

1981 No. 493

ROAD TRAFFIC

**The Motor Vehicles (Type Approval) (EEC Manufacturers)
Regulations 1981**

<i>Made - - - -</i>	<i>27th March 1981</i>
<i>Laid before Parliament</i>	<i>6th April 1981</i>
<i>Coming into Operation</i>	<i>27th April 1981</i>

The Secretary of State for Transport, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to regulation of the type, description, construction and equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme, in exercise of the powers conferred by the said section 2(2) and now vested in him(c) and of all other enabling powers, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Type Approval) (EEC Manufacturers) Regulations 1981 and shall come into operation on 27th April 1981.

(2) In these Regulations expressions which are also used in Part II of the Road Traffic Act 1972(d) have the same meanings as in that Part.

Application of provisions relating to type approval certificates and certificates of conformity

2.—(1) Subject to paragraph (2), the provisions—

- (a) of sections 47 to 50 of the Road Traffic Act 1972 (approval of design, construction, etc., of vehicles and vehicle parts)(e); and
- (b) of regulations made thereunder before the coming into operation of these Regulations,

so far as relating to type approval certificates and certificates of conformity, shall apply in relation to vehicles and vehicle parts manufactured in a member State of the Economic Community (other than the United Kingdom) or in Northern Ireland as they apply in relation to vehicles and vehicle parts manufactured in Great Britain.

(2) Nothing in the said provisions as applied by paragraph (1) shall require the Secretary of State for Transport to issue a type approval certificate before the expiration of the period of 12 months beginning with the day on which these Regulations come into operation.

(a) S.I. 1972/1811.

(b) 1972 c. 68.

(c) S.I. 1981/238.

(d) 1972 c. 20.

(e) Section 10 of the Road Traffic Act 1974 (c. 50) extends sections 47 to 50 cited above to all (not just goods) vehicles and to vehicle parts.

(3) In consequence of paragraph (1) above any reference in the said provisions to a vehicle or vehicle part (including a reference which is to be construed as including such a reference) shall be construed as including a reference to a vehicle or vehicle part manufactured in a member State of the Economic Community (other than the United Kingdom) or in Northern Ireland.

27th March 1981.

Norman Fowler,
Secretary of State for Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Regulations extend to vehicles and vehicle parts manufactured in other member States of the EEC and in Northern Ireland the application, so far as relating to type approval certificates and certificates of conformity, of sections 47 to 50 of the Road Traffic Act 1972 (approval of design, construction etc., of vehicles and vehicle parts) and of regulations made under those sections before the coming into operation of the Regulations first above-mentioned. Manufacturers of such vehicles and parts in EEC member States other than the United Kingdom, and manufacturers in Northern Ireland are no longer to be restricted to application for Minister's approval certificates (section 47(8), (11) and (12) of the Act of 1972) but may apply for a type approval certificate and issue certificates of conformity to indicate compliance with the relevant prescribed type approval requirements subject to the same conditions and provisions of law as apply to manufacturers in Great Britain. It is provided that type approval certificates under the extended provisions of the Act of 1972 need not be issued until one year after the coming into operation of the Regulations. The Regulations are required to satisfy the United Kingdom's Community obligations under Articles 7 and 30 of the EEC Treaty.

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