

1995 No. 38

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (Amendment)
Regulations (Northern Ireland) 1995**

Made 16th February 1995

Coming into operation 1st April 1995

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 every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 1st April 1995.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(b).

Amendment to regulation 2 (general interpretation)

2. In regulation 2 of the principal Regulations, for the definition of “the type approval requirements” there shall be substituted—

“ “the type approval requirements” means the requirements with respect to the design, construction, equipment or marking of vehicles or vehicle parts which—

- (a) relate to the items numbered in column (1) and listed in column (2) of Part I of Schedule 1; and
- (b) are contained in regulations, other documents, or Parts of that Schedule, and consist of the requirements, specified against each such item in column (3) of Part I of that Schedule (subject to such modifications and additions as are set out in Part I of that Schedule);”.

Amendment as to low volume type approval

3. After regulation 2A(c) of the principal Regulations there shall be inserted the following regulation—

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- (a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of “Department”; Articles 31A and 31D were inserted by S.I. 1985/755 (N.I. 6) Article 3
 - (b) S.R. 1985 No. 294; relevant amending Regulations are S.R. 1987 No. 389, 1988 No. 405, 1990 No. 84, 1990 No. 312, 1992 No. 86 and 1992 No. 508
 - (c) Regulation 2A was inserted by S.R. 1992 No. 86, reg. 2(3)

“Interpretation of ‘low volume type approval vehicle’”

2B—(1) For the purposes of these Regulations a vehicle (“the vehicle in question”) is a low volume type approval vehicle at a particular time if—

- (a) since the 31st December immediately preceding that time less than 500 Department’s approval certificates have been issued with respect to vehicles of the relevant class; and
- (b) no type approval certificate has been issued with respect to a vehicle of the relevant class.

(2) Notwithstanding anything in paragraph (1) a vehicle shall be deemed to be a low volume type approval vehicle for the purposes of these Regulations if a Department’s approval certificate in the form set out in Part III of Schedule 4 has been issued with respect to it.

(3) For the purposes of this regulation, a vehicle is a vehicle of the relevant class if it is not the vehicle in question, but is a vehicle—

- (a) of the same or similar model; and
- (b) manufactured by the same manufacturer;

as the vehicle in question.

(4) For the purposes of this regulation only, two or more vehicles manufactured by different bodies corporate shall be regarded as having been manufactured by the same manufacturer if at the date when the last of those vehicles was manufactured the bodies were interconnected within the meaning given by section 137(5) of the Fair Trading Act 1973(a).’.

Amendments to regulation 4 (type approval requirements — application)

4. Regulation 4 of the principal Regulations shall be amended as follows—

(1) Before the words “Schedule 1” wherever they occur, there shall be inserted the words “Part I of”.

(2) In paragraph (1A)(b), for “not being of a description specified in column (4) of item 4G of Part I of Schedule 1” there shall be substituted “, other than a vehicle with fewer than 4 wheels or fuelled solely by liquid petroleum gas”.

(3) In paragraph (3A)(c), for “4E and 4F” there shall be substituted “4E, 4F and 4G”.

(4) Paragraph (5) shall be omitted.

(5) In paragraph (11)(d), for “4F and 27” there shall be substituted “4F, 4G and 27”.

(a) 1973 c. 41

(b) Paragraph 1A was inserted by S.R. 1992 No. 508, reg. 2(2)(b)

(c) Paragraph 3A was inserted by S.R. 1992 No. 508, reg. 2(2)(d)

(d) Paragraph (11) was inserted by S.R. 1990 No. 84, reg. 2(1) and amended by S.R. 1992 No. 508, reg. 2(2)(f)

Amendments to regulation 9 (forms of certificates)

5. Regulation 9 of the principal Regulations shall be amended as follows—

(1) At the beginning of paragraph (2), there shall be inserted the words “Subject to paragraphs (4) and (5),”.

(2) After paragraph (3), there shall be inserted the following paragraphs—

“(4) Where the Department is satisfied that a vehicle complies with the relevant type approval requirements on the basis that it is a low volume type approval vehicle and is not satisfied that it would otherwise so comply, a Department’s approval certificate issued in respect of that vehicle shall be in the form set out in Part III of Schedule 4.

