1989 No. 314

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Wearing of Rear Seat Belts by Children) Regulations (Northern Ireland) 1989

Made . . . . . *2nd August 1989*

Coming into operation . . *1st September 1989*

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of the Environment, in exercise of the powers conferred on it by Articles 129D (1), (3), (4) and (6) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Rear Seat Belts by Children) Regulations (Northern Ireland) 1989 and shall come into operation on 1st September 1989.

Interpretation

2.—(1) In these Regulations—

"adult seat belt" means—

(*a*) a three-point belt, or

(*b*) a lap belt,

marked in accordance with regulation 47(8) of the Construction and Use Regulations;

"booster cushion" means a cushion designed for a person of small stature to sit on to improve the fit of an adult seat belt (including a cushion that has an integral back above the seating plane);

"child restraint" means a seat belt for the use of a young person—

(*a*) which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with an adult seat belt and held in place by the restraining action of that belt, and

(*b*) which has been marked in accordance with regulation 47(8) of the Construction and Use Regulations;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**b**);

(a) S.I. 1981/154 (N.I. 1); Article 129D was inserted by Article 3 of S.I. 1989/680 (N.I. 5)
(b) S.R. 1989 No. 299

"the Order of 1981" means the Road Traffic (Northern Ireland) Order 1981;

"medical certificate" means a valid certificate in respect of a person, signed by a medical practitioner, to the effect that it is inadvisable on medical grounds for that person to wear a seat belt;

"rear seat" in relation to a vehicle means a seat not being the driver's seat, a seat alongside the driver's seat or a specified passenger seat; and

(2) In these Regulations the expressions—

"taxi" means a public service vehicle seating not more than six passengers in addition to the driver;

"disabled person's belt", "inertia reel belt", "lap belt", "seat", "specified passenger's seat" and "three-point belt" have the meanings given in regulation 47(9) of the Construction and Use Regulations.

(2) A seat belt is appropriate—

(*a*) in relation to a child under the age of 14 years, if it is of a description specified for a child of his class in regulation 3, and

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

Descriptions of seat belts and the manner in which they are to be used

3.—(1) A child shall be regarded as wearing a seat belt in conformity with regulations for the purposes of Article 129D of the Order of 1981 if and only if—

(*a*) he is wearing a seat belt of a description prescribed by paragraph (2) for a child of his class, and

(*b*) where paragraph (3) is applicable, he is using the seat belt in the manner prescribed by that paragraph.

(2) The description of seat belts prescribed for the purposes of paragraph (1) are—

(*a*) for any child, a child restraint appropriate to the weight of the child in accordance with the indication of weight shown on the mark required by regulation 47(8) of the Construction and Use Regulations; and

(*b*) for a child aged 1 year or more, an adult seat belt.

(3) If a child who has attained the age of 1 year but not the age of 4 years wears an adult seat belt, the manner prescribed by this paragraph is that it must be used in conjunction with a booster cushion.

Vehicles to which Article 129D of the Order of 1981 does not apply

4. The prohibition in Article 129D(1) of the Order of 1981 shall not apply to—

(*a*) vehicles which are not motor cars within the meaning of Article 37(1) of the Order of 1981(**a**), and

(*b*) licensed taxis in which the rear seats are separated from the driver by a fixed partition.

(**a**) As amended by S.R. 1982 No. 285