

SCHEDULE 9

Motor cycle noise and motor cycle silencers

Part III

1. Paragraph (4) of regulation 70 shall not apply to a replacement silencer if the second requirement referred to in that regulation would be met were there substituted in Part II of this Schedule—

- (a) for the references to provisions in either of the British Standard Specifications, references to equivalent provisions in a corresponding standard; and
- (b) for the references to a mark, references to a mark made pursuant to that corresponding standard indicating that the silencer complies with those equivalent provisions.

2. In this Part of this Schedule, “corresponding standard”, in relation to a British Standard Specification, means—

- (a) a standard or code of practice of a national standards body or equivalent body of any member State;
- (b) any international standard recognised for use as a standard by any member State; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any member State,

where the standard, code of practice, international standard or technical specification provides, in relation to motor cycles, a level of noise limitation and safety equivalent to that provided by the British Standard Specification and contains a requirement as respects the marking of silencers equivalent to that provided by that instrument.

3. A reference in this Part of this Schedule to a British Standard Specification is a reference to British Standard BS AU 193: 1983 or British Standard BS/AU 193a: 1990; and “either of the British Standard Specifications” shall be construed accordingly.

4. In this Part of this Schedule, “British Standard BS AU 193: 1983” and “British Standard BS AU 193a: 1990” shall have the same meanings as in Part II of this Schedule.