

1992 No. 508

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (Amendment No. 2)
Regulations (Northern Ireland) 1992**

Made 1st December 1992

Coming into operation 31st December 1992

The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31D(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) 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) (Amendment No. 2) Regulations (Northern Ireland) 1992 and shall come into operation on 31st December 1992.

Regulations amended

2. The Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(b) are amended as follows—

(1) In regulation 2(1) (interpretation) after the definition of “the prescribed type approval requirements” insert—

“ “registered” means registered under the Vehicles (Excise) Act 1971(c);”

(2) In regulation 4 (type approval requirements — application)—

(a) in paragraph (1) after “paragraphs” insert “(1A),” and for the words “used on a road” substitute “registered”;

(b) after paragraph (1) insert—

“(1A) In relation to a particular vehicle—

(a) a type approval requirement applicable to the vehicle at the date of manufacture shall continue to apply to it until it is registered; and

(b) a type approval requirement which is applicable to vehicles as from a date after that vehicle was manufactured shall not apply to the vehicle unless the subject matter of the requirement is

(a) S.I. 1981/154 (N.I. 1); see Art. 2(2) for definition of “Department”. Arts. 31A and 31D were inserted by S.I. 1985/755 (N.I. 6) Art. 3.

(b) S.R. 1985 No. 294; relevant amending Regulations are S.R. 1987 No. 389, S.R. 1988 No. 405, S.R. 1990 No. 84 and S.R. 1990 No. 312.

(c) 1971 c. 10; the Act was extended to Northern Ireland by section 10 of the Finance Act 1991 (c. 31).

the same as that of a requirement applicable to it on the date it was manufactured;

but nothing in this paragraph affects the operation of sub-paragraph (a) or (b) of paragraph (1) in so far as it relates to requirements with respect to exhaust emissions from any vehicle not being of a description specified in column (4) of item 4G of Schedule 1.”;

(c) in paragraph (3) for the words “If a vehicle or vehicle part” substitute “Save as provided in paragraph (3A), if a vehicle or vehicle part”;

(d) after paragraph (3) insert—

“(3A) The provisions of paragraph (3) do not apply in respect of items 4C, 4D, 4E and 4F in Schedule 1.”;

(e) after paragraph (8)(a) insert—

“(8A) Where, in relation to items 12A(1), 12A(2) and 12A(3) in Schedule 1, a date is specified in column (6) of that Schedule (being a date of cessation of application of type approval requirements), that date shall not apply to any vehicle for which, or for a model of which, there is a type approval certificate or (as the case may be) a Department’s approval certificate in force at that date.”;

(f) in paragraph (11)(b) for the words “item 4C, and column (5) of items 4D, 4E and 27” substitute “items 4C, 4D, 4E, 4F and 27, and column (6) of items 25 and 26”;

(g) after paragraph (11) insert—

“(12) In this regulation, “prescribed” means prescribed under Articles 31A and 31E of the Order.”.

(3) In Schedule 1—

(a) for item 4D(c), substitute the item numbered 4D in Schedule 1;

(b) in item 4E(d) in column (6), insert “See regulation 4(11) and Schedule 1B”;

(c) after item 4E insert the items numbered 4F, 4G, 4H and 4J in Schedule 1;

(d) for item 12A(e) substitute the items numbered 12A(1), 12A(2) and 12A(3) in Schedule 1;

(e) after item 15B insert the item numbered 15C in Schedule 1;

(f) after item 17A insert the item numbered 17B in Schedule 1;

(a) Paragraph (8) was inserted by S.R. 1987 No. 389, reg. 2(3) and amended by S.R. 1988 No. 405, reg. 2(1)(a)

(b) Paragraph (11) was inserted by S.R. 1990 No. 84, reg. 2(1)

(c) Item 4D was inserted by S.R. 1988 No. 405, reg. 2(2)(c) and Schedule and substituted by S.R. 1990 No. 84, reg. 2(2)(a) and Schedule

