1987 No. 306

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Type Approval) (EEC) Regulations (Northern Ireland) 1987

Made . . . . . *23rd July 1987*

Coming into operation . . *1st September 1987*

ARRANGEMENT OF REGULATONS

PART I
PRELIMINARY

	Regulation
Citation and commencement	1
Revocation	2
Interpretation	3
Application	4

PART II
TYPE APPROVAL OF VEHICLES AND THEIR COMPONENTS

Approval of type vehicles and type vehicle components	5

PART III
GENERAL PROVISIONS

Application for type approval	6
Certificates of conformity with a type vehicle	7
Marking of vehicle components	8
Conditions of issue of type approval certificates and cancellation or suspension thereof	9
Notice by a manufacturer of cessation of, or alteration in, the manufacture of vehicles or vehicle components of an approved type, or of alterations in the relevant aspects of design etc.	10
Cancellation, suspension or modification of a type approval certificate where notice is given under regulation 10	11

Cancellation or suspension of type approval certificates where vehicles or vehicle components are not manufactured in conformity with type approval requirements 12

Notice of cancellation, suspension or modification of type approval certificates 13

Appeals 14

PART IV
SUPPLEMENTARY PROVISIONS

Keeping and inspection of records relating to certificates of conformity 15

SCHEDULES

			Page
1.	Regulations revoked		11
2.	Part I	Form of information document in relation to a motor vehicle	12
	Part II	Form of information document in relation to a trailer	24
	Part III	Form of type approval certificate	31
	Part IV	Form of certificate of conformity	32
3.	Part I	The Community Directives relating to the design, construction, equipment and marking of vehicles and vehicle components	33-40
	Part II	The Council Regulations on the harmonization of certain social legislation relating to road transport	40

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 the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme, in exercise of the powers conferred by that section and of all other powers enabling it in that behalf, makes the following Regulations:

PART I — PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (EEC) Regulations (Northern Ireland) 1987 and shall come into operation on 1st September 1987.

(**a**) S.I. 1972/1811
(**b**) 1972 c. 68

Revocation

2. The Regulations specified in Schedule 1 are revoked.

Interpretation

3.—(1) In these Regulations—

"certificate of conformity", in relation to a vehicle to which these Regulations apply, means a document in the form set out in Part IV of Schedule 2;

"the Community Directives" means the Council Directives and Commission Directives concerning the approximation of laws of member States for the purposes of the type approval of motor vehicles and trailers and their components in relation to the design, construction, equipment and marking of such vehicles and components, being the Directives mentioned in Part I of Schedule 3;

"the Community Regulation" means the Council Regulations mentioned in Part II of Schedule 3 concerning the harmonization of certain social legislation relating to road transport;

"component", in relation to a vehicle, means—

(*a*) a "motor vehicle part" as defined in section 63(4) of the Road Traffic Act 1972(**a**); or

(*b*) a "separate technical unit" as described in Council Directive 78/315/EEC of 21st December 1977(**b**);

"conform" means conform in all respects or with any permitted variation;

"the Department" means the Department of the Environment for Northern Ireland;

"information document" means—

(i) in relation to an application, not being an application within sub-paragraph (iii), for the approval of a motor vehicle to which these Regulations apply, a document in the form set out in Part I of Schedule 2,

(ii) in relation to an application, not being an application within sub-paragraph (iii), for the approval of a trailer to which these Regulations apply, a document in the form set out in Part II of Schedule 2,

(iii) in relation to an application for the approval of a vehicle to which these Regulations apply and for which the type approval requirements are contained in a single Community Directive or Regulation, or for the approval of a component of a vehicle to which these Regulations apply, a document in a form issued for the purpose of such application by or on behalf of the Department;

"land tractor" means a tractor which is designed primarily for work on the land in connection with agriculture or forestry and which is not designed primarily for use on a road for the conveyance of any goods or

(**a**) 1972 c. 20
(**b**) O.J. L81, 28.3.78, p. 1

burden other than agricultural or woodland produce or articles required for the purposes of agriculture or forestry;

