

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this seventh day of April, nineteen hundred and sixty, in the presence of

(L.S.)

R. W. Steele,
Assistant Secretary.

SCHEDULE

Regulation 2.

**Works to be included in the Definition of the Expression
"Works of Engineering Construction"**

The construction, structural alteration or repair (including re-pointing and re-painting) or the demolition of any of the following except where carried on—

(a) in a factory as defined in section one hundred and fifty-seven of the principal Act or on premises to which that Act applies by virtue of sub-section (1) of section one hundred and seven thereof; or

(b) upon a railway or tramway;

that is to say, any steel or reinforced concrete structure other than a building, any road, airfield, sea defence works or river works, and any other civil or constructional engineering works of a similar nature to any of the foregoing works.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations extend the list of works included in the definition of the expression "works of engineering construction" in section 158(1) of the Factories Act (Northern Ireland), 1938.

1960. No. 66

[C]

MOTOR VEHICLES: USE AND CONSTRUCTION

REGULATIONS, DATED 14TH APRIL, 1960, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION FOUR OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND), 1955.

The Ministry of Home Affairs, in exercise of the powers vested in it by Section four of the Road Traffic Act (Northern Ireland), 1955(a), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as "The Motor Vehicles (Use and Construction) (Amendment) Regulations (Northern Ireland), 1960, and shall come into operation on the first day of June, 1960.

(a) 1955. c. 27.

Amendments to Principal Regulations

2. The Motor Vehicles (Use and Construction) Regulations (Northern Ireland), 1956(a), shall have effect as though—

(1) in Regulation 3, in paragraph (1):—

(a) After the definition of “land implement” there were inserted the following definition:—“land implement conveyor” means a trailer, having an unladen weight not exceeding ten hundredweight, which is specially designed and constructed for the conveyance of not more than one land implement and which is fitted with pneumatic tyres and drawn by a land locomotive or a land tractor;

(b) at the end of the definition of “land locomotive” there were inserted the words “or land implement conveyors”;

(c) for the definition “land tractor” there were substituted the following definition:—

“land tractor” means a tractor, having an unladen weight not exceeding seven-and-one-quarter tons, designed and used primarily for work on the land in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations, being a vehicle which is—

(a) the property of a person engaged in agriculture or forestry or of a contractor engaged in the business of carrying out on farms or forestry estates any such operations as aforesaid;

(b) not constructed or adapted for the conveyance of a load other than—

(i) water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;

(ii) a load (consisting of goods or burden of a description referred to in subsection (2) of section 10 of the Finance Act (Northern Ireland), 1959(b) in or on any appliance which satisfies the conditions whereby the vehicle to which the said appliance is fitted does not, by virtue of the said section 10 and of any regulations made from time to time thereunder, become chargeable with duty as a goods vehicle; and

(iii) an implement fitted to the tractor and used for work on the land on farms or forestry estates in connection with any such operations as aforesaid;”;

(2) in Regulation 3, in paragraph (4), after the word “Regulations” there were inserted the words “other than sub-paragraph (c) of paragraph (3) of Regulation 4A”;

(3) after Regulation 4, there were added the following Regulation:—

“4A.—(1) In relation to a land tractor which complies with the conditions specified in paragraph (3)—

(a) Regulations 8, 11, 17 and 31 to 40 shall not apply;

(b) Regulation 15 shall apply as it applies in relation to a works truck;

(c) Regulation 54 shall not apply if its unladen weight does not exceed three tons.

(a) S.R. & O. (N.I.) 1956, No. 134,

(b) 1959, c. 9.

(2) Regulations 27 to 30 shall apply in relation to a land tractor which is a heavy motor car or motor car as they apply in relation to a land tractor which is a motor tractor.

(3) The conditions referred to in paragraph (1) are, that while a land tractor is used on a road—