(d) Item 4E was inserted by S.R. 1990 No. 84, reg. 2(2)(a) and Schedule

(e) Item 12A was amended by S.R. 1987 No. 389, reg. 2(4)(f)

- (g) in item 25(a), in column (6) insert “See regulation 4(11) and Schedule 1B”;
- (h) in item 26(a), in column (6) insert “See regulation 4(11) and Schedule 1B”; and
- (i) in item 27(b), in column (6) insert “See regulation 4(11) and Schedule 1B”.
- (4) In Part I of Schedule 1B(c)—
- (a) paragraph 1 shall be renumbered paragraph 1A and before that paragraph as so renumbered insert the following paragraph—
- “1. This Part has effect subject to Part III.”;
- (b) in paragraph 2 after “4E” insert “4F, 25, 26”;
- (c) in paragraph 3(1) for the words “paragraph 4” substitute “paragraphs 4 or 4A”; and
- (d) after paragraph 4 insert—
- “(4A) This paragraph applies in relation to item 4E where a vehicle is fitted with an engine which is described in the Annex to a type-approval certificate granted before 31st December 1992 in accordance with Council Directive 88/77/EEC(d).
- (4B) Expressions used in paragraph (3), which are also used in Article 3 of Council Directive 91/542/EEC(e), have the same meaning as in that Article.”.
- (5) For Part II of Schedule 1B substitute a new Part II as specified in Schedule 2.
- (6) After Part II of Schedule 1B, insert Part III as set out in Schedule 3.

Sealed with the Official Seal of the Department of the Environment on 1st December 1992.

(L.S.)

Trevor Pearson

Assistant Secretary

(a) Items 25 and 26 were inserted by S.R. 1988 No. 405, reg. 2(2)(d) and Schedule
(b) Item 27 was inserted by S.R. 1990 No. 84, reg. 2(2)(b) and Schedule
(c) Schedule 1B was inserted by S.R. 1990 No. 84, reg. 2(4) and Part II was amended by S.R. 1990 No. 312, reg. 2
(d) O.J. L36, 9.2.88, p. 33
(e) O.J. L295, 25.10.91, p. 1

SCHEDULE 1

(see regulation 2(3))

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(1) Item No.	(2) Subject matter	(3) Particulars of instrument or other document containing requirements and of the nature of the requirement			(4) Vehicles exempted from requirements	(5) Date of application	(6) Date of cessation of application
		(a) Description, reference number and date of instrument	(b) Official journal reference of Community Instrument	(c) Nature of requirement and place in instrument where stated			
4D	Exhaust emissions	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983 and Council Directive 88/76/EEC of 3rd December 1987.	L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, L197, 20.7.83, p. 1 and L36, 9.2.88, p. 1.	Design, construction and equipment requirements in Annex 1, paragraph 6 and either: (a) paragraph 5 as modified by paragraph 8.1 in the case of vehicles to which 8.1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.	See regulation 4(11)	See regulation 4(11)

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<p>or Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983, Council Directive 88/76/EEC of 13th December 1987 and Council Directive 88/436/EEC of 16th June 1988, as corrected on 8th November 1988, or Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive</p>	<p>L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, L197, 20.7.83, p. 1, L36, 9.2.88, p. 1, and L214, 6.8.88, p. 1.</p>	<p>Design, construction and equipment requirements in Annex I, paragraph 6 and either: (a) paragraph 5 as modified by paragraph 8.1 in the case of vehicles to which 8.1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.</p>		<p>See regulation 4(11)</p>	<p>See regulation 4(11)</p>
<p>Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive</p>	<p>L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, L197, 20.7.83, p. 1, L36, 9.2.88, p. 1, L214,</p>	<p>Design, construction and equipment requirements in Annex I, paragraph 6 and either: (a) paragraph 5 as modified by paragraph 8.1 applies and paragraph 5 in the case of any other vehicle;</p>	<p>1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.</p>	<p>31st December 1992</p>	<p>See regulation 4(11)</p>

