
STATUTORY INSTRUMENTS

1993 No. 2877

CONSUMER PROTECTION

**The Motor Vehicles Tyres (Safety)
(Amendment) Regulations 1993**

Made - - - - *23rd November 1993*
Laid before Parliament *30th November 1993*
Coming into force - - *31st December 1993*

The Secretary of State for Transport,—

- (a) in exercise of the powers conferred upon him by section 11(1) and (2) of the Consumer Protection Act 1987⁽¹⁾ (“the 1987 Act”), and
- (b) being a Minister designated⁽²⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽³⁾ in relation to the regulation of the construction and equipment of vehicles and of components of vehicles, in exercise of the powers conferred by that section,

and in exercise of all other powers enabling him in that behalf, and after consultation with representative organisations, the Health and Safety Commission (as regards Great Britain) and such other persons as he considers appropriate in accordance with section 11(5) of the 1987 Act, hereby makes the following Regulations:—

1. These Regulations may be cited as the Motor Vehicles Tyres (Safety) (Amendment) Regulations 1993 and shall come into force on 31st December 1993.

2.—(1) The Motor Vehicles Tyres (Safety) Regulations 1984⁽⁴⁾ shall be further amended in accordance with the following provisions of these Regulations.

(2) So far as any requirement is imposed by virtue of these Regulations, that requirement is imposed in exercise of the powers conferred by section 11 of the Consumer Protection Act 1987 to the exclusion of the powers conferred by section 2(2) of the European Communities Act 1972.

3. In regulation 2(3) before the definition of “designated approval mark” there shall be inserted the following definitions—

(1) 1987 c. 43.
(2) S.I. 1972/1811.
(3) 1972 c. 68.
(4) S.I. 1984/1233 as amended by S.I. 1992/3087.

““BS AU 144b: 1977” means British Standard Automobile Series: Specification for retreaded car and commercial vehicle tyres published by the British Standards Institution under reference BS AU 144b: 1977 on 29th July 1977;

“BS AU 144c: 1988” means British Standard Automobile Series: Specification for retreaded car and commercial vehicle tyres published by the British Standards Institution under reference BS AU 144c: 1988 on 30th September 1988;

“BS AU 144d: 1988” means BS AU 144c: 1988 as amended by Amendment No. 1 (reference AMD 6592) published on 31st August 1990;

“BS AU 144e: 1988” means BS AU 144c: 1988 as amended by Amendment No. 1 (reference AMD 6592) published on 31st August 1990 and by Amendment No. 2 (reference AMD 7506) published on 15th December 1992;”.

4. Regulation 4 shall be renumbered as regulation 4(1); in that provision as so renumbered for the words “the British Standard Automobile Series” onwards there shall be substituted “BS AU 144e: 1988”; and after that provision as so renumbered there shall be inserted the following paragraphs—

“(2) Paragraph (1) above shall not apply to the supply of a tyre if the conditions specified in paragraph (3) below are satisfied in relation to the tyre.

(3) The conditions referred to in paragraph(2) above are satisfied by compliance with—

- (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,

if the standard, code of practice, international standard or technical specification provides, in relation to retreaded tyres, a level of safety equivalent to that provided by BS AU 144e: 1988 and contains a requirement as respects the marking of tyres equivalent to that provided by that instrument.

(4) In relation to the supply of a tyre before 1st December 1995, paragraph (1) above shall have effect as if the reference to BS AU 144e: 1988 were a reference to BS AU 144b: 1977, BS AU 144c: 1988, BS AU 144d: 1988 or BS AU 144e: 1988.

(5) In relation to the supply of a tyre before 1st December 1995, paragraph (3) above shall have effect as if the reference to BS AU 144e: 1988 were a reference to BS AU 144b: 1977, BS AU 144c: 1988, BS AU 144d: 1988 or BS AU 144e: 1988.”.

5. In regulation 6, the words after “and used” shall be omitted.

Signed by authority of the Secretary of State for Transport

23rd November 1993

Robert Key
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motor Vehicles Tyres (Safety) Regulations 1984.

Regulation 4 of the 1984 Regulations (amongst other things) made it an offence for a person to supply a retreaded tyre unless it complied with the requirements of British Standard BS AU 144b: 1977. The 1984 Regulations are amended so that:

- (a) until 1st December 1995, it will be permissible to supply a retreaded tyre if it complies with British Standard number BS AU 144b: 1977, BS AU 144c: 1988, BS AU 144d: 1988 or BS AU 144e: 1988; and
- (b) on or after that date it will be an offence to supply such a tyre unless it complies with British Standard number BS AU 144e: 1988.

Provision is made for retreaded tyres which satisfy the requirements of, or are recognised by, other member States of the European Community.

Regulation 6 of the 1984 Regulations exempted used retreaded tyres from the requirements of regulation 4 if they were marked with the number BS AU 144b. This exemption will no longer depend on a tyre being marked.

A compliance cost assessment has been prepared and copies can be obtained from the Department of Transport, Room C19/08, 2 Marsham Street, London SW1P 3EB. A copy has been placed in the library of each House of Parliament.

Copies of the British Standards can be obtained from the British Standards Institution, Sales Department, Linford Wood, Milton Keynes MK14 6LE (telephone: 0908 221166).