

1988 No. 310

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (EEC) (Amendment)
Regulations (Northern Ireland) 1988**

Made 22nd August 1988

Coming into operation 10th October 1988

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:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (EEC) (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 10th October 1988.

Regulations amended

2. The Motor Vehicles (Type Approval) (EEC) Regulations (Northern Ireland) 1987(c) are amended as follows—

(1) In regulation 5 after paragraph (1) insert—

“(1A) Where the Department is satisfied that a vehicle component conforms with the provisions of paragraph (1) but it appears to it that it fulfills its function or offers a specific feature only in conjunction with another vehicle component of a particular class, it may approve the first mentioned vehicle component as a type subject to—

(a) restrictions relating to the use of components of that type; or

(b) conditions relating to the fitting of components of that type,

and any such restrictions and conditions shall be shown on the type approval certificate.”

(2) In regulation 9(1) after sub-paragraph (b) remove the full stop, insert a semi-colon and add—

(a) S.I. 1972/1811.

(b) 1972 c. 68

(c) S.R. 1987 No. 306

“and

- (c) the delivery by the manufacturer with any component which—
- (i) is supplied by him other than as part of a complete vehicle, and
 - (ii) is of a type to which the type approval certificate relates, of a document giving details of any restrictions and condition imposed under regulation 5(1A).”.

(3) In the form set out in Part I of Schedule 2, in paragraph (a) of the notes at the end, after the definition of “Category N3” add—

“Off-road vehicle: Off road vehicles are defined in paragraph (b) of the notes to Annex 1 of Council Directive 70/156/EEC as amended by Council Directive 87/403/EEC.”.

(4) In Part I of Schedule 3—

(a) in item 2, in the entry in column 2, add—

“or

70/220/EEC
as amended by
74/290/EEC,
77/102/EEC,
78/665/EEC,
83/351/EEC
and
88/76/EEC

3rd December 1987

O.J. L36, 9.2.1988,
p. 1”;

(b) in item 9, in the entry in column 2, add—

“or

71/320/EEC as
amended by
74/132/EEC,
75/524/EEC,
79/489/EEC,
85/647/EEC
and
89/194/EEC

24th March 1988

O.J. L92, 9.4.88,
p. 47”;

(c) after item 11, insert the following new item—

“11A	88/77/EEC	3rd Decem- ber 1987	O.J. L36, 9.2.88, p. 33	The emission of pollutants from diesel engines for use in vehicles.”.
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(d) in item 40, in the entry in column 2, add—

“or

80/1269/EEC as
amended by
88/195/EEC

24th March 1988

O.J. L92, 9.4.88,
p. 50.”.

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Sealed with the Official Seal of the Department of the Environment on
22nd August 1988.

(L.S.)

A. Miller

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Type Approval) (EEC) Regulations (Northern Ireland) 1987 ("the 1987 Regulations").

1. Regulation 2(1) enables a type approval certificate to be issued for certain vehicle components subject to restrictions of use and to conditions relating to fitting.
2. Regulation 2(2) enables a type approval certificate relating to a vehicle component to be issued subject to conditions requiring the manufacturer to deliver with each component details of any restrictions or conditions referred to in paragraph 1 above.
Regulations 2(1) and (2) partially implement Council Directive 87/358/EEC (O.J. L192, 11.7.87, p. 51).
3. Regulation 2(3) amends the form of information document set out in Schedule 2 to the 1987 Regulations by adding to the notes a definition of "Off-road vehicle". Regulation 2(3) implements Council Directive 87/403/EEC (O.J. L220, 8.8.87, p. 44).
4. Regulation 2(4) amends Schedule 3 to the 1987 Regulations to provide—
 - (a) that the type approval requirements of Council Directive 70/220/EEC as amended by Directives 74/290/EEC, 77/102/EEC, 78/665/EEC, 83/351/EEC and 88/76/EEC shall be an alternative to the existing type approval requirements relating to exhaust emissions from vehicles with petrol engines (item 2 of Schedule 3);
 - (b) that the type approval requirements of Council Directive 71/320/EEC as amended by Directives 74/132/EEC, 75/524/EEC, 79/489/EEC, 85/647/EEC and 88/194/EEC shall be an alternative to the existing type approval requirements relating to braking devices of certain vehicles (item 9);
 - (c) new type approval requirements relating to gas and exhaust emissions from diesel vehicles as a consequence of Council Directive 88/77/EEC (new item 11A).
 - (d) that the type approval requirements of Council Directive 80/1269/EEC as amended by Council Directive 88/195/EEC shall be an alternative to the existing type approval requirements relating to engine power of motor vehicles (item 40);
5. Copies of the EEC Directives referred to in these Regulations may be obtained from Her Majesty's Stationery Office.