		83/351/EEC of 16th June 1983, Council Directive 88/76/EEC of 3rd December 1987, Council Directive 88/436/EEC of 16th June 1988 and Council Directive 89/458/EEC of 3rd August 1989, Commission Directive 89/491/EEC of 17th July 1989.	6.6.88, p. 1, L226, 3.8.89, p. 1 and L238, 15.8.89, p. 43.	or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.			
4F	Exhaust emission	ECE Regulation 83 of 5th November 1989.		Design, construction and equipment requirements as prescribed in paragraphs 5 (except 5.2.1.1.4.1.), 6 and Annex I, Part B.	<ol style="list-style-type: none"> 1. Vehicles propelled by compression ignition engines with less than 4 wheels. 2. Vehicles with an unladen mass of less than 400 kg. 3. Vehicles with a design maximum speed of less than 30 m.p.h. 4. Vehicles fuelled by liquid petroleum gas. 	31st December 1992	See regulation 4(11)

4G	Exhaust emissions	Council Directive 70/200/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983, Council Directive 88/76/EEC of 3rd December 1987, Council Directive 88/436/EEC of 16th June 1988 and Council Directive 89/458/EEC of 3rd August 1989. Commission Directive 89/491/EEC of 17th July 1989. Council Directive 91/441/EEC of 26th June 1991.	L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, L197, 20.7.83, p. 1, L36, 9.2.88, p. 1, L214, 6.8.88, p. 1, L226, 3.8.89, p. 1, L238, 15.8.89, p. 43 and L242, 30.8.91, p. 1.	Design, construction and equipment requirements in Annex 1, paragraph 6 and either: (a) as modified by paragraph 8.1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500 kg. 2. Vehicles fuelled by liquid petroleum gas.	31st December 1992	
4H	Exhaust emissions	Council Directive 88/77/EEC of 3rd December 1987 and Council Directive 91/542/EEC of 1st October 1991.	L36, 9.2.88, p. 33 and L295, 25.10.91, p. 1.	Design, construction and equipment requirements in Annex 1, paragraph 6.	1. Vehicles propelled by spark ignition engines. 2. Vehicles whose maximum	31st December 1992	

					gross weight does not exceed 3500 kg. 3. Vehicles with less than 4 wheels if they are constructed not to exceed 30 m.p.h. on the level under their own power, or if they have an unladen weight of less than 400 kg. 4. Vehicles fuelled by liquid petroleum gas.	
4J	Gaseous emissions	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976 and Commission Directive 78/665/EEC of 14th July 1978 and Council Directive 83/351/EEC of 16th June 1983,	L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, and L197, 20.7.83, p. 1.	Design, construction and equipment requirements in Annex I, paragraphs 5 and 6 and, in relation to vehicles designed to carry more than 6 persons, paragraph 8.1.	1. Vehicles with 4 or more wheels. 2. Vehicles fuelled solely by liquid petroleum gas.	31st December 1992

<p>or Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directive 77/102/EEC of 30th November 1976, Commission Directive 78/665/EEC of 14th July 1978, Council Directive 83/351/EEC of 16th June 1983, Council Directive 88/76/EEC of 3rd December 1987, Council Directive 88/436/EEC of 16th June 1988, Council Directive 89/458/EEC of 3rd August 1989, Commission Directive 89/491/EEC of 17th July 1989, and Council Directive 91/441/EEC of 26th June 1991,</p>	<p>L76, 6.4.70, p. 1 (SE 1970 (I), p. 171), L159, 15.6.74, p. 61, L32, 3.2.77, p. 32, L223, 14.8.78, p. 48, L197, 20.7.83, p. 1, L36, 9.2.88, p. 1, L214, 6.8.88, p. 1, L226, 3.8.89, p. 1, L238, 15.8.89, p. 43 and L242, 30.8.91, p. 1.</p>	<p>Design, construction and equipment requirements in Annex I, paragraph 6 and either: (a) paragraph 5 as modified by paragraph 8. 1 applies and paragraph 5 in the case of any other vehicle; or (b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.</p>	<p>31st December 1992</p>
<p>or ECE Regulation 15 as revised on 20th October 1981, corrected on 9th June 1982 and amended on 1st June 1984,</p>	<p></p>	<p>Design, construction and equipment requirements in paragraphs 5 and 6</p>	<p>31st December 1992</p>

