1978 No. 393

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1978

Made . . . . . *20th December* 1978

Coming into operation . . . *1st February* 1979

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 every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1978 and shall come into operation on 1st February 1979.

Interpretation

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

Regulations amended

3. The Motor Vehicles (Type Approval) (Northern Ireland) Regulations 1973(**d**) shall be amended as follows:

(1) In regulation 2 after the words "to a vehicle" there shall be inserted the words "to which these Regulations apply".

(2) In regulation 3(1)—

(*a*) for the definition of "information document" there shall be substituted the following—

" "information document"—

(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, means a document in the form set out in Part I of Schedule 1,

(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, means a document in the form set out in Part II of Schedule 1, and

(a) S.I. 1972/1811 (1972 III, p. 5216)
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. & O. (N.I.) 1973 No. 408 (II, p. 2357)

(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, means a document in a form issued for the purpose of such applications by or on behalf of the Department of Transport;";

(*b*) in the definition of "type approval certificate" after the words "in relation to a vehicle" there shall be inserted the words "to which these Regulations apply";

(*c*) in the definition of "certificate of conformity" after the words "in relation to a vehicle" there shall be inserted the words "to which these Regulations apply";

(*d*) for the definition of "the type approval requirements" there shall be substituted the following—

" "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;";

(*e*) in the definition of "the Community Directives" after the words "the Council Directives" there shall be inserted the words "and Commission Directives", and before the words "Schedule 2" there shall be inserted the words "Part I of";

(*f*) after the definition of "the Community Directives" there shall be inserted the following—

" "the Community Regulations" means the Council Regulations mentioned in Part II of Schedule 2 concerning the harmonisation of certain social legislation relating to road transport;"; and

(*g*) after the definition of "member State" there shall be inserted the following—

" "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(e) as an approval mark applicable to such a component;".

(3) In regulation 4(1) after the words "approval of a vehicle" there shall be inserted the words "to which these Regulations apply".

(4) In regulation 5—

(*a*) in paragraph (1) after the words "manufacturer of a vehicle" there shall be inserted the words "to which these Regulations apply";

(*b*) in paragraph (1)(*a*)(ii), for the words "such of the type approval requirements as apply in relation to vehicles or vehicle components of that type" there shall be substituted the words "the type approval requirements"; and

(*c*) in paragraph (2) the words "applicable to vehicles of that type" shall be omitted and after the words "and references" there shall be inserted the words "in these Regulations".

(e) 1972 c. 20

(5) After regulation 6 there shall be inserted the following—

"Marking of vehicle components

6A. A manufacturer of a type vehicle component in respect of which a type approval certificate is in force may mark each component which is manufactured by him and which conforms with the type vehicle component in such of the relevant aspects of design, construction, equipment and marking as are mentioned in the type approval certificate with the relevant approval mark.".

(6) In regulation 11—

(*a*) for the head note there shall be substituted the following—

"*Suspension of type approval certificates where vehicles or vehicle components are altered*", and

(*b*) in paragraph (1) after the word "force" there shall be inserted the words "or of a vehicle component marked with the relevant mark", after the words "made to the vehicle" there shall be inserted the words "or vehicle component", and after the words "the manufacturer of the vehicle" there shall be inserted the words "or the component".

(7) In regulation 12(3) after the words "previously issued" there shall be inserted the words "or any relevant approval mark applied".

(8) In Schedule 1—

(*a*) in the heading to Part I the words *"or to a component of such a motor vehicle"*, and

(*b*) in the heading to Part II the words *"or to a component of such a trailer"*

shall be omitted.

(9) For Schedule 2 there shall be substituted the Schedule.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 20th December 1978.

(L.S.) *E. A. Simpson*
Assistant Secretary

SCHEDULE

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SCHEDULE 2

(See regulations 3(1) and 5(1))

PART I

The Community Directives relating to the design, construction, equipment and marking of vehicles or vehicle components.

1 Item Number	2 Community Directive			3 Subject Matter
	(*a*) Reference Number	(*b*) Date	(*c*) Official Journal Reference	
1	70/157/EEC	6th February 1970	O.J. L42, 23.2.70, p. 16 (S.E. 1970 (I), p. 111)	The permissible sound level and the exhaust system of motor vehicles.
	or			
	70/157/EEC as amended by 73/350/EEC	7th November 1973	O.J. L321, 22.11.73, p. 33	
	or			
	70/157/EEC as amended by 73/350/EEC and by 77/212/EEC	8th March 1977	O.J. L66, 12.3.77, p. 33	
2	70/220/EEC	20th March 1970	O.J. L76, 6.4.70, p. 1 (S.E. 1970 (1), p. 171)	Measures to be taken against air pollution by gases from positive ignition engines of motor vehicles.
	or			
	70/220/EEC as amended by 74/290/EEC	28th May 1974	O.J. L159, 15.6.74, p. 61	
	or			
	70/220/EEC as amended by 74/290/EEC and by 77/102/EEC	30th November 1976	O.J. L32, 3.2.77, p. 32	