

1988 No. 403

EUROPEAN COMMUNITIES

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (EEC) (Amendment No. 2)
Regulations (Northern Ireland) 1988**

Made 16th November 1988

Coming into operation 19th December 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 No. 2) Regulations (Northern Ireland) 1988 and shall come into operation on 19th December 1988.

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) (EEC) Regulations (Northern Ireland) 1987(d) are amended as follows—

(1) In regulation 9(1)(c) for “condition” substitute “conditions”.

(2) In Part I of Schedule 3—

(a) in item 2—

(i) in the entry in column 2, add—

“or
70/220/EEC
as amended by
74/290/EEC,
77/102/EEC,

(a) S.I. 1972/1811

(b) 1972 c. 68

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

(d) S.R. 1987 No. 306 as amended by S.R. 1988 No. 310

78/665/EEC,
83/351/EEC,
88/76/EEC
and

88/436/EEC 16th June 1988 O.J. L214, 6.8.88, p. 1”;

(ii) in the entry in column 3, delete the words “positive ignition”;

(b) in item 8, in the entry in column 2, add—

“or

71/127/EEC
as amended by
79/795/EEC,
85/205/EEC,
86/562/EEC
and

88/321/EEC 16th May 1988 O.J. L147, 14.6.88,
p. 77”;

(c) in item 9, in the entry in column 2, for “89/194/EEC” substitute “88/194/EEC”; and

(d) in item 32, in the entry in column 2, add—

“or

77/649/EEC
as amended by
81/643/EEC
and

88/366/EEC 17th May 1988 O.J. L181, 12.7.88,
p. 40”.

Sealed with the Official Seal of the Department of the Environment on
16th November 1988.

(L.S.)

Trevor Pearson

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") in order to implement Council Directive 88/436/EEC and Commission Directives 88/321/EEC and 88/366/EEC.

1. Regulation 3(2) amends Schedule 3 to the 1987 Regulations to provide that the type approval requirements of—
 - (a) Council Directive 70/220/EEC as amended by Council Directive 74/290/EEC, Commission Directives 77/102/EEC and 78/665/EEC, and Council Directives 83/351/EEC, 88/76/EEC and 88/436/EEC shall be an alternative to the existing type approval requirements relating to exhaust emissions from motor vehicles (item 2 of Schedule 3). The deletion of the words "positive ignition" in column 3 of that item ensures that the type approval requirements relating to exhaust emissions now apply to all motor vehicles (regulation 3(2)(a)(ii));
 - (b) Council Directive 71/127/EEC as amended by Commission Directives 79/795/EEC, 85/205/EEC, 86/562/EEC and 88/321/EEC shall be an alternative to the existing type approval requirements relating to the rear-view mirrors of motor vehicles (item 8 of Schedule 3); and
 - (c) Council Directive 77/649/EEC as amended by Commission Directives 81/643/EEC and 88/366/EEC shall be an alternative to the existing type approval requirements relating to the field of vision of drivers of motor vehicles (item 32 of Schedule 3).
2. The opportunity has also been taken to make some drafting amendments (regulation 3(1) and (2)(c)).
3. Copies of the EEC Directives referred to in these Regulations may be obtained from Her Majesty's Stationery Office.