		or ECE Regulation 83 of 5th November 1989.		and, in relation to vehicles designed to carry more than 6 persons, paragraph 12.9. Design, construction and equipment requirements as prescribed in paragraphs 5, (except 5.2.1.1.4.1.), 6 and Annex I, Part B.		31st December 1992
12A (1)	Seat belts	Council Directive 77/541/EEC of 28th June 1977, or Council Directive 77/541/EEC of 28th June 1977 as amended by Council Directive 81/576/EEC of 20th July 1981 and Commission Directive 82/319/EEC of 2nd April 1982, or Council Directive 77/541/EEC of 28th June 1977 as amended by Council Directive 81/576/EEC of 20th	L220, 29.8.77, p. 95. L220, 29.8.77, p. 95, L209, 29.7.81, p. 32 and L139, 19.5.82, p. 17. L220, 29.8.77, p. 95, L209, 29.7.81, p. 32, L139,	Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2. Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2. Marking requirements in Annex III, paragraphs 1.1, 1.1.1 and 1.1.2.	Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if— (a) the drivers seat and the specified passenger seat (if any) has either a disabled persons seat belt or a seat	30th December 1992 30th December 1992 31st December 1992

July 1981, Commission Directive 82/319/EEC of 2nd April 1982 and Commission Directive 90/628/EEC of 30th October 1990,

or

ECE Regulation 16 as revised on 9th December 1979 and corrected on 25th June 1981,

or

ECE Regulation 16 as revised on 9th December 1979 and corrected on 25th June 1981 and amended on 22nd December 1985,

or

ECE Regulation 16 as revised and amended 22nd December 1985, revised on 15th June 1988, corrected on 8th April 1988, amended on 26th March 1989 and 20th November 1989 and corrected on 9th November 1990.

19.5.82, p. 17 and L341, 6.12.90, p. 1.

Marking requirements in paragraphs 4 and 5.4.

Marking requirements in paragraphs 4 and 5.4.

Marking requirements in paragraphs 4 and 5.4.

belt which complies with column 3; and

- (b) no seat belt is fitted to any other forward facing seat other than a disabled persons seat belt or a seat belt which complies with column 3.

(The definitions shown in regulation 47 of the Construction and Use Regulations apply to this item.)

30th December 1992

16th November 1987

30th December 1992

31st December 1992

12A
(2)

Seat belt
anchora-
ges

Council Directive
76/115/EEC of 18th
December 1975,
or

Council Directive
76/115/EEC of 18th
December 1975 as
amended by Council
Directive 81/575/EEC
of 20th July 1981
and Commission
Directive 82/318/EEC
of 2nd April 1982,
or

Council Directive
76/115/EEC of
18th December 1975
as amended by Council
Directive 81/575/EEC
of 20th July 1981
Commission Directive
82/318/EEC of 2nd
April 1982 and
Commission Directive
90/629/EEC of 30th
October 1990,

or
ECE Regulation 14 as
revised on 28th April
1976 and corrected on

L24, 30.1.76,
p. 6.

L24, 30.1.76,
p. 6, L209,
29.7.81, p. 30
and L139,
19.5.82, p. 9.

L24, 30.1.76,
p. 6, L209,
29.7.81, p. 30
and L139,
19.5.82, p. 9
and L341,
6.12.90, p. 14.

Design, construction
and equipment
requirements in
Annex I, paragraphs 4
and 5 and Annex III.

Design, construction
and equipment
requirements in Annex
I, paragraphs 4 and 5
and Annex III.

Design, construction
and equipment
requirements in Annex
I, paragraphs 4 and 5
and Annex III.

