsibilities.

## **6.5 Quality control (QC)**

- 1 AEs must ensure an adequate system of quality control (QC) at each of their VTSs for which purpose they must appoint a Quality Controller at each VTS (if applicable). The Quality Controller may be the AE, AEDM or SM if they are also an NT, alternatively an NT whom VOSA has accepted as suitable. Such an NT may be the Quality Controller at more than one VTS if registered as an active NT at each of them. Independent QC's may work on this basis. In the case of a multi-site or independent QC, a site must be identified to the local VOSA Office, in which the QC would normally be based/working or a primary point of contact supplied. Two or more Quality Controllers may be required at a VTS where the AE feels that a single QC cannot satisfactorily check the number of NT's on the List of Nominated Testers (VT 26) (e.g. NT's working a split 24 hour system). Approval for multiple QCs must be obtained from the local VOSA Office. The AE is responsible for notifying any change in Quality Controller to VOSA.

## **6.6 VTS Device and Associated equipment**

As part of the Requirements for Authorisation each VTS needs to have a telephone connection and a power supply for the VTS Device. A VTS Device will not be installed until the application nominates an NT and is linked to an AE (or applicant). After authorisation the number of tests conducted will be monitored and in some cases depending on the number of tests that the VTS carries out, they may be eligible to have a dedicated phone line installed. Some VTSs may also be eligible to have additional VTS Device(s). Siemens will advise AEs if they are eligible.

### **6.6.2 VTS Device Requirements**

It is recommended that AEs position the VTS Device in an office environment. A location that meets the following minimum specification for installation of the VTS Device should consist of:

- a. A flat horizontal surface 65cm deep by 85cm wide with a clear space extending to at least 60cm above, at a suitable working height, on which the VTS Device can be installed. The physical space allocated should be adequate for the equipment. The surface is appropriate for the VTS Device and will support the hardware. The environment surrounding the proposed location should be suitable and free from potential hazards (water, etc).
- b. A 13 Amp power socket within a 3.5 metre safe cable run of the VTS Device. This must not be damaged and must be fixed to the building fabric and free from potential hazards (for example not trail across passageways). The environment surrounding the power source must be free from potential hazards (water, etc). This socket should be on a circuit protected against power dips and surges if such a supply is available.
- c. An additional 13 Amp power socket within a 1.8 metre cable run of all approved exhaust gas analysers used as MOT test equipment. This may be wall mounted or mounted on the EGA trolley to reduce the number of trailing leads in the workshop. Again it is for you to decide in light of your risk assessment.

### 6.6.3 Telephone Line Requirements

- a. An analogue BT line terminating unit within 3.5 metre cable run of the VTS Device. The socket needs to be capable of accepting a BT431 connection (this is the standard type of connection found on BT phones) for use through an analogue phone line via a NTE5 linebox terminal which is the standard white wall socket, as found in most UK homes. Splitters, other than the adaptor supplied with the modem should not be used.

The phone line must be able to accept an analogue PSTN connection from a modem (i.e. **not** a digital telephone connection from a digital exchange or ISDN point). Broadband (ADSL) must not be installed on the same telephone line used for MOT Computerisation

- a The phone line needs to support CLI (Caller Line Identification) functionality. This is a standard facility provided on BT phone lines and is likely to be available unless it has been specifically turned off or calls are made via an internal telephone exchange that does not support CLI. To see if CLI functionality is available try ringing a mobile phone. If the phone number appears on the mobiles display screen, CLI is active. Please note support for CLI does not require the premium service "Caller Display".

The phone line shall not have Call Waiting or Call Answer 1571 (or equivalent services) activated.

- b Where alarm products such as BT Redcare are utilised on your phone line you will need to fit a device to the socket that will allow the modem to function. Contact your telephone or alarm system provider for more details.
- c The physical telecommunications socket must not be damaged, must have the correct connector presentation and must be fixed to the fabric of the building. The environment surrounding the telecommunications source must be free from potential hazards (water, etc).

If you are unsure about any of the above, contact your telephone service provider to determine if your phone line complies with VTS Device requirements.

### 6.6.4 VTS Device Location

The VTS Device should be sited, as far as is reasonably practical, so that it is protected from exposure to direct sunlight, dampness, contamination by dust and dirt and extremes of temperature.