(5) Where the applicant applies for a Department’s approval certificate for a vehicle on the basis that it is a low volume type approval vehicle the certificate shall be in the form set out in Part III of Schedule 4.”.

Amendments to Schedule 1

6. Schedule 1 to the principal Regulations shall be amended as follows—

(1) Before the heading “TYPE APPROVAL REQUIREMENTS” at the beginning of the Schedule there shall be inserted the heading “PART I” and, accordingly, the Table in the Schedule shall have effect as Part I of the Schedule.

(2) In Part I—

(a) for item 4G(a), there shall be substituted item 4G in Schedule 1;

(b) for item 4H(a) there shall be substituted item 4H in Schedule 1;

(c) after item 4J(a) there shall be inserted item 4K in Schedule 1;

(d) after item 10B(b), there shall be inserted item 10C in Schedule 1;

(e) in item 13E(c), in column (6), in relation to ECE Regulation 13 as revised, amended and corrected up to 26th November 1984 and in relation to ECE Regulation 13 as revised, amended and corrected up to 29th July 1988, there shall be inserted “31.3.1995”;

(f) for items 13F(c) and 13G(c) there shall be substituted items 13F and 13G in Schedule 1;

(g) for item 14E(d) there shall be substituted item 14E in Schedule 1;

(h) after item 14E there shall be inserted items 14F and 14G in Schedule 1;

(i) for item 16(e) there shall be substituted item 16 in Schedule 1;

(j) after item 16 there shall be inserted item 16A in Schedule 1;

(a) Items 4G, 4H and 4J were inserted by S.R. 1992 No. 508, reg. 2(3)(c) and Schedule 1

(b) Item 10B was inserted by S.R. 1987 No. 389, reg. 2(4)(h) and Schedule

(c) Items 13E, 13F and 13G were inserted by S.R. 1987 No. 389, reg. 2(4)(k)(ii) and Schedule and substituted by S.R. 1992 No. 86, reg. 2(4)

(d) Item 14E was inserted by S.R. 1987 No. 389, reg. 2(4)(l)(ii) and Schedule

(e) Item 16 was amended by S.R. 1987 No. 389, reg. 2(4)(n)

- (k) after item 18A there shall be inserted item 18B in Schedule 1;
- (l) after item 22 there shall be inserted item 22A in Schedule 1; and
- (m) after item 23 there shall be inserted item 23A in Schedule 1.

(3) After the Table there shall be inserted the provisions set out in Schedule 2 to these Regulations.

(4) In this regulation a reference to Schedule 1 means Schedule 1 to these Regulations.

7. In Schedules 1A, 1B and 3 to the principal Regulations, before the words "Schedule 1", wherever they occur, there shall be inserted the words "Part I of".

Amendments to Schedule 1B

8. Schedule 1B(a) to the principal Regulations shall be amended as follows—

(1) In Part I—

(a) for paragraph 1 there shall be substituted the following paragraph—
 "1. This Part of this Schedule has effect subject to Parts III and IV of this Schedule."; and

(b) in paragraph 2(b), after "4F" there shall be inserted "4G".

(2) In Part II(c), after the entry relating to item 4F in Part I of Schedule 1, there shall be inserted the following entry—

"4G All vehicles 31.12.92 31.12.92 31.3.95 30.9.95".

(3) After Part III(d), there shall be added the provisions set out in Schedule 3 to these Regulations.

Amendment to Schedule 4

9. In Schedule 4 to the principal Regulations, after Part II there shall be inserted the provisions set out in Schedule 4 to these Regulations.

Revocation

10. The Motor Vehicles (Type Approval) (Amendment No. 2) Regulations (Northern Ireland) 1990(e) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on
 16th February 1995.

(L.S.)