Design, construction
and equipment
requirements in

30th
December
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December
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12A (3)	Installation of seat belts	<p>4th August 1977, 19th July 1978 and in September 1979, or ECE Regulation 14 as revised on 28th April 1976 and corrected on 4th August 1977, 19th July 1978, in September 1979 and amended and corrected on 22nd November 1984, or ECE Regulation 14 as revised on 28th April 1976, and corrected on 4th August 1977, 19th July 1978, in September 1979, amended and corrected on 22nd November 1984 and amended on 29th January 1992.</p>	L220, 29.8.77, p. 95	<p>paragraphs 5, 6 and 7 and Annexes 3, 4 and 5.</p> <p>Design, construction and equipment requirements in paragraphs 5, 6 and 7 and Annexes 3, 4 and 5.</p> <p>Design, construction and equipment requirements in paragraphs 5, 6 and 7 and Annexes 3, 4, 5 and 6.</p>	<p>Vehicles which have been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability if—</p>	<p>16th November 1987</p> <p>31st December 1992</p>	<p>30th December 1992</p> <p>30th December 1992</p>
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<p>Council Directive 77/541/EEC of 28th June 1977 as amended by Council Directive 81/576/EEC of 20th July 1981 and Council Directive 82/319/EEC of 2nd April 1982,</p>	<p>L220, 29.8.77, p. 95, L209, 29.7.81, p. 32 and L39, 19.5.82, p. 17.</p>	<p>Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 "must comply with all the provisions of this Directive" and of 3.2.1.</p>	<p>(a) the drivers seat and the specified passenger seat (if any) has either a disabled persons seat belt or a seat belt which complies with column 3; and</p>	<p>30th December 1992</p>	
<p>or</p>	<p>Council Directive 77/541/EEC of 28th June 1977 as amended by Council Directive 81/576/EEC of 20th July 1981, Council Directive 82/319/EEC of 2nd April 1982 and 90/628/EEC of 30th October 1990.</p>	<p>L220, 29.8.77, p. 95, L209, 29.7.81, p. 32, L39, 19.5.82, p. 17 and L341, 6.12.90, p. 1.</p>	<p>Installation requirements in Annex I, paragraph 3 with the omission of the words in 3.1 "must comply with all the provisions of this Directive" and of 3.2.1.</p>	<p>(b) no seat belt is fitted to any other forward facing seat other than a disabled persons seat belt or a seat belt that so complies.</p>	<p>31st December 1992</p>
			<p>(The definitions shown in regulation 47 of the Construction and Use Regulations apply to this item.)</p>		

15C

Glass in wind-screens and other windows on the outside.

Council Directive 92/22/EEC of 31st March 1992.

L129, 14.5.92, p. 11.

Marking requirements in Annex II, paragraphs 4.4 and 4.5.

1. Vehicles of which the glass in the windscreens and other windows on the outside was manufactured in France and which is marked with the letters "TP GS" or "TP GSE" followed by a number being the number of a type approval certificate issued in accordance with the provisions of the law of the French Republic.

2. Vehicles constructed to be used for police purposes where the windscreens and all other windows are constructed of safety glazing or safety glass.

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17B	Tyres with a speed rating not exceeding 200 km/h in the case of diagonal (bias-ply) tyres or not exceeding 210 km/h in the case of radial-ply tyres.	Council Directive 92/23/EEC of 31st March 1992.	L129, 14.5.92, p. 95.	Marking requirements in Annex I, paragraph 4.	Vehicles fitted with tyres not mentioned in column (2).	31st December 1992
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SCHEDULE 2

(see regulation 2(5))

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PART II

TABLE (SEE PART I)

