STATUTORY RULES OF NORTHERN IRELAND

2007 No. 9

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) (Amendment) Regulations (Northern Ireland) 2007

Made - - - - *9th January 2007*

Coming into operation- *27th February 2007*

The Department of the Environment makes the following regulations in exercise of the powers conferred by Articles 24(1), (6), (7) and (8) and 110(1) of the Road Traffic (Northern Ireland) Order 1995(**1**):

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on the 27th February 2007.

Amendment of the Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) Regulations (Northern Ireland) 1993

2. The Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) Regulations (Northern Ireland) 1993(**2**) are amended in accordance with regulations 3 to 8.

3. In regulation 2 (general interpretation)—

(a) in paragraph (1)—

(i) before the definition of "Construction and Use Regulations" insert—

""bus" has the same meaning as in Article 24(11) of the Road Traffic (Northern Ireland) Order 1995(**3**);",

(ii) after the definition of "front seat" insert—

""local service" has the same meaning as in Article 24B of the Road Traffic (Northern Ireland) Order 1995(**4**);",

(iii) After the definition of "member State" insert—

(**1**) S.I. 1995 No. 2994 (N.I. 18)
(**2**) S.R. 1993 No. 363
(**3**) Article 24(11) was amended by S.R. 2007 No. 7
(**4**) Article 24B was inserted by S.R. 2007 No. 7

""operator", in relation to a bus, means—

(a) the owner of the bus, or

(b) if the bus is in the possession of any other person under an agreement for hire,

(c) hire-purchase, conditional sale, loan or otherwise, that person;";

(b) in paragraph (2) in the definition of "small child" for "150" substitute "135";

(c) in paragraph (3)(d)—

(i) for "in a relevant vehicle ("the vehicle in question")" substitute "in a vehicle", and

(ii) for "in the vehicle in question in that State" substitute "in that vehicle in that State";

(d) in paragraph (4)(b)—

(i) for "in a relevant vehicle ("the vehicle in question")" substitute "in a vehicle", and

(ii) for "in the vehicle in question in that State" substitute "in that vehicle in that State";

(e) for paragraph (8) substitute the following—

"(8) For the purposes of these Regulations, a seat belt is appropriate—

(a) in relation to a small child, if it is a child restraint of a description prescribed for a child of his height and weight by regulation 5;

(b) in relation to a large child, if it is a child restraint of a description prescribed for a child of his height and weight by regulation 5 or an adult belt; or

(c) in relation to a person aged 14 years or more, if it is an adult belt.".

(f) after paragraph (8) insert the following—

"(9) For the purposes of these Regulations, references to a bus being used to provide a local service in a built up area shall be construed in the same way as in Article 24A(5)(**5**) of the Road Traffic (Northern Ireland) Order 1995.".

4. Omit regulation 3 (interpretation of references to relevant vehicles).

5. In regulation 5(1) (description of seat belts to be worn by children)—

(a) in sub-paragraph (a) omit the words "and the vehicle is a relevant vehicle"; and

(b) omit sub-paragraph (b).

6. In regulation 7 (exceptions relating to children) for paragraph (1) substitute the following—

"(1) The prohibition in Article 24(1) of the Road Traffic (Northern Ireland) Order 1995 shall not apply in relation to—

(a) a small child aged 3 years or more who is riding in a bus and is wearing an adult belt if an appropriate seat belt is not available for him in the front or rear of the vehicle;

(b) a child for whom there is a medical certificate;

(c) a disabled child who is wearing a disabled person's belt.

(1A) The prohibition in Article 24(1) of the Road Traffic (Northern Ireland) Order 1995 shall not apply to a child riding in a bus—

(a) which is being used to provide a local service in a built-up area, or

(b) which is constructed or adapted for the carriage of standing passengers and on which the operator permits standing.".

(**5**) Article 24A was inserted by S.R. 2007 No. 7