Trevor Pearson

Assistant Secretary

(a) Schedule 1B was inserted by S.R. 1990 No. 84, reg. 2(4)
 (b) Paragraph 2 was amended by S.R. 1992 No. 508, reg. 2(4)(b)
 (c) Part II was substituted by S.R. 1992 No. 508, reg. 2(5) and Schedule 2
 (d) Part III was inserted by S.R. 1992 No. 508, reg. 2(6) and Schedule 3
 (e) S.R. 1990 No: 312

SCHEDULE 1

Regulation 6(2)

No. 38

Road Traffic and Vehicles

375

(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			
4G	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, Council Directive 88/76/	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 I, paragraph 6 and either:— (a) as modified by paragraph 8.1 applies and paragraph 5 in the case of any other vehicle; or	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500kg. 2. Vehicles fuelled by liquid petroleum gas.	31.12.1992	See regulation 4(11) and Schedule 1B

		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, Council Directive 91/441/EEC of 26th June 1991, or ECE Regulation 83 of 5th November 1989 as amended on 30th December 1992.		(b) paragraph 8.3 and paragraph 5 as modified by paragraph 8.3.			
				Design, construction and equipment requirements in paragraphs 5 (except 5.2.1.1.4.1) and 13 in the case of vehicles to which paragraph 13 applies.		1.4.1995	
4H	Exhaust emissions	Council Directive 88/77/EEC of 3rd December 1987 as amended by Council Directive 91/542/EEC of	L36, 9.2.88, p. 33 and L295, 25.10.91, p. 1.	Design, construction and equipment requirements in Annex I, paragraph 6.	1. Vehicles propelled by spark ignition engines. 2. Vehicles whose maximum gross weight	31.12.1992	

		1st October 1991, or ECE Regulation 49 of 15th April 1982 as amended on 14th May 1990 and 30th December 1992.		Design and construction requirements in paragraphs 5 and 6.	does not exceed 3500kg. 3. Vehicles with less than 4 wheels if they are constructed not to exceed 30 mph on the level under their own power, or if they have an unladen weight of less than 400kg. 4. Vehicles fuelled by liquid petroleum gas.	1.4.1995
4K	Exhaust emissions	Council Directive 70/220/EEC of 20th March 1970 as amended by Council Directive 74/290/EEC of 28th May 1974, Commission Directives 77/102/EEC of 30th November 1976, 78/665/EEC of 14th July 1978, Council Directives 83/351/EEC of 16th June 1983, 88/76/EEC of 3rd December 1987, 88/436/EEC of 16th June 1988 as	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, L242, 30.9.91, p. 1 and L186, 28.7.93, p. 21.	Design, construction and equipment requirements in Annex I, paragraph 6 and either:— (a) paragraph 5; or (b) paragraph 5 as modified by paragraph 8, in the case of vehicles to which paragraph 8 applies.	1. Vehicles propelled by compression ignition engines and whose maximum gross weight exceeds 3500kg. 2. Vehicles fuelled by liquid petroleum gas.	1.4.1995

		1984, amended on 5th October 1987 and 30th May 1988, and corrected on 18th July 1988.		requirements in paragraphs 6, 7, 8 and 16.		
13F	Brakes	<p>ECE Regulation 13 as revised on 4th January 1979, amended on 11th August 1981 and amended and corrected on 26th November 1984, or</p> <p>ECE Regulation 13 as revised on 4th January 1979, amended on 11th August 1981, amended and corrected on 26th November 1984, corrected on 31st December 1985 and amended on 1st April 1987, 5th October 1987 and 29th July</p>		<p>Design, construction and equipment requirements prescribed for category L5 vehicles in paragraphs 2, 5.1, 5.3.1.3, 5.3.1.4, 5.3.1.5, and 6 and if applicable, in Annex 13.</p> <p>Design, construction and equipment requirements prescribed for category L5 vehicles in paragraphs 2, 5.1, 5.3.1.3, 5.3.1.4, 5.3.1.5, and 6 and if applicable, in Annex 13.</p>	16.11.1987	6.4.1992