(1) <i>Item in Schedule 1</i>	(2) <i>Class of Vehicle</i>	(3) <i>Application Date</i>		(4) <i>Cessation Date</i>		
		(a)	(b)	(a)	(b)	
4C	1. Vehicles propelled by spark ignition engines, constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg, not being an off-road vehicle in either case, and which has an engine capacity of:— (a) less than 1400 cc, (b) not less than 1400 cc and not more than 2000 cc, (c) more than 2000 cc.	}	2.12.85	2.12.85	{ 30.12.92	30.12.92
					{ 30. 9.91	30.12.92
					{ 30. 9.91	30. 9.92
		2. Other vehicles propelled by spark ignition engines, with a maximum gross weight of:— (a) not more than 2000 kg, (b) not less than 2000 kg and not more than 3500 kg with an engine capacity of:— (i) less than 1400 cc, (ii) not less than 1400 cc.	}	2.12.85	2.12.85	{ 30. 9.90
}	2.12.85		2.12.85	{ 30.12.92	30.12.92	
			{ 30.12.92	30.12.92		

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	(c) more than 3500 kg, with an engine capacity of:— (i) less than 1400cc, (ii) not less than 1400 cc.	1.10.90	1.10.90	{ 30.12.92 30.12.92	30.12.92 30.12.92	2960
	3. Vehicles propelled by compression ignition, direct injection engines constructed or adapted to carry not more than 5 passengers excluding the driver, or with a maximum gross weight of not more than 2500 kg, not being an off-road vehicle, and which has an engine capacity of not less than 1400 cc and not more than 2000 cc.	1.10.90	1.10.90	30.12.92	30.12.92	
	4. All other vehicles propelled by compression ignition engines.	1.10.90	1.10.90	30.12.92	30.12.92	
4D	1. Vehicles propelled by spark ignition engines with a maximum gross weight of:— (a) not more than 3500 kg, (b) more than 3500 kg.	26.12.88 1.10.90	26.12.88 1.10.90	30.12.92 30.12.92	30.12.92 30.12.92	
	2. Vehicles propelled by compression ignition engines.	1.10.90	1.10.90	30.12.92	30.12.92	
4E	All vehicles.	1.10.90	1.10.90	30.12.92	30. 9.93	
4F	All vehicles.	31.12.92	31.12.92	30.12.92	30.12.92	
25	All vehicles.	See Schedule 1A	See Schedule 1A	30.12.92	30.12.92	
26	All vehicles.	See Schedule 1A	See Schedule 1A	30.12.92	30.12.92	No. 508
27	All vehicles.	1.10.90	1.10.90	30.12.92	30. 9.93"	

SCHEDULE 3

(see regulation 2(6))

"PART III

1. Items 4D and 4F of Schedule 1 shall have effect in relation to a vehicle to which the Schedule applies as if wherever the words "see regulation 4(11) of Schedule 1B" appear in column (6) there were substituted "30.12.1993".

2.—(1) This Part of this Schedule applies to a vehicle on or after 31st December 1992 if it fulfils the following four requirements, namely—

(a) it was manufactured on or after 1st September 1990 and before 1st September 1992;

(b) either—

(i) a certificate of conformity was issued in respect of the vehicle before 31st December 1992 on the basis that it conforms with a type of vehicle in respect of which a TAC had been issued before 31st December 1992; or

(ii) a sub-DAC was issued in respect of the vehicle before 31st December 1992 on the basis that it conforms with a vehicle in respect of which a DAC had been issued before 31st December 1992;

(c) it was in the territory of a member state at some time before 31st December 1992; and

(d) it was manufactured at a time when, out of all the relevant vehicles in existence on 31st December 1992, not more than the specified number had been manufactured.

(2) For the purposes of this paragraph, in relation to a vehicle ("the vehicle in question"),—

(a) "the specified number" is 10 per cent of the total number of vehicles to which these Regulations apply that were both—

(i) manufactured by the manufacturer of the vehicle in question; and

(ii) registered during the period beginning on 31st December 1991 and ending on 30th December 1992.

(b) a relevant vehicle is a vehicle which—

(i) was manufactured by the manufacturer of the vehicle in question; and

(ii) satisfies the requirements of sub-paragraphs (a), (b) and (c) of paragraph 2(1); but

(iii) had not been registered before 31st December 1992.

(3) In this paragraph—

"DAC" means a Department's approval certificate not being a sub-DAC;

"sub-DAC" means a Department's approval certificate issued by virtue of Article 31A(5) of the Order; and

"TAC" means a type approval certificate.

