

2006 No. 2533

ROAD TRAFFIC

**The Tractor etc (EC Type-Approval) (Amendment) Regulations
2006**

<i>Made</i> - - - -	<i>19th September 2006</i>
<i>Laid before Parliament</i>	<i>22nd September 2006</i>
<i>Coming into force</i> - -	<i>18th October 2006</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a).

He has been designated for the purposes of section 2(2) in relation to the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme(b) and in relation to the regulation of the type, description, construction or equipment of agricultural or forestry tractors and of their components, and in particular any type approval scheme for such tractors(c).

Citation and commencement

1. These Regulations may be cited as the Tractor etc (EC Type-Approval) (Amendment) Regulations 2006 and shall come into force on 18th October 2006.

Amendment of the Tractor etc (EC Type-Approval) Regulations 2005

2. The Tractor etc (EC Type-Approval) Regulations 2005(d) shall be amended as follows.

3. In regulation 2 (interpretation) in paragraph (1)—

- (a) at the end of the definition of “separate directive” there shall be added “as amended by such Community instruments (if any) amending a directive so listed as are in force on the day the Tractor etc (EC Type-Approval) (Amendment) Regulations 2006(e) are made(f)”; and
- (b) at the end of the definition of “the Tractor Type Approval Directive” there shall be added “and as amended by Commission Directives 2005/13/EC and 2005/67/EC”.

(a) 1972 c.68.

(b) S.I. 1972/1811.

(c) S.I. 1975/427.

(d) S.I. 2005/390.

(e) S.I. 2006/2533.

(f) Council Directives 74/151/EEC (OJ L84, 28.3.1974, p.25), 77/311/EEC (OJ L105, 28.4.1977, p. 1), 78/933/EEC (OJ L325, 20.11.1978, p. 16) and 89/173/EEC (OJ L 67, 10.3.1989, p. 1) were last amended by Commission Directive 2006/26/EC (OJ L65, 7.3.2006, p. 22.) Council Directives 86/298/EEC (OJ L186, 8.7.1986, p. 26) and 87/402/EEC (OJ L220, 8.8.1987, p. 1) were last amended by Commission Directive 2005/67/EC (OJ L273, 19.10.2005, p. 17.) Directive 2000/25/EC of the European Parliament and of the Council (OJ L173, 12.7.2000, p.1) was last amended by Commission Directive 2005/13/EC (O.J. L55, 1.3.2005, p. 35).

4. In regulation 5 (grant or refusal of application) after paragraph (1) there shall be inserted—
“(1A) The UK type-approval authority shall make any decision under this regulation in accordance with the Tractor Type Approval Directive and any relevant separate directive.”.

Revocations

5. The Regulations specified in the Table in the Schedule shall be revoked.

Signed by the authority of the Secretary of State

19th September 2006

S.J Ladyman
Minister of State
Department for Transport

SCHEDULE

Regulation 5

REVOCATIONS

Table

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
Agricultural or Forestry Tractors and Tractor Components (Type Approval) Regulations 1988	S.I. 1988/1567	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 1989	S.I. 1989/2275	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 1990	S.I. 1990/2336	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 1992	S.I. 1992/80	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 2000	S.I. 2000/828	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 2001	S.I. 2001/1710	The whole Regulations
Agricultural or Forestry Tractors and Tractor Components (Type Approval) (Amendment) Regulations 2002	S.I. 2002/1890	The whole Regulations

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Tractor etc (EC Type-Approval) Regulations 2005 (“the 2005 Regulations”) and revoke the Agricultural or Forestry Tractors and Tractor Components (Type Approval) Regulations 1988 and amending Regulations.

Regulation 3 amends the definition of “separate directive” in regulation 2(1) of the 2005 Regulations so that a reference to a separate directive is a reference to a separate directive as amended by Community instruments that are in force on the date of the making of these Regulations. It also amends the definition of “the Tractor Type Approval Directive” in regulation 2(1) of the 2005 Regulations so that any reference to Directive 2003/37/EC, being the Tractor Type Approval Directive, is, for the purposes of the 2005 Regulations, a reference to that Directive as amended by Directives 2005/13/EC and 2005/67/EC.

Regulation 4 adds paragraph (1A) to regulation 5 of the 2005 Regulations. This new paragraph provides that in deciding whether to grant or amend type-approval under that regulation, the UK type-approval authority shall make any decision in accordance with the Tractor Type Approval Directive and any relevant separate directive. Given the amendments made by regulation 3, the effect of this new paragraph is that the UK type-approval authority is required to make its decision in accordance with those directives as amended by any Community instruments in force on the date of the making of these Regulations.

In making these amendments to the 2005 Regulations, these Regulations transpose Directives 2005/13/EC, 2005/67/EC and 2006/26/EC in so far as they relate to the EC Type-Approval scheme for tractors.

Regulation 5 revokes the Agricultural or Forestry Tractors and Tractor Components (Type Approval) Regulations 1988 and amending Regulations.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business, in so far as the costs arise in relation to transposing 2005/13/EC, is available from the Vehicle Certification Agency, 1 Eastgate Office Centre, Eastgate Road, Bristol BS5 6XX (telephone number: 01179 524119). A copy has been placed in the library of each House of Parliament.

Copies of the Directives referred to in these Regulations may be obtained from the Office of Public Sector Information.

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