

SCHEDULE

Regulation 3

PROVISIONS TO BE INSERTED INTO SCHEDULE 1B TO THE MOTOR VEHICLES (TYPE APPROVAL FOR GOODS VEHICLES) (GREAT BRITAIN) REGULATIONS 1982

“PART IV

1. Item 2F of Part I of Schedule 1 shall have effect in relation to a vehicle to which this Part of this Schedule applies as if wherever the words “see regulation 4(14) and Schedule 1B” appear in column (6) there were substituted “30.9.1995”.

2.—(1) This Part of this Schedule applies on or after 1st October 1994 to a vehicle if it fulfils the following four requirements, namely—

- (a) it was manufactured on or after 1st August 1992 and before 1st August 1994;
- (b) either—
 - (i) a certificate of conformity was issued in respect of the vehicle before 1st October 1994 on the basis that it conformed with a type vehicle in respect of which a TAC had been issued before 1st October 1993; or
 - (ii) a sub-MAC was issued in respect of the vehicle before 1st October 1994 on the basis that it conformed with a vehicle in respect of which a MAC had been issued before 1st October 1993;
- (c) it was in the territory of an EEA State at some time before 1st October 1994; and
- (d) it was manufactured at a time when, out of all the relevant vehicles in existence on 1st October 1994, not more than the specified number had been manufactured.

(2) For the purposes of this paragraph, in relation to a vehicle (“the vehicle in question”),—

- (a) “the specified number” is 10 per cent of the total number of vehicles to which these Regulations apply that were both—
 - (i) manufactured by the manufacturer of the vehicle in question; and
 - (ii) registered under the Vehicles (Excise) Act 1971⁽¹⁾ or the Vehicles Excise and Registration Act 1994⁽²⁾ during the period beginning with 1st October 1993 and ending with 30th September 1994;

or 50 whichever is the greater.

- (b) a “relevant vehicle” is a vehicle which—
 - (i) was manufactured by the manufacturer of the vehicle in question; and
 - (ii) satisfies the requirements of sub-paragraphs (a), (b) and (c) of paragraph 2(1) above; but
 - (iii) had not been registered under the Vehicles (Excise) Act 1971 or the Vehicles Excise and Registration Act 1994 before 1st October 1994.

(3) In this paragraph—

“MAC” means a Minister’s approval certificate not being a sub-Mac;

“sub-MAC” means a Minister’s approval certificate issued by virtue of section 58(4) of the Road Traffic Act 1988;

(1) 1971 c. 10; the Act was extended to Northern Ireland by section 10 of the Finance Act 1991 (c. 31) and was repealed by Schedule 5 to the Vehicles Excise and Registration Act 1994 (c. 22).

(2) 1994 c. 22.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“TAC” means a type approval certificate;

“EEA State” means a State which is a Contracting Party to the EEA Agreement but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993⁽³⁾.

(4) For the purposes of this paragraph—

- (a) a reference to a vehicle conforming with another vehicle is a reference to a vehicle conforming with another vehicle as respects the relevant aspects of design, construction, equipment and marking;
- (b) a TAC relates to a vehicle where a certificate of conformity has been issued on the basis of the vehicle conforming with a type vehicle in respect of which the TAC was issued; and
- (c) a MAC relates to a vehicle where a sub—MAC has been issued on the basis of the vehicle conforming with another vehicle in respect of which the MAC was issued.”

⁽³⁾ Cm 2073 and 2183.