

## SCHEDULE 8

### End of Series Exemptions

#### Part III

##### Meaning of “Non-Type Approval End of Series Vehicle” in Part I

###### Meaning of “non-type approval end of series vehicle” in paragraph 1

7.—(1) For the purposes of paragraph 1 a vehicle is a non-type approval end of series vehicle, in relation to an item if it meets the requirements of sub-paragraph (2) in relation to the item.

(2) A vehicle meets the requirements of this sub-paragraph in relation to the item if—

- (a) it is a vehicle to which the Northern Ireland Regulations do not apply;
- (b) it was manufactured during the relevant period;
- (c) no EC certificate of conformity has been issued in respect of the vehicle;
- (d) it was in the territory of a relevant state at some time before the end of the relevant period; and
- (e) the number of relevant vehicles which were both—
  - (i) manufactured before that vehicle was manufactured, and
  - (ii) still in existence on the date specified in column 3 in the item,is less than the specified number, or 50, whichever is the greater.

###### Meaning of “relevant vehicle” for the purposes of this Part

8. For the purposes of paragraph 7(2)(e), in relation to a particular vehicle (in this paragraph referred to as “the vehicle in question”) and a particular item, a “relevant vehicle” is a vehicle (other than the vehicle in question) which—

- (a) meets the requirements specified in paragraphs (a) to (d) of paragraph 7(2);
- (b) is a “vehicle” within the meaning of either Community Directive 70/220(1) (as amended by Community Directive 83/351(2) or Community Directive 88/77(3));
- (c) was manufactured by the manufacturer of the vehicle in question;
- (d) had not been registered under the 1971 Act, the 1972 Act or the Vehicle Excise and Registration Act 1994 during the relevant period.

###### Meaning of “specified number” for the purposes of this Part

9.—(1) For the purposes of paragraph 7(2)(e), in relation to a particular vehicle (in this paragraph referred to as “the vehicle in question”) and a particular item, “the specified number” is 10% of the total number of vehicles that—

- (a) are vehicles to which the Northern Ireland Regulations do not apply; and
  - (b) meet the requirements of sub-paragraph (2).
- (2) A vehicle meets the requirements of this paragraph if it—

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(1) O.J. No. L76, 6.4.72, p. 1  
(2) O.J. No. L197, 20.7.83, p. 1  
(3) O.J. No. L36, 9.2.88, p. 33

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- (a) is a “vehicle” within the meaning of either Community Directive 83/351 or Community Directive 88/77;
- (b) was manufactured by the manufacturer of the vehicle in question; and
- (c) was registered under the 1971 Act, the 1972 Act or the Vehicle Excise and Registration Act 1994 during the one year period ending immediately before the date specified in column 3 of that item.

**Circumstances in which a vehicle is to be regarded as having been in the territory of a relevant state for the purposes of this Part**

10. Paragraph 5 in Part II of this Schedule shall have effect for the purposes of paragraph 7(2)(d) as it has effect for the purposes of paragraph 2(3)(c).

**Meaning of “relevant period” for the purposes of this Part**

11. For the purposes of paragraph 7(2)(d), “the relevant period”—
- (a) in relation to an item numbered 9 or 11 in Table II in regulation 74 is the period—
    - (i) beginning on the date specified in column 2 of the Table below against the item, and
    - (ii) ending immediately before the date specified in column 3 of the Table below against the item; and
  - (b) in relation to any item in the Table in regulation 67 or any item numbered 10 or higher (other than 11) in the said Table II is the two year period ending immediately before the date specified in column 3 of that item.

TABLE

(1) <i>Item in Table II in regulation 74</i>	(2) <i>Date on which relevant period begins</i>	(3) <i>Date immediately before which the relevant period ends</i>	(4) <i>Date in column 3 of Table II in regulation 74</i>
9	1st April 1991	1st October 1993	1st October 1993
11	1st August 1992	1st August 1994	1st October 1994