STATUTORY RULES OF NORTHERN IRELAND

2001 No. 173

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment No. 2) 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 55(l), (2) and (6) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 2001 and shall come into operation on 1st June 2001.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**2**).

New regulation 2A

2. After regulation 2 of the principal Regulations there shall be inserted—

"**Modification of Regulations in relation to vehicles for which a Department's approval certificate has been issued under the Motor Vehicles (Approval) (Northern Ireland) Regulations 2001**

2A. Schedule 1A shall have effect for the purpose of modifying these Regulations in relation to vehicles in respect of which a Department's approval certificate has been issued by virtue of the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001(**3**).".

Amendment to regulation 74 (emissions)

3.—(1) Regulation 74 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(**1**) S.I. 1995/2994 (N.I. 18)
(**2**) S.R. 1999 No. 454
(**3**) S.R. 2001 No. 172

(2) In paragraph (14), after the word "description" there shall be inserted the words "and is first used before 1st June 2001".

(3) In paragraph (20)(*b*), after the word "description" there shall be inserted the words "and is first used before 1st June 2001".

New Schedule 1A (vehicles for which a Department's approval certificate has been issued under the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001)

4. After Schedule 1 to the principal Regulations there shall be inserted the Schedule set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of the Environment on 11th April 2001.

Sam Foster
Minister of the Environment

SCHEDULE Regulation 4.

"SCHEDULE 1A Regulation 2A

Vehicles for which a Department's approval certificate has been issued under the Motor Vehicles (Approval) Regulations (Northern Ireland) 2001

Part I

Interpretation

General Interpretation

1. In this Schedule—

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

"approval certificate" means a Department's approval certificate in the form prescribed by the Approval Regulations;

"approval date", in relation to a vehicle in respect of which an approval certificate has been issued, is the date that the certificate was issued;

"relevant vehicle approval certificate" means an approval certificate which appears to have been issued on the basis that the vehicle is a vehicle to which Part II of the Approval Regulations applies.

Interpretation of references to a vehicle complying with the approval requirements and to a vehicle exempt from the approval requirements

2.—(1) Subject to paragraph 3, references in this Schedule to a vehicle complying with or being exempt from the approval requirements shall be construed in accordance with the following provisions of this paragraph.

(2) Subject to sub-paragraphs (3) and (4), a vehicle in respect of which a relevant vehicle approval certificate has been issued shall be regarded as complying with or exempt from the approval requirements in relation to a specified subject matter if and only if it for the time being satisfies at least one of the conditions in regulation 4(7) of the Approval Regulations in relation to that subject matter.

(3) A vehicle in respect of which an approval certificate has been issued shall be regarded as neither complying with nor being exempt from the approval requirements in relation to any subject matter if the certificate is a relevant vehicle approval certificate and the vehicle is not for the time being a vehicle to which Part II of the Approval Regulations applies.

(4) For the purposes of this paragraph, the Approval Regulations shall have effect with the omission of regulation 4(10).