Any cable routing should be suitable so as to not form a hazard to people and the VTS Device.

The VTS Device should be so positioned that it is not in danger from moving vehicles or equipment. It should also be protected from direct exposure to water. Lighting conditions must enable the monitor screen to be easily read, and the printer easily monitored. The VTS Device is classed as a fixed item of equipment and as such should not encroach into the minimum test bay dimensions.

### 6.6.5 Equipment Care

The AE must take reasonable care of the VTS Device and all of the associated equipment, including printer, Smart Card Reader, connections and cables, etc. In particular, AEs should make provisions to;

- a. protect the VTS Device and Smart Card Reader from theft and/or damage.
- b. ensure that no attempts are made to modify or misuse the VTS Device.
- c. ensure that damp, dust or other hostile environmental conditions do not damage unused VTS Device consumables including test documentation.

**Note:** It is recommended that AEs include the cost of replacement for any loss or damage, not due to fair wear and tear, to the VTS Device and associated equipment, in their insurance policy.

### 6.6.6 Installation of VTS Device

Each VTS will be offered one free installation visit. Siemens will contact the VTS to offer and agree a date for installation. The AE will be asked to certify that the VTS will meet the requirements for installation of the VTS Device. If on the day of installation the Installer considers the facilities for the VTS Device do not meet the requirements, and this cannot be quickly rectified, a further appointment will have to be made. A charge will be made for any such second or subsequent visit.

### 6.6.7 Cancellation of Installation Appointments

- a. If the AE, or the site contact, wishes to cancel the confirmed installation date they should notify the VOSA Service Desk, with a requested replacement installation date. Installation on the replacement date will be free of charge when the date is:
  - i. Either two weeks or more before the confirmed installation date, or
  - ii. Two weeks or less before the confirmed installation date and the reason for cancellation is an event outside the reasonable control of the AE or AE Nominee.
- b. Where an AE or AE Nominee cancels an installation less than two weeks before the confirmed installation date, if the reason for cancellation is not an event outside the reasonable control of the AE or AE Nominee, any replacement installation date will have to be paid for. The current charge is listed in Section L of The MOT Testing Guide (6<sup>th</sup> Edition). The same charge will also be made if:
  - i. On the day of the installation the AEDM or Site Manager fails to attend the VTS or wishes to cancel the installation, or
  - ii. On the day of installation the site is considered by the Installer/Trainer to be unsatisfactory.



### **6.6.8 Procedure on the day of installation:**

- a. At the agreed installation appointment, Siemens will check that the VTS site meets the minimum installation requirements. Where minimum requirements are met, Siemens will proceed with the installation of the VTS Device.
- b. Where Siemens believe that the VTS does not meet the minimum installation requirements, they will immediately raise their concerns with the AE or representative. Where corrective action by the AE can remedy the concerns raised within 20 minutes, Siemens will remain on site and proceed with the installation of the VTS Device.
- c. Where installation cannot take place during the planned free installation visit due to the VTS site failing to meet the minimum installation requirements, Siemens will provide a report detailing their findings, and the corrective action required to allow installation to proceed. The AE will be asked to countersign this report, and be given a copy. The AE will be informed that they will be charged for subsequent installation visits, with the amount being entered onto the report.

### **6.6.9 Installation Appeals Procedure**

- a. Where a VTS does not agree with the decision by Siemens, VOSA will be contacted by Siemens and requested to contact the AE within 10 minutes to discuss the issues. If after discussion with VOSA, the AE accepts the decision by Siemens, then installation will proceed as described in 6.6.8c above.
- b. Where a VTS continues to dispute the decision by Siemens after discussion with VOSA, then Siemens will provide a report as detailed in 6.6.8c above, clearly showing that the dispute remains. The AE will be informed that a second visit will be arranged with a representative from VOSA in attendance to review the site with Siemens. The outcome of this second visit will decide whether a charge will be made.
- c. Where a VTS continues to dispute the decision by Siemens /VOSA, or VOSA disagrees with the initial Siemens decision, the report will be updated accordingly and countersigned by all parties. Siemens will arrange for an independent assessor to visit the VTS.
  - i. Where the independent assessor believes the minimum installation requirements are met, installation will be carried out without further charge.
  - ii. Where the independent assessor believes that the minimum installation requirements are not met, the AE will be presented with the findings, and asked to countersign the report. A copy of the assessor's report will be left with the VTS, and a copy forwarded to Siemens. The AE will be informed that a charge will be made for all visits, excluding the initial free visit, and the cost of the independent assessment. Siemens will arrange the necessary visit to carry out VTS Device installation.