		1988, or ECE Regulation 78 of 20th October 1988 as amended on 28th November 1990, or		Design, construction and equipment requirements prescribed for category L5 vehicles in paragraphs 2, 5.1, 5.2.3, 5.2.4 and 6. Design, construction and equipment requirements prescribed for category L5 vehicles in paragraph 2 and Appendix 1.	6.4.1992	
		Council Directive 93/14/EEC of 5th April 1993.	L121, 15.5.93, p. 1		1.4.1995	
13G	Brakes	Council Directive 71/320/EEC of 26th July 1971 as amended by Commission Directives 74/ 132/EEC of 11th February 1974, 75/524/ EEC of 25th July 1975, 79/489/EEC of	L202, 6.9.71, p. 37 (SE 1971 (III), p. 746), L74, 19.3.74, p. 7, L236, 8.9.75, p. 3, L128, 26.5.79, p. 12, L188, 26.7.79, p. 54 and L380, 31.12.85, p. 1.	Design, construction and equipment requirements prescribed for category M1 vehicles in Annexes I, II, IV, VII, X (if applicable) and XII.	16.11.1987	31.3.1995

<p>18th April 1979, corrected on 26th July 1979, and amended by Commission Directive 85/647/EEC of 23rd December 1985, or</p>				
<p>Council Directive 71/320/EEC of 26th July 1971 as amended by Commission Directives 74/132/EEC of 11th February 1974, 75/524/EEC of 25th July 1975, 79/489/EEC of 18th April 1979, corrected on 26th July 1979, and amended by Commission Directives 85/647/EEC of 23rd December 1985 and 88/194/EEC of 24th March 1988, or</p>	<p>L202, 6.9.71, p. 37 (SE 1971 (III), p. 746), L74, 19.3.74, p. 7, L236, 8.9.75, p. 3, L128, 26.5.79, p. 12, L188, 26.7.79, p. 54, L380, 31.12.85, p. 1 and L92, 9.4.88, p. 47.</p>	<p>Design, construction and equipment requirements prescribed for category M1 vehicles in Annexes I, II, IV, VII, X (if applicable) and XII.</p>	<p>6.4.1992</p>	<p>31.3.1995</p>
<p>Council Directive 71/320/EEC of</p>	<p>L202, 6.9.71, p. 37 (SE 1971</p>	<p>Design, construction and</p>	<p>1.4.1995</p>	

		26th July 1971 as amended by Commission Directives 74/132/EEC of 11th February 1974, 75/524/EEC of 25th July 1975, 79/489/EEC of 18th April 1979, corrected on 26th July 1979, and amended by Commission Directives 85/647/EEC of 23rd December 1985, 88/194/EEC of 24th March 1988 and 91/422/EEC of 15th July 1991 as corrected on 2nd October 1991.	(III), p. 746), L74, 19.3.74, p. 7, L236, 8.9.75, p. 3, L128, 26.5.79, p. 12, L188, 26.7.79, p. 54, L380, 31.12.85, p. 1, L92, 9.4.88, p. 47, L233, 22.8.91, p. 21 and L275, 2.10.91, p. 36.	equipment requirements prescribed for category M1 vehicles in Annexes I, II, IV, VII, X (if applicable) and XII.		
14E	Noise and silencers	Council Directive 70/157/EEC of 6th February 1970 as amended by Commission Directive 73/350/EEC of 7th November 1973, Council Directive	L42, 23.2.70, p. 16, (SE 1970 (I), p. 111), L321, 22.11.73, p. 33, L166, 12.3.77, p. 33, L131, 18.5.81, p. 6,	Design, construction and equipment requirements in Annex I, paragraph 5 (excluding subparagraphs 5.2.2.1.2 to	Vehicles with 5 or more forward gears and maximum power to maximum weight ratio not less than 75 kilowatts per tonne for which or for a model of which there is a type approval or a	16.11.1987

		<p>77/212/EEC of 8th March 1977, Commission Directives 81/334/EEC of 13th April 1981, and 84/372/EEC of 3rd July 1984 and Council Directive 84/424/EEC of 3rd September 1984, or</p> <p>ECE Regulation 51 as amended on 21st October 1984, 27th April 1988, corrected on 20th June 1988 and amended on 12th September 1991.</p>	<p>L196, 26.7.84, p. 47, and L238, 6.9.84, p. 31.</p>	<p>5.2.2.1.7 and sub-paragraph 5.2.2.4.3.3.1.2), except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kilowatts per tonne shall be tested in third gear only. Marking requirements in Annex I, paragraph 3. Design, construction and equipment requirements in paragraph 6. Marking requirements in paragraph 4 and Annex 2.</p>	<p>Department's approval certificate in force on 30th September 1988.</p>	1.4.1995	
14F	Noise and silencers	Council Directive 70/157/EEC of 6th February 1970, as amended by Commission	L42, 23.2.70, p. 16 (SE 1970(I), p. 111), L321, 22.11.73, p.	Design, construction and equipment requirements in Annex I,	Vehicles other than low volume type approval vehicles	1.4.1995	

