

1982 No. 358

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Wearing of Seat Belts by Children) Regulations
(Northern Ireland) 1982

Made	1st November 1982
Coming into operation	31st January 1983

The Department of the Environment in exercise of the powers conferred on it by Articles 129B(1) and (3) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) (hereinafter referred to as "the Order") 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 (Wearing of Seat Belts by Children) Regulations (Northern Ireland) 1982 and shall come into operation on 31st January 1983.

Interpretation

2. In these Regulations—

"adult seat belt" means—

- (a) in a case where the seat belt is one mentioned in paragraph (5) of regulation 17 of the Construction and Use Regulations, one which complies with the requirements specified in paragraphs (5), (7), (8) and (10) of that regulation;
- (b) in a case where the seat belt is not one to which paragraph (5) of that regulation applies, the belt fitted to the vehicle for use by a person occupying the seat in question;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(b);

"restraining device for a young person" means a seat belt which is marked with a marking referred to in regulation 17(11) of the Construction and Use Regulations; and

"seat belt" and "specified passenger's seat" have the meanings respectively given to those expressions in regulation 17(12) of the Construction and Use Regulations.

Exceptions to restriction on carrying children in the front of motor vehicles

3. The prohibition in Article 129B(1) of the Order shall not apply to a child for whom there is a valid certificate in a form supplied by the Department, signed by a medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt.

4. The said prohibition shall apply only to a vehicle which is of a class specified in regulation 5(1) of the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1982(c) (which relates to vehicles to which seat belts for certain seats are

(a) S.I. 1981/154 (N.I. 1) as amended by S.I. 1982/157 (N.I. 3) Art. 3

(b) S.R. 1976 No. 320 as amended by S.R. 1980 No. 164 and S. R. 1982 No. 336

(c) S.R. 1982 No. 357

required to be fitted and to vehicles to which, but for the use being made of them, that requirement would apply).

5. The said prohibition shall not apply to a person driving a motor vehicle in respect of a child who occupies either—

- (a) a forward facing seat alongside the driver's seat which is not the specified passenger's seat where every other part of the vehicle which is designed to be used as a seat (including the specified passenger's seat and any seat which may be folded) is occupied by another person (whether a child or not); or
- (b) a seat for which no restraining device for a young person is provided, and
 - (i) the seat belt provided for that seat is an adult seat belt which has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline, or
 - (ii) the seat belt provided for that seat is an adult seat belt which does not comply with the requirements of regulation 92A of the Construction and Use Regulations.

Description of seat belts

6. The descriptions of seat belt prescribed for the purposes of Article 129B(1) are—

- (a) for a child under 1 year of age, a restraining device for a young person appropriate to the weight of the child in accordance with the indication of weight shown on the marking referred to in regulation 17(11) of the Construction and Use Regulations;
- (b) for a child of 1 year of age or more who is not disabled, either any type of a restraining device for a young person or an adult seat belt;
- (c) for a child of 1 year of age or more who is disabled either—
 - (i) any type of a restraining device for a young person; or
 - (ii) an adult seat belt; or
 - (iii) a seat belt which has been specially designed and constructed, and not merely adapted, for use by a person suffering from some physical defect or disability.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 1st November 1982.

(L.S.)

J. M. Irvine
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. Article 129B of the Road Traffic (Northern Ireland) Order 1981 prohibits a person driving with a child under the age of 14 years in the front of a motor vehicle unless the child is wearing a seat belt in accordance with regulations.

2. These Regulations—

(1) provide for exceptions to the requirement in the case of—

- (a) a child for whom there is a valid medical exemption certificate (regulation 3),
- (b) a vehicle which is not of a class specified in regulation 5 of the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1982 (regulation 4), and

(c) a person driving a vehicle in which a child occupies—

- (i) a forward facing seat alongside the driver's seat which is not the specified passenger's seat as defined in regulation 17(12) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 and every other part of the vehicle which is capable of being used as a seat is occupied by another person, or
- (ii) a seat for which no restraining device for a young person is provided and the seat belt provided for the seat is locked or out of order (regulation 5); and

(2) prescribe the descriptions of seat belt to be worn by such children (regulation 6).