

**2015 No. 1350**

**ENVIRONMENTAL PROTECTION**

**ROAD TRAFFIC**

**The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015**

<i>Made</i> - - - -	<i>4th June 2015</i>
<i>Laid before Parliament</i>	<i>8th June 2015</i>
<i>Coming into force</i> - -	<i>30th June 2015</i>

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

The Secretary of State is designated for the purposes of section 2(2) of the 1972 Act in relation to the environment(b) and for the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type-approval scheme(c).

**Citation and commencement**

1. These Regulations may be cited as the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015 and come into force on 30th June 2015.

**Amendment of the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002**

2.—(1) The Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002(d) (“the 2002 Regulations”) are amended as follows.

(2) In regulation 2 (interpretation), in the definitions of—

(a) “Council Directive 97/68/EC”(e),

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(a) 1972 c.68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 c.51, section 27(1), and by the European Union (Amendment) Act 2008 c.7, section 3(3) and Part 1 of the Schedule.  
(b) S.I. 2008/301.  
(c) S.I. 1972/1811.  
(d) S.I. 2002/1891, amended by S.I. 2006/2393 and S.I. 2013/3171.  
(e) OJ No L 59, 27.2.1998, p.1, amended by Commission Directive 2001/63/EC of 17 August 2001 (OJ No L 227, 23.8.2001, p.41), Directive 2002/88/EC of the European Parliament and of the Council of 9 December 2002 (OJ No L 35, 11.2.2003, p.28), Directive 2004/26/EC of the European Parliament and of the Council of 21 April 2004 (OJ No L 146, 30.4.2004, p.1), Council Directive 2006/105/EC of 20 November 2006 (OJ No L 363, 20.12.2006, p.368), Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009 (OJ No L 188, 18.7.2009, p.14), Commission Directive 2010/26/EU of 31 March 2010 (OJ No L 86, 1.4.2010, p.29), Directive 2011/88/EU of the European Parliament and of the

(b) “Council Directive 2000/25/EC”(a), and

(c) “Council Directive 2003/37/EC”(b),

for “the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2013” substitute in each case “the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015”.

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

3.—(1) The Tractor etc (EC Type-Approval) Regulations 2005(c) (“the 2005 Regulations”) are amended as follows.

(2) In paragraph 1 of regulation 2 (interpretation), in the definitions of—

(a) “separate directive”, and

(b) “the Tractor Type Approval Directive”(d),

for “the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2013” substitute in both cases “the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) and Tractor etc (EC Type-Approval) (Amendment) Regulations 2015”.

Signed by authority of the Secretary of State for Transport

*Andrew Jones*  
Parliamentary Under Secretary of State  
Department for Transport

4th June 2015

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Council of 16 November 2011 (OJ No L 305, 23.11.2011, p.1) and Commission Directive 2012/46/EU of 6 December 2012 (OJ No L 353, 21.12.2012, p.80).

(a) OJ No L 173, 12.7.2000, p.1, amended by Commission Directive 2005/13/EC of 21 February 2005 (OJ No L 55, 1.3.2005, p.35), Council Directive 2006/96/EC of 20 November 2006 (OJ No L 363, 20.12.2006, p.81), Commission Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p.1), Directive 2011/72/EU of the European Parliament and of the Council of 14 September 2011 (OJ No L246, 23.9.2011, p.1), Directive 2011/87/EU of the European Parliament and of the Council of 16 November 2011 (OJ No L 301, 18.11.2011, p.1) and Commission Directive 2014/43/EU of 18 March 2014 (OJ No L 82, 20.3.2014, p.12).

(b) OJ No L 171, 9.7.2003, p.1, amended by Council Directive 2004/66/EC of 26 April 2004 (OJ No L 168, 1.5.2004, p.35), Commission Directive 2005/13/EC of 21 February 2005 (OJ No L 55, 1.3.2005, p.35), Commission Directive 2005/67/EC of 18 October 2005 (OJ No L 273, 19.10.2005, p.17), Council Directive 2006/96/EC of 20 November 2006 (OJ No L 363, 20.12.2006, p.81), Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008 (OJ No L 311, 21.11.2008, p.1), Commission Directive 2010/22/EU of 15 March 2010 (OJ No L 91, 10.4.2010, p.1), Commission Directive 2010/62/EU of 8 September 2010 (OJ No L 238, 9.9.2010, p.7), Council Directive 2013/15/EU of 13 May 2013 (OJ No L 158, 10.6.2013, p.172) and Commission Directive 2014/44/EU of 18 March 2014 (OJ No L 82, 20.3.2014, p.20).

(c) S.I.2005/390, as amended by S.I. 2006/2533, S.I. 2008/1980, S.I. 2011/1043, S.I. 2011/1279 and S.I. 2013/3171.

(d) Defined in the 2005 Regulations as Council Directive 2003/37/EC as amended on the day these Regulations are made.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Agricultural or Forestry Tractors (Emission of Gaseous and Particulate Pollutants) Regulations 2002 (S.I. 2002/1891) (“the 2002 Regulations”) and the Tractor etc (EC Type-Approval) Regulations 2005 (S.I. 2005/390) (“the 2005” Regulations”).

*Regulation 2* transposes the changes to Annexes I, II and III to Directive 2000/25/EC of the European Parliament and of the Council of 22 May 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors and amending Council Directive 74/150/EEC (“Council Directive 2000/25/EC”) made by Commission Directive 2014/43/EU of 18 March 2014 amending Annex I,II and III to Directive 2000/25/EC (OJ No L 82, 20.3.2014, p.12) (“Commission Directive 2014/43/EU”). This has been effected by amending the definition of Council Directive 2000/25/EC in regulation 2 of the 2002 Regulations.

*Regulation 2* also transposes the changes to Annexes I, II and III to Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC (“Council Directive 2003/37/EC”) made by Commission Directive 2014/44/EU of 18 March 2014 amending Annex I, II and III to Directive 2003/37/EC (OJ L 82, 20.3.2014, p.20) (“Commission Directive 2014/44/EU”). This has been effected by amending the definition of Council Directive 2003/37/EC in regulation 2 of the 2002 Regulations.

The opportunity has also been taken to update the definition of Council Directive 97/68/EC in regulation 2 of the 2002 Regulations.

*Regulation 3* amends regulation 2(1) of the 2005 Regulations to update the definitions of “separate directive” and Council Directive 2003/37/EC (the latter is referred to in the 2005 Regulations as “the Tractor Type Approval Directive”). Council Directive 2000/25/EC is one of the separate directives in the framework of the type-approval system established by Directive 2003/37/EC.

The Department has taken the opportunity to amend the 2002 and 2005 Regulations by means of a single instrument as a matter of convenience to the reader and to avoid the need for two separate instruments to be purchased.

No impact assessment has been prepared in respect of these Regulations as minimal or no impact on the private or voluntary sectors is foreseen as a result of the changes to the 2002 and 2005 Regulations; they represent small reductions in the regulatory burden which impose no costs upon industry. An Explanatory Memorandum and a transposition note in respect of Commission Directive 2014/43/EU and Commission Directive 2014/44/EU are available alongside the instrument on the [www.legislation.gov.uk](http://www.legislation.gov.uk) website.

A copy of the Directives referred to in this Explanatory Note may be viewed in the Official Journal of the European Union via the EUR-Lex website at <http://eur-lex.europa.eu>.

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