1993 No. 361

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

Road Traffic (1981 Order) (Amendment) Regulations (Northern Ireland) 1993

Made	*17th August 1993*
Coming into operation . .	*1st October 1993*

The Department of the Environment, being a department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to measures relating to the compulsory use of safety belts in vehicles of less than 3.5 tonnes, in exercise of the powers conferred on it by section 2(2) of that Act and of all other powers enabling it in that behalf, makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Road Traffic (1981 Order) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 1st October 1993.

(2) The Interpretation Act (Northern Ireland) 1954(**c**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(3) In these Regulations "the 1981 Order" means the Road Traffic (Northern Ireland) Order 1981(**d**).

Amendment of Article 129A of the 1981 Order

2.—(1) Article 129A of the 1981 Order(**e**) (wearing of seat belts) shall be amended as follows.

(2) In paragraph (2)—

(*a*) after sub-paragraph (*a*), insert the following sub-paragraph—

"(*aa*) may, for the purpose of implementing the seat belt Directive, authorise the wearing of a seat belt approved under the law of a member State other than the United Kingdom;"; and

(*b*) after sub-paragraph (*b*) insert the following sub-paragraph—

"(*bb*) shall, for the purpose of implementing the seat belt Directive, include an exception for any person holding a certificate to the

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(**a**) S.I. 1992/1711
(**b**) 1972 c. 68
(**c**) 1954 c. 33 (N.I.)
(**d**) S.I. 1981/154 (N.I. 1)
(**e**) Article 129A was inserted by S.I. 1982/157 (N.I. 3) Article 3

like effect as that mentioned in sub-paragraph (*b*)(iii) which was issued in a member State other than the United Kingdom and which, under the law of that State, is valid for purposes corresponding to those of this Article;''.

(3) In paragraph (4), after ''paragraph (2)(*b*)'' insert ''or (*bb*)''.

(4) After paragraph (7), add—

''(8) In this Article and in Articles 129B and 129D, ''the seat belt Directive'' means the Directive of the Council of the European Communities, dated 16th December 1991, (No. 91/671/EEC) on the approximation of the laws of the member States relating to compulsory use of safety belts in vehicles of less than 3.5 tonnes.''.

Amendment of Article 129B of the 1981 Order

3.—(1) Article 129B of the 1981 Order(**a**) (restriction on carrying children in the front of motor vehicles) shall be amended as follows.

(2) After paragraph (3), insert the following paragraph—

''(3A) Without prejudice to the generality of paragraph (3), regulations made by virtue of sub-paragraph (*c*) of that paragraph may, for the purpose of implementing the seat belt Directive—

(*a*) make different provision in relation to different vehicles and different circumstances;

(*b*) authorise the wearing of a seat belt approved under the law of a member State other than the United Kingdom.''.

Amendment of Article 129D of the 1981 Order

4.—(1) Article 129D of the 1981 Order(**b**) (compulsory wearing of rear seat belts by children) shall be amended as follows.

(2) After paragraph (1), insert the following paragraph—

''(1A) Except as provided by regulations, where—

(*a*) a child who is under the age of 12 years and less than 150 centimetres in height is in the rear of a passenger car,

(*b*) no seat belt is fitted in the rear of that car, and

(*c*) a seat in the front of that car is provided with a seat belt but is not occupied by any person,

a person shall not without reasonable excuse drive that car on a road.''.

(3) In paragraph (2), after ''(1)'' insert ''or (1A)''.

(4) In paragraph (3)—

(*a*) in sub-paragraph (*a*) after ''(1)'' insert ''or (1A)''; and

(*b*) in sub-paragraphs (*b*) and (*c*) for ''that paragraph'' substitute ''those paragraphs''.

(**a**) Article 129B was inserted by S.I. 1982/157 (N.I. 3) Article 4
(**b**) Article 129D was inserted by S.I. 1989/680 (N.I. 5) Article 3