		Directive 73/350/EEC of 7th November 1973, Council Directive 77/212/EEC of 8th March 1977, Commission Directive 81/334/EEC of 13th April 1981, Commission Directive 84/372/EEC of 3rd July 1984 and Council Directive 84/424/EEC of 3rd September 1984.	33, L66, 12.3.77, p. 33, L131, 18.5.81, p. 6, L196, 26.7.84, p. 47, L238, 6.9.84, p. 31.	paragraph 5 (excluding subparagraphs: 5.2.2.1.2; 5.2.2.1.7; 5.2.2.4.3.3.1.2; and 5.3) except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio no less than 75 kilowatts per tonne shall be tested in third gear only.		
14G	Noise and silencers	Council Directive 70/157/EEC of 6th February 1970 as amended by Commission Directive 73/350/EEC of 7th November 1973, Council Directive 77/212/EEC of 8th March 1977, Commission Directives 81/334/EEC of 13th April 1981, and	L42, 23.2.70, p. 16, (SE 1970 (I), p. 111), L321, 22.11.73, p. 33, L66, 12.3.77, p. 33, L131, 18.5.81, p. 6, L196, 26.7.84, p. 47, L238, 6.9.84, p. 31 and L371, 19.12.92, p.	Design, construction and equipment requirements in Annex I, paragraph 5. Marking requirements in Annex I, paragraph 3.		1.4.1995

		84/372/EEC of 3rd July 1984, and Council Directives 84/424/EEC of 3rd September 1984 and 92/97/EEC of 10th November 1992.				
16	Seats and their anchorages	Council Directive 74/408/EEC of 22nd July 1974, or Council Directive 74/408/EEC of 22nd July 1974 as amended by Council Directive 81/577/EEC of 20th July 1981, or ECE Regulation 17 as revised on 11th September 1973, or ECE Regulation 17 as revised on 11th September 1973 and amended on 9th	L221, 12.8.74, p. 1. L221, 12.8.74, p. 1 and L209, 29.7.81, p. 34.	Design and construction requirements in Annex I, paragraphs 5, 6 and 7. Design and construction requirements in Annex I, paragraphs 5, 6 and 7. Design and construction requirements in paragraphs 5, 6 and 7. Design and construction requirements in paragraphs 5, 6 and 7.		1.8.1978 11.4.1983 1.8.1978 5.1.1982

		March 1981, or ECE Regulation 17 as revised on 11th September 1973, amended on 9th March 1981 and revised on 1st May 1986, or ECE Regulation 17 as revised on 11th September 1973, amended on 9th March 1981 and revised on 1st May 1986 and 28th January 1990.		Design and construction requirements in paragraphs 5, 6 and 7. Marking requirements in paragraph 4. Design and construction requirements in paragraphs 5, 6 and 7. Marking requirements in paragraph 4.		16.11.1987 1.4.1995	
16A	Seats and anchorages	Council Directive 74/408/ EEC of 22nd July 1974 as amended by Council Directive 81/557/ EEC of 20th July 1981, or	L221, 12.8.74, p. 1, L209, 29.7.81, p. 34.	Design and construction requirements in Annex I paragraph 5 and Annex III paragraph 2.	Vehicles other than low volume type approval vehicles	1.4.1995	