(4) For the purposes of this paragraph—

(a) a reference to a vehicle conforming with another vehicle is a reference to a vehicle conforming with another vehicle as respects the relevant aspects of design, construction, equipment and marking;

(b) a TAC relates to a vehicle where a certificate of conformity has been issued on the basis of the vehicle conforming with a type vehicle in respect of which the TAC was issued; and

- (c) a DAC relates to a vehicle where a sub-DAC has been issued on the basis of the vehicle conforming with another vehicle in respect of which the DAC was issued.”.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985 (“the 1985 Regulations”).

1. Schedule 1 is amended in order to revise the type approval requirements for the vehicles to which the regulations apply, other than vehicles which are expressly exempted so as to:

- (a) introduce new type approval requirements for exhaust emissions. The new requirements are contained in the Council and Commission Directives mentioned in the third alternative in item 4D, the ECE Regulation mentioned in item 4F, the Council and Commission Directives mentioned in item 4G and the Council Directive mentioned in item 4H;
- (b) specify the requirements for three-wheeled vehicles in a new item 4J;
- (c) make new provisions about the dates of the cessation of the requirements as to fuel, fuel input and particulate emissions respectively specified in items 25, 26 and 27 as a result of the addition to Schedule 1 of new items 4G and 4H;
- (d) provide, in relation to seat-belts, a new alternative prescribed requirement as a result of a revision made on the 15th June 1988, and subsequent corrections and amendments, to ECE Regulation 16;
- (e) provide, in relation to seat-belt anchorages, a new alternative prescribed requirement as a result of an amendment made on the 29th January 1992 to ECE Regulation 14;
- (f) provide, in relation to installation of seat-belts, a new alternative prescribed requirement as a result of Council Directive 90/628/EEC;
- (g) provide, in relation to glass in windscreens and other windows, a new alternative prescribed requirement as a result of Council Directive 92/22/EEC; and
- (h) provide, in relation to tyres, a new alternative prescribed requirement as a result of Council Directive 92/23/EEC.

2. A new Part III is inserted into Schedule 1B to exempt, until 31st December 1993, the compulsory application of the requirements in relation to a limited class of vehicles. In order for a vehicle to have the benefit of the exemption it must satisfy the following basic requirements:

- (a) it must have been manufactured on or after 1st September 1990 and before 1st September 1992;

- (b) a certificate of conformity or a Department's approval certificate must have been issued in respect of it before 31st December 1992 on the basis of it conforming with a type of vehicle approved by the Department under the Road Traffic (Northern Ireland) Order 1981 before 31st December 1992; and
- (c) it must have been in the territory of a member state of the European Community at some time before 31st December 1992.

The number of vehicles that can have the benefit of the exemption is limited, in the case of vehicles produced by any one manufacturer, to a figure not exceeding 10% of all vehicles manufactured by that manufacturer that are registered between 31st December 1991 and 30th December 1992. If on 31st December 1992 the number of unregistered vehicles made by a manufacturer which would otherwise have had the benefit of the exemption exceeds the 10% limit, the vehicles which have the benefit of the exemption are the first 10% to have been manufactured.

3. Regulation 4 of the 1985 Regulations is amended so as to make it clear that type approval requirements apply to vehicles until they are registered under the Vehicles (Excise) Act 1971.

4. Regulation 4 of the 1985 Regulations is also amended so that the type approval requirements for a vehicle are generally those which applied to it when it was manufactured. However, as from the 31st December 1992, the type approval requirements relating to exhaust emissions then in force shall apply to a vehicle regardless of the date of manufacture. In all cases a vehicle has the option of meeting a later requirement.

5. The opportunity has been taken to make it clear that the type approval requirements prescribed by the 1985 Regulations are to be treated as being prescribed under both Articles 31A and 31E of the Road Traffic (Northern Ireland) Order 1981.

Copies of the ECE Regulations and of the EEC Directives referred to in these Regulations and in this note can be obtained from Her Majesty's Stationery Office.