## **7. Mandatory Roles and Training**

7.1 Authorised Examiner Principle (AEP)

7.2 Authorised Examiner Designated Manager (AEDM)

7.3 Nominated Tester (NT)

7.4 Site manager (SM)

7.5 Personnel Manager (PM)

7.6 Quality Control (QC)

7.7 Smart Cards

### **Introduction**

- 1 For an AE to be authorised and a site to start testing, MOT specific roles must be appointed to individuals. These identify the individuals' responsibilities with regard to the MOT Testing Scheme and allow them appropriate access to the MOT Computerisation system.
- 2 The following mandatory roles are required for the authorisation of a site to test;
  - Authorised Examiner Principle (AEP);
  - Authorised Examiner Designated Manager (AEDM);
  - Nominated Tester (NT);
  - Personnel Manager (PM);
  - Site Manager (SM);
  - Quality Control (QC).
- 3 Depending on the size and make up of a business an individual can hold one or multiple roles. The roles of AEDM and NT will be appointed by VOSA from the information supplied in the AE's application, the remaining roles must be appointed by the AEDM.
- 4 There are additional non mandatory roles, giving varying levels of access to MOT Computerisation, which AEs may find useful to aid with the running of their business. More details of these can be found in Section M of The MOT Testing Guide (6<sup>th</sup> Edition).

### **7.1 Authorised Examiner Principle (AEP)**

Authorised Examiner Principals (AEPs) are legally responsible for the entity. Each partner in a partnership; each director, Company Secretary or each officer of a company; or the Sole Trader in person must complete and submit separate AEP personal details using a VT01. This role can only be assigned by VOSA during the application process.

### **7.2 Authorised Examiner Designated Manager (AEDM)**

- 1 Every new AE is required to have an AEDM, who has attended a VOSA MOT Managers course which covers testing responsibilities, administrative arrangements, disciplinary and appeal processes. The course is designed to help the AEDM to fully understand the role within the MOT Testing Scheme. Attendees of this course will be designated a Trained Person (TP) role.
- 2 However, the AEDM training requirement does not apply if, when the application was received, the **same** applicant (i.e. legal entity) was an AE and authorised before April 1<sup>st</sup> 1995.

### 3 Who to Train

- a. If the application to become an AE is from an individual he must take on the AEDM role and attend or have attended the MOT Managers' Course or the previous Authorised Examiners' course.
- b. If the application is from a partnership, the partner who will exercise the most direct control over all MOT testing operations must be the one to perform the AEDM role and attend or have attended the MOT Managers' Course or the previously named Authorised Examiners' training course.
- c. If the application is from a company, the director, an officer of the company or senior manager having direct responsibility for all MOT testing operations at all sites, must be the one to perform the AEDM role. This person must attend or have attended this or the previous Authorised Examiners' course.
- d. If the application is from a Designated Council, then a senior council officer having direct responsibility for all MOT testing operations must be the one to perform this role and attend or have attended this or the previous Authorised Examiners' course.

### Timing of Training

- 4 Normally, training must be completed before the authorisation can be granted. Ideally training should take place in the month before the authorisation is expected to be granted.
- 5 In cases where a new authorisation becomes necessary **only** because a business undergoes one of the changes indicated below, the authorisation can be granted before training has taken place, provided that a suitable person is trained within 35 working days of the change. Failure to complete the necessary training within the specified period will result in cessation. These changes are:
  - a. A sole trader takes on a partner or forms a company of which he is a director;
  - b. A partnership splits up but an untrained partner continues the business as a sole trader;
  - c. A partnership splits up but one untrained partner continues in a new partnership or as a director of a company; the same would apply if more than one of the untrained partners stayed with the new partnership or company;
  - d. A partnership that had originally applied for authorisation before 1 April 1995, and therefore did not need to have a trained person, is reconstituted by the addition or departure of one partner or more and therefore is now required to have a trained person in the partnership;
  - e. A receiver or manager 'of the body's undertaking' (see later) is appointed for a company;

- f. If a company is wound-up or ceases to manage the VTS but the business continues
  - i. Under another company with at least one director or officer of the former company;
  - ii. As a partnership including at least one director or officer of the former company;
- or**
- iii. With one of the directors or officers of the former company as a sole trader.

