STATUTORY RULES OF NORTHERN IRELAND

2001 No. 174

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 2001

Made - - - -	*11th April 2001*
Coming into operation	*1st June 2001*

The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31D(1) and (3), 31E(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 1st June 2001.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(**2**).

Amendment to regulation 2 (general interpretation)

2. In regulation 2(1)(**3**) of the principal Regulations, in the definition of "the prescribed type approval requirements", for the words "these Regulations" there shall be substituted the words "regulation 4".

Amendment to regulation 2B (interpretation of "low volume type approval vehicle")

3. In regulation 2B(1)(*b*)(**4**) of the principal Regulations, for the words "has been issued" there shall be substituted the words "is in force".

(**1**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"; Articles 31A, 31D and 31E were inserted by S.I. 1985/755 (N.I. 6), Article 3 and amended by S.R. 1993 No. 246, regulations 4, 5 and 6 respectively

(**2**) S.R. 1985 No. 294; relevant amending Regulations are S.R. 1987 No. 389, S.R. 1988 No. 405, S.R. 1990 No. 84, S.R. 1991 No. 408, S.R. 1992 Nos. 86 and 508, S.R. 1995 No. 38, S.R. 1996 No. 156, S.R. 1998 No. 363 and S.R. 1999 No. 234

(**3**) Regulation 2 was amended by S.R. 1992 No. 86, regulation 2(1) and (2)

(**4**) Regulation 2B was inserted by S.R. 1995 No. 38, regulation 3

Amendments to regulation 3 (application)

4.—(1) Regulation 3 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1)(*a*)—

(a) for the words "first used on or after" there shall be substituted the words "not first used before"; and

(b) in head (ii), after the words "motor cycle with" there shall be inserted the words "or without".

(3) In paragraph (2), sub-paragraphs (*a*), (*b*), (*e*) and (*j*) shall be omitted.

New regulation 3A (modification in relation to vehicles to which the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001 apply)

5. After regulation 3 of the principal Regulations there shall be inserted the following regulation —

"**Modifications in relation to vehicles to which the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001 apply**

3A.—(1) These Regulations shall have effect, in relation to vehicles to which Part II of the Approval Regulations apply, with the following modifications.

(2) Regulation 4 shall have effect subject to regulation 3 of the Approval Regulations.

(3) Regulation 6 does not apply to an application for a Department's approval certificate made on the basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.

(4) Regulation 8 does not apply in relation to any determination made for the purposes of such an application.

(5) Regulation 9 does not apply in relation to any certificate issued on the basis that the vehicle complies with the relevant requirements by virtue of the Approval Regulations.

(6) Regulation 10 does not apply in relation to any certificate in the form prescribed by the Approval Regulations.

(7) Regulations 13A and 14 do not apply to any vehicle to which Part II of the Approval Regulations apply (those Regulations containing provisions corresponding to regulations 13A and 14).

(8) In this regulation—

"the Approval Regulations" means the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001(**5**); and

"the relevant requirements", in relation to a vehicle, means the requirements prescribed under Article 31A of the Order that are applicable to it.".

Amendments to regulation 4 (type approval requirements — application)

6. In regulation 4(**6**) of the principal Regulations—

(a) in paragraph (1), for the words "Subject to paragraphs (1A), (2), (3), (4) and (5)" there shall be substituted the words "Subject to paragraphs (1A) to (5), regulation 3A"; and

(**5**) S.R. 2001 No. 172

(**6**) Paragraph (1A) was inserted by S.R. 1992 No. 508, regulation 2(2) and substituted by S.R. 1999 No. 234, regulation 3(2)