- (a) it does not haul any object except—
 - (i) a land implement which is being hauled to or from the site of agricultural, grass cutting, forestry, land levelling, dredging or similar operations or from one part of a farm or forestry estate to another part of that farm or forestry estate;
 - (ii) a land implement conveyor which is being hauled as aforesaid; and
 - (iii) an agricultural trailer;
- (b) it does not carry any load except any such load as it is constructed or adapted to carry;
- (c) if it is a three-wheeled vehicle fitted with a removable appliance, it does not carry any load;
- (d) if it is a land tractor fitted with a removable appliance in or on which any such load as aforesaid could be carried, it does not carry any load in or on such appliance unless there is a distance of at least four feet between the centre of the area of contact with the road surface of—
 - (i) a rear wheel, in a case where only one appliance is being used for the carriage of a load, and is fitted to the back of the vehicle;
 - (ii) any wheel on one side the vehicle in any other case, and that of the nearest wheel on the other side;
- (e) if it is a land tractor carrying a load in or on a removable appliance in conformity with the foregoing conditions, it does not draw a trailer and not more than one such appliance is fitted to it at any one time or, in a case where one such appliance is a specified appliance for the purposes of paragraph (a) of sub-section (4) of section 10 of the Finance Act (Northern Ireland), 1959, not more than two of such appliances, fitted at opposite ends of the land tractor;
- (f) it is not driven at a speed exceeding 20 miles per hour.”;

(4) in Regulation 8, the words “land tractor” were omitted and after the words “land implement” there were inserted the words “land implement conveyor”;

(5) at the end of Regulation 10, there were added the following proviso:—

“Provided that in the case of a vehicle, the unladen weight of which does not exceed three tons, which is propelled by an internal combustion engine and fitted with a braking system embodying a vacuum reservoir or reservoirs, the vacuum therein being derived directly from the induction system of the engine, it shall not be necessary to provide such a warning device if, in the event of a failure or deficiency in the vacuum system the brakes of that braking system are sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.”;

(6) in Regulation 11, sub-paragraph (a) of paragraph (1) were omitted;

(7) in Regulation 15, sub-paragraph (b) of paragraph (2) were omitted;

(8) in Regulation 17, for the words "a locomotive, or a land tractor" there were substituted the words "or a locomotive";

(9) in Regulation 26, in paragraph (8), for sub-paragraph (i) there were substituted the following sub-paragraph:—

"(i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply to a locomotive with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (6) relating to such matters are complied with, and";

(10) in Regulation 29, in paragraph (7), for sub-paragraph (a) there were substituted the following sub-paragraph:—

"(a) in the case of a motor tractor registered on or after 1st January, 1954,—

(i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply to a motor tractor with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (5) relating to such matters are complied with; and

(ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;";

(11) in Regulation 33 in paragraph (7), for sub-paragraph (a) there were substituted the following sub-paragraph:—

"(a) (i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply either to a heavy motor car with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (5) relating to such matters are complied with or to a works truck, and

(ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;";

(12) in Regulation 38, in paragraph (1), the following proviso were added after proviso (b):—

"(c) this paragraph shall not apply in the case of a motor car first registered under the Motor Car Act, 1903(a), before the 1st January, 1915, if it is equipped with an efficient braking system so designed and constructed that there shall be available for application by the driver, in the case of a vehicle with not less than four wheels, to two wheels of the vehicle, and in the case of a vehicle with less than four wheels, to one wheel of the vehicle, brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.";

(13) in Regulation 38, in paragraph (7), for sub-paragraph (a) there were substituted the following sub-paragraph:—

“(a) in the case of a motor car registered on or after the 1st October, 1938,—

- (i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid: Provided that this provision shall not apply to—
 - (1) a motor car the unladen weight of which does not exceed one ton,
 - (2) a motor car which is a passenger vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver,
 - (3) a works truck, or
 - (4) a motor car with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (5) relating to such matters are complied with, and
- (ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;”;

(14) in Regulation 41, in paragraph (1), for the proviso to that paragraph there were substituted the following proviso:—

“Provided that this paragraph shall not apply—

- (a) in the case of a works truck if it is equipped with one braking system with one means of operation; or
- (b) in the case of a motor cycle first registered under the Motor Car Act, 1903, or the Roads Act, 1920(a), before the 1st January, 1927, if it is equipped with an efficient braking system so designed and constructed that there shall be available for application by the driver to at least one wheel of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.”;

(15) in Regulation 49—

- (a) in sub-paragraph (a) of paragraph (2), after the words “land implement” there were inserted the words “or land implement conveyor”; and
- (b) in sub-paragraph (d) of paragraph (2), after the words “motor tractor” there were inserted the words “or a land tractor which is not a motor tractor”;

(16) in Regulation 51, after proviso (d), there were inserted the following sub-paragraph:—

“(e) being a land implement or an agricultural trailer drawn by a land tractor.”;

(17) in Regulation 52, after the words “land implements,” there were inserted the words “land implement conveyors.”;