### **Cost of Training**

- 6 The training of one AEDM, or replacement AEDM, from each AE will be provided free of charge.
- 7 Any AE or Designated Council wishing to have additional people trained can arrange this however there is a charge for this service. For details of the charge contact VOSA Training Services.

### **Validity of Training**

- 8 With two exceptions the training is valid indefinitely. The exceptions are:
  - a. When an AE has been subject to cessation for disciplinary reasons, the AEDM for that AE may be required to attend a further course before again being acceptable as a trained person. If the AEDM is judged to have been directly involved in the incident leading to cessation then retraining will be mandatory. In such cases retraining will normally be permitted only when the AE is eligible for re-authorisation.
  - b. When an AE is given a Formal Warning under VOSA's disciplinary procedures, the AEDM for that AE may be required to attend an MOT Managers' course within 35 working days of the date that the AE is notified of the disciplinary action.

**Note:** The role of Trained Person (TP) will appear against anyone that has completed the MOT Managers' Course.

### **Applications for Training**

- 9 Application procedures for AEDM training vary with the situation of the prospective candidate and status of the authorisation:
  - a. **All applications involved in new authorisations**

A completed Application for MOT Managers' Course (VT79) should be forwarded to VOSA Training Services. Candidates who have never been issued with a Smart Card will be sent a Smart Card application form, this must be completed and returned with a recent photograph of the user to Siemens. All candidates will subsequently be contacted by VOSA Training Services to arrange a course after the AE applicant has been approved.

b. **Applications from candidates being appointed to AEDM in a currently authorised limited company**

Changes of AEDM must be notified in writing to the local VOSA Office and where such a change does not involve a Director of the company the AEDM role will be updated. Candidates who have never had a Smart Card will be sent a Smart Card application form. This must then be completed and returned with a recent photograph of the user to Siemens. They will also be sent an Application for MOT Managers' Course form that should be completed and forwarded to VOSA Training Services. All candidates will subsequently be contacted by VOSA Training Services to arrange a course.

c. **All applications**

VOSA Training Services will inform each applicant of the date and venue of the next available course. VOSA aims to offer a training place within 20 working days of the candidate being entitled to attend, and will try to achieve this using the applicant's preferred locations. Candidates may be able to obtain earlier course dates if they are willing to travel to locations that are more distant.

## **7.2 Nominated Tester (NT)**

- 1 Every new AE is required to have at least one person, the NT, who has passed a VOSA Nominated Testers Course before authorisation to test is granted. This role can only be appointed by VOSA, see Section E of The MOT Testing Guide (6<sup>th</sup> Edition) for full details of the criteria required.

## **7.3 Site manager (SM)**

- 1 Only one SM is allowed per VTS. However a SM may carry out the role at several VTSs. This is the role responsible for the day to day running of one or more VTSs. The SM can carry out VTS management, and non-testing functions e.g. assign users within a VTS, update equipment details. Many smaller single site AEs, may well choose to assign the SM role to the AEDM, larger single site businesses may allocate it to another manager or supervisor, the decision is left to the AEDM based on how the business is run.

## **7.4 Personnel Manager (PM)**

- 1 This role is responsible for assigning and removing people to and from roles within the Authorisation e.g. NT's, SM and VTS Site Admin.

## **7.5 Quality Control (QC)**

- 1 This role becomes mandatory at a VTS where there is more than one NT able to test a particular vehicle group. A QC must be an NT for the appropriate class but may hold other MOT Roles as well. See the MOT Testing Guide Section B6 for full details.

## **7.6 Smart Cards**

- 1 Anyone that requires access to MOT Computerisation will require a Smart Card. Individuals must apply for their smart cards using a Smart Card Application Form, those who are applying for training as an AEDM or NT will automatically be forwarded an application form when they apply for their training course. Additional application forms will be provided in the welcome pack sent when authorisation is granted.