		ECE Regulation 17 as revised on 11th September 1973, amended on 9th March 1981 and revised and corrected on 1st May 1986.		Design and construction requirements of paragraph 5.2.			
18B	Interior fittings	Part II of this Schedule		Design and construction requirements set out in that Part.	Vehicles other than low volume type approval vehicles	1.4.1995	
22A	Wiper and washer systems	Council Directive 78/318/EEC of 21st December 1977.	L81, 28.3.78, p. 49.	Design and construction requirements in Annex I, paragraph 5 (excluding subparagraphs 5.1.2, 5.1.4, 5.1.7, 5.1.8, 5.1.9, 5.1.11, 5.2.2, 5.2.3).	Vehicles other than low volume type approval vehicles	1.4.1995	
23A	Defrosting and demisting systems	Council Directive 78/317/EEC of 21st December 1977 as corrected on 9th July 1978.	L81, 28.3.78, p. 27, L194, 19.7.78, p. 29.	Requirements of Annex I, subparagraphs 5.1.1 and 5.2.1.	Vehicles other than low volume type approval vehicles	1.4.1995	

**Provisions to be inserted after the Table in Schedule 1 to
the principal Regulations**

"PART II

LOW VOLUME TYPE APPROVAL VEHICLES

Interior Fittings

(See Item 18B in Part I)

1. The vehicle must comply with the design and construction requirements specified in—

- (a) Annex I, paragraph 5 (excluding sub-paragraphs 5.1.2, 5.2.4, 5.3.4.1, 5.4.2.2, 5.7.1.2 and with omission of the second sentence in 5.2.3.1) of Council Directive 74/60/EEC of 17th December 1973(a) as corrected on 6th August 1974(b) and 25th February 1977(c) and amended by Commission Directive 78/632/EEC of 19th May 1978(d); or
- (b) paragraph 5 (excluding sub-paragraphs 5.1.2, 5.2.3.1, 5.2.4, 5.3.4.1, 5.4.2.2, 5.4.2.3 and 5.7.1.2) of ECE Regulation 21 as revised on 8th October 1980, amended on 26th April 1986 and corrected on 10th October 1986.

2. The vehicle must also be constructed so that the metal wires which stretch the lining of the roof and the frame of the sun visors have a maximum diameter of 5mm."

(a) O.J. L38, 11.2.74, p. 2
(b) O.J. L215, 6.8.74, p. 20
(c) O.J. L53, 25.2.77, p. 30
(d) O.J. L206, 29.7.78, p. 26

Provisions to be inserted into Schedule 1B to the principal Regulations**“PART IV**

1. Item 4G of Part I of Schedule 1 shall have effect in relation to a vehicle to which this Part of this Schedule applies as if wherever the words “see regulation 4(11) and Schedule 1B” appear in column (6) there were substituted “30.9.1995”.

2.—(1) This Part of this Schedule applies on or after 1st April 1995 to a vehicle if it fulfills the following four requirements, namely—

(a) it was manufactured on or after 1st August 1992 and before 1st August 1994;

(b) either—

(i) a certificate of conformity was issued in respect of the vehicle before 1st April 1995 on the basis that it conformed with a type vehicle in respect of which a TAC had been issued before 1st April 1995; or

(ii) a sub-DAC was issued in respect of the vehicle before 1st April 1995 on the basis that it conformed with a vehicle in respect of which a DAC had been issued before 1st April 1995;

(c) it was in the territory of an EEA State at some time before 1st April 1995; and

(d) it was manufactured at a time when, out of all the relevant vehicles in existence on 1st April 1995, 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 with 1st April 1994 and ending with 31st March 1995;

or 50 whichever is the greater; and

(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 1st April 1995.

(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;

“TAC” means a type approval certificate;

“EEA State” means a State which is a contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993(a).

- (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.”.

Provisions to be inserted into Schedule 4 to the principal Regulations

“PART III

(Form of Department’s approval certificate for a low volume type approval vehicle)

(A)

Approval No.

Vehicle Model Variant

NORTHERN IRELAND NATIONAL TYPE APPROVAL

Department’s Approval Certificate for a Low Volume Motor Vehicle

The Department of the Environment for Northern Ireland, having examined the low volume type approval vehicle (chassis number) described in the attached information document, hereby certifies in pursuance of Article 31A(4) of the Road Traffic (Northern Ireland) Order 1981 that it complies with such of the type approval requirements set out in Part I of Schedule 1 to the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985 as amended as are referred to in the said information document.

