
STATUTORY INSTRUMENTS

1991 No. 1913

HEALTH AND SAFETY

The Agriculture (Power Take-off) (Amendment) Regulations 1991

Made - - - - *20th August 1991*
Laid before Parliament *3rd September 1991*
Coming into force - - *30th September 1991*

The Secretary of State, in exercise of the powers conferred on him by section 15(1), (3)(a) and (5) (a) of the Health and Safety at Work etc. Act 1974(1) (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Agriculture (Power Take-off) (Amendment) Regulations 1991 and shall come into force on 30th September 1991.

Amendments to the Agriculture (Power Take-off) Regulations 1957

2. Regulation 3 of the Agriculture (Power Take-off) Regulations 1957(2) shall be amended as follows:—

- (a) in paragraph (1) of that regulation—
 - (i) there shall be inserted, at the beginning, the words “Subject to paragraph (3) of this regulation,”, and
 - (ii) there shall be substituted for the word “The” where it first appears the word “the”;
- (b) the following paragraph shall be inserted after paragraph (2) of that regulation:—

(1) 1974 c. 37; sections 15 and 50 were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 6 and 16 respectively.
(2) S.I. 1957/1386; relevant amending instrument is S.I. 1981/1414.

“(3) Nothing in paragraph (1) of this regulation shall apply to a tractor of a type in respect of which EEC type-approval has been granted with regard to its power take-off and the protection of that power take-off in accordance with—

- (a) Council Directive [74/150/EEC](#)(3) relating to the type-approval of wheeled agricultural or forestry tractors, as amended by Council Directive [79/694/EEC](#)(4), Council Directive [82/890/EEC](#)(5), Council Directive [88/297/EEC](#)(6) and the Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties which forms part of the Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to The European Economic Community and to the European Atomic Energy Community, signed at Lisbon and Madrid on 12th June 1985(7); and
- (b) Council Directive [86/297/EEC](#)(8) relating to the power take-offs of wheeled agricultural and forestry tractors and their protection.”.

Signed by order of the Secretary of State.

20th August 1991

Eric Forth
Parliamentary Under Secretary of State,
Department of Employment

(3) OJ No. L84, 28.3.74, p.10.
(4) OJ No. L205, 13.8.79, p.17.
(5) OJ No. L378, 31.12.82, p.45.
(6) OJ No. L126, 20.5.88, p.52.
(7) The Act is included in European Communities No. 27 (1985), Cmnd 9634.
(8) OJ No. L186, 8.7.86, p.19.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Agriculture (Power Take-off) Regulations 1957 ([S.I. 1957/1386](#)) so as to disapply the prohibition and conditions relating to the use of a tractor having a power take-off which are contained in regulation 3(1) of those 1957 Regulations where the tractor concerned is of a type in respect of which EEC type-approval has been granted with regard to its power take-off and the protection of that power take-off in accordance with Council Directive [74/150/EEC](#) (OJNo. L84, 28.3.74, p.10, as amended by Council Directive [79/694/EEC](#) (OJ No. L205, 13.8.79, p.17), Council Directive [82/890/EEC](#) (OJ No. L378, 31.12.82, p.45), Council Directive [88/297/EEC](#) (OJ No. L126, 20.5.88, p.52) and the Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties which forms part of the Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community, signed at Lisbon and Madrid on 12th June 1985 (the Act is included in European Communities No. 27(1985), Cmnd 9634) and Council Directive [86/297/EEC](#) (OJ No. L186, 8.7.86, p.19).