"the relevant approval mark", in relation to the marking of a component of a vehicle, means the marking designated pursuant to section 63 of the Road Traffic Act 1972 as an approval mark applicable to such a component;

"the relevant aspects of design, construction, equipment and marking", in relation to a vehicle or to a component of a vehicle, means those aspects of design, construction, equipment and marking which are prescribed in the type approval requirements;

"road" includes a public road and any street, carriageway, highway or roadway to which the public has access;

"type approval certificate", in relation to a vehicle to which these Regulations apply, or to a component of such a vehicle, means a document in the form set out in Part III of Schedule 2 to which there is attached an information document relating to that vehicle or, as the case may be, to that component;

"the type approval requirements", in relation to a vehicle or component, means such of the requirements with respect to the design, construction, equipment and marking of vehicles or their components contained in the Community Directives or Community Regulations as are for the time being applicable in relation to a vehicle or component of that type;

references to the competent authority of any member State other than the United Kingdom are references to the authority in that State which has functions in relation to the type approval of vehicles and their components corresponding to those of the Department under these Regulations.

(2) Any notice required under these Regulations to be given by or to any person shall be in writing.

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

Application

4. These Regulations apply in relation to every motor vehicle (other than a land tractor) manufactured on or after 1st July 1973, being a vehicle which—

(*a*) has four or more wheels; and

(*b*) is so constructed as to be capable of exceeding a speed of 25 kilometres per hour on the level under its own power,

and to every trailer which is manufactured on or after that date drawn by such a motor vehicle.

PART II — TYPE APPROVAL OF VEHICLES AND THEIR COMPONENTS

Approval of type vehicles and type vehicle components

5.—(1) Where the Department is satisfied, on an application made to it in accordance with regulation 6 by or on behalf of the manufacturer of a motor

(**a**) 1954 c. 33 (N.I.)

vehicle or vehicle component to which these Regulations apply, and after examination of the vehicle or, as the case may be, the vehicle component that—

(*a*) the vehicle or vehicle component conforms with—

(i) the information given in relation to the vehicle or vehicle component in the information document which accompanied the application, and

(ii) the type approval requirements; and

(*b*) adequate arrangements have been made to ensure that other vehicles or other vehicle components purporting to conform with that vehicle or, as the case may be, that component in the relevant aspects of design, construction, equipment and marking will so conform in all respects or with such variations as are permitted by those requirements,

it shall approve the vehicle as a type vehicle or, as the case may be, the vehicle component as a type vehicle component and shall issue a type approval certificate in respect of it.

(2) A type approval certificate may be issued in respect of a type vehicle where the Department is satisfied that one or more, though not all, of the type approval requirements are complied with in the case of that vehicle and a further type approval certificate may be issued where an application is made by any person who manufactures any part of the vehicle or by whom the vehicle is finally assembled, and references in these Regulations to a manufacturer shall be construed accordingly.

(3) Where the Department decides on such an application as is mentioned in paragraph (1) not to issue a type approval certificate in respect of a vehicle or vehicle component, the Department shall give the applicant written notification of the decision stating the grounds on which it is based and inform the applicant of his right of appeal under regulation 14 and, within one month from the date on which that notice is given, shall give the like notice to the competent authority of every other member State.

(4) Where the Department issues a type approval certificate in pursuance of such an application as is mentioned in paragraph (1) it shall, within one month from the date on which the certificate is issued, give notice of that fact to the competent authority of every other member State and shall include with the notice a copy of the type approval certificate so issued.

PART III — GENERAL PROVISIONS

Application for type approval

6.—(1) An application by or on behalf of a manufacturer for the approval of a vehicle to which these Regulations apply as a type vehicle, or of a vehicle component as a type vehicle component, shall be made in writing to the Department and shall be accompanied by an information document duly completed so as to furnish all the information required by the document (being such of that information as is applicable to a vehicle or, as the case may be, a vehicle component of the type in respect of which the application is made), together with such other documents as are mentioned in the said information document as being required in connection with the application.