
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations make provisions relating to the wearing of seat belts and other restraints by children in the front of motor vehicles. They replace and revoke the Motor Vehicles (Wearing of Seat Belts by Children) Regulations (Northern Ireland) 1982.

These Regulations, the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 362) and the Road Traffic (1981 Order) (Amendment) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 361) implement [Council Directive 91/671/EEC](#) (O.J. No. L373, 31.12.91, p. 26). The Directive applies only to vehicles of less than 3.5 tonnes which have 4 or more wheels and a design speed of more than 25 km/h. It does not apply to passenger vehicles with more than 8 passenger seats if they are designed to carry standing passengers.

Children are for the purposes of the Regulations divided into 2 categories. A small child is a child who is aged under 12 years and is under 150 centimetres in height. Any other child aged under 14 years is referred to as a large child (regulation 2(2)).

The main changes made by these Regulations are as follows—

- (a) Previously a child could be carried in a seat beside the driver without a seat belt if every other seat was occupied. In future, it will, in general be unlawful to drive a vehicle with a small child in the front unless he is wearing a suitable child restraint. In the case of a large child, the offence will be committed where and only where a suitable restraint is available in the front of the vehicle. For a small child aged 3 years or more an adult belt will be regarded as suitable only if no suitable child restraint is available in the vehicle. An adult belt as well as a suitable child restraint will always be regarded as suitable for a large child. There is an exception for certain cars first used before 1st January 1965.
- (b) Previously the front seat belt wearing requirements applied only to vehicles that were required to be fitted with seat belts by the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989. They will now apply to all motor vehicles (other than motor cycles).
- (c) The prescribed description of seat belt in the case of vehicles within the scope of the Directive includes belts approved by other member States.
- (d) As before there is an exception for persons holding a certificate to the effect that it is inadvisable on medical grounds for him to wear a seat belt. Such a certificate will, if issued on or after 1st January 1995, have to state its period of validity and bear a specified symbol. The exception is extended to holders of certificates issued under the law of another member State.

Copies of the EEC Directive referred to in this note may be obtained from Her Majesty's Stationery Office.