Signed by the authority of the
Department of the Environment for Northern Ireland

Date

(Office Stamp)

.....

(B)

Approval Reference No.

NORTHERN IRELAND NATIONAL TYPE APPROVAL

Department's approval certificate for a low volume motor vehicle of a type covered by a previous certificate.

The Department of the Environment for Northern Ireland, being satisfied that the low volume type approval vehicle which has been manufactured by and has the vehicle identification of chassis number conforms with the vehicle to which Department's approval certificate number relates, hereby certifies in pursuance of Article 31A(5) of the Road Traffic (Northern Ireland) Order 1981 that the vehicle which has the vehicle identification or chassis number mentioned above complies with the type approval requirements which are referred to in that Department's approval certificate.

(Authenticating mark and date)³

(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. The 1985 Regulations are amended to enable Department's approval certificates to be issued under Article 31A(4) of the Road Traffic (Northern Ireland) Order 1981 with respect to vehicles that do not meet all of the normal type approval requirements. Concessions are made in relation to the following subject matters:

- noise and silencers;
- seats and anchorages;
- interior fittings;
- wiper and washer systems; and
- defrosting and demisting systems.

The number of certificates that can be issued each year on the basis of the concessions, with respect to vehicles of the same or similar model and manufactured by the same manufacturer, is limited to 500. Provision is made for vehicles manufactured by different companies in the same group and to prevent certificates of conformity being issued under Article 31A(3) of the Order. A "low volume vehicle" is broadly a vehicle to which the concessions are available.

Where a Department's approval certificate is issued on the basis of the concessions or if an applicant requests a certificate on the basis of a vehicle being a low volume type approval vehicle, the certificate has to be in the form prescribed for the purpose (regulation 3).

2. Regulation 4 of the 1985 Regulations is amended so that from 1st April 1995, the type approval requirements relating to exhaust emissions then in force shall apply to a vehicle (other than one with fewer than four wheels or one fuelled solely by liquid petroleum gas) regardless of the date of manufacture (regulation 4).

3. The type approval requirements relating to exhaust emissions are revised so as to—

- (a) introduce a new alternative requirement as a result of an amendment made on 30th December 1992 to ECE Regulation 83;
- (b) introduce a new alternative requirement as a result of amendments made on 14th May 1990 and 30th December 1992 to ECE Regulation 49; and
- (c) introduce the requirements of Council Directive 93/59/EEC (O.J. No. L186, 28.7.93, p. 21) as a mandatory standard, except for a limited class of vehicles for which the requirements take effect from 1st October 1995, and remove the option of complying with Council

Directive 91/441/EEC (O.J. No. L242, 30.8.91, p. 1) or ECE Regulation 83 as amended, from 1st April 1995 for new vehicle types and from 1st October 1995 for existing types.

4. The type approval requirements relating to rear view mirrors are revised so as to—

- (a) introduce a new alternative requirement as a result of Council Directives 86/562/EEC (O.J. No. L327, 22.11.86, p. 49) and 88/321/EEC (O.J. No. L147, 14.6.88, p. 77); and
- (b) introduce a new alternative requirement as a result of ECE Regulation 46 as revised, amended and corrected up to 18th July 1988.

5. The type approval requirements relating to brakes are revised so as to—

- (a) introduce in relation to certain vehicles, an alternative requirement as a result of Council Directive 93/14/EEC (O.J. No. L121, 15.9.93, p. 1); and
- (b) replace, from 1st April 1995, the existing requirements, apart from ECE Regulation 13 as revised, corrected and amended up to 22nd November 1990, with the requirements of Commission Directive 91/422/EEC (O.J. No. L275, 2.10.91, p. 36), as corrected.

6. The type approval requirements relating to noise are revised so as to introduce two new alternative requirements as a result of Council Directive 92/97/EEC (O.J. No. L371, 19.12.92, p.1) and ECE Regulation 51, as amended up to 12th September 1991.

7. The type approval requirements relating to seats and anchorages are revised so as to introduce a new alternative requirement as a result of a revision made on 28th January 1990 to ECE Regulation 17.

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