

## 1978 No. 393

## ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Type Approval) (Amendment) Regulations  
(Northern Ireland) 1978**

*Made* . . . . . 20th December 1978

*Coming into operation* . . . . . 1st February 1979

The Department of the Environment, being a department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) 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, in exercise of the powers conferred by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) Regulations (Northern Ireland) 1978 and shall come into operation on 1st February 1979.

*Interpretation*

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

*Regulations amended*

3. The Motor Vehicles (Type Approval) (Northern Ireland) Regulations 1973(d) shall be amended as follows:

(1) In regulation 2 after the words "to a vehicle" there shall be inserted the words "to which these Regulations apply".

(2) In regulation 3(1)—

(a) for the definition of "information document" there shall be substituted the following—

" "information document"—

- (i) in relation to an application, not being an application within subparagraph (iii), for the approval of a motor vehicle to which these Regulations apply, means a document in the form set out in Part I of Schedule 1,
- (ii) in relation to an application, not being an application within subparagraph (iii), for the approval of a trailer to which these Regulations apply, means a document in the form set out in Part II of Schedule 1, and

(a) S.I. 1972/1811 (1972 III, p. 5216)

(b) 1972 c. 68

(c) 1954 c. 33 (N.I.)

(d) S.R. & O. (N.I.) 1973 No. 408 (II, p. 2357)

(iii) in relation to an application for the approval of a vehicle to which these Regulations apply and for which the type approval requirements are contained in a single Community Directive or Regulation, or for the approval of a component of a vehicle to which these Regulations apply, means a document in a form issued for the purpose of such applications by or on behalf of the Department of Transport;";

(b) in the definition of "type approval certificate" after the words "in relation to a vehicle" there shall be inserted the words "to which these Regulations apply";

(c) in the definition of "certificate of conformity" after the words "in relation to a vehicle" there shall be inserted the words "to which these Regulations apply";

(d) for the definition of "the type approval requirements" there shall be substituted the following—

"the type approval requirements" in relation to a vehicle or component means such of the requirements with respect to the design, construction, equipment and marking of vehicles or their components contained in the Community Directives or Community Regulations as are for the time being applicable in relation to a vehicle or component of that type;";

(e) in the definition of "the Community Directives" after the words "the Council Directives" there shall be inserted the words "and Commission Directives", and before the words "Schedule 2" there shall be inserted the words "Part I of";

(f) after the definition of "the Community Directives" there shall be inserted the following—

"the Community Regulations" means the Council Regulations mentioned in Part II of Schedule 2 concerning the harmonisation of certain social legislation relating to road transport;"; and

(g) after the definition of "member State" there shall be inserted the following—

"the relevant approval mark" in relation to the marking of a component of a vehicle means the marking designated pursuant to section 63 of the Road Traffic Act 1972(e) as an approval mark applicable to such a component;".

(3) In regulation 4(1) after the words "approval of a vehicle" there shall be inserted the words "to which these Regulations apply".

(4) In regulation 5—

(a) in paragraph (1) after the words "manufacturer of a vehicle" there shall be inserted the words "to which these Regulations apply";

(b) in paragraph (1)(a)(ii), for the words "such of the type approval requirements as apply in relation to vehicles or vehicle components of that type" there shall be substituted the words "the type approval requirements"; and

(c) in paragraph (2) the words "applicable to vehicles of that type" shall be omitted and after the words "and references" there shall be inserted the words "in these Regulations".

(5) After regulation 6 there shall be inserted the following—

*“Marking of vehicle components*

6A. A manufacturer of a type vehicle component in respect of which a type approval certificate is in force may mark each component which is manufactured by him and which conforms with the type vehicle component in such of the relevant aspects of design, construction, equipment and marking as are mentioned in the type approval certificate with the relevant approval mark.”.

(6) In regulation 11—

(a) for the head note there shall be substituted the following—

*“Suspension of type approval certificates where vehicles or vehicle components are altered”, and*

(b) in paragraph (1) after the word “force” there shall be inserted the words “or of a vehicle component marked with the relevant mark”, after the words “made to the vehicle” there shall be inserted the words “or vehicle component”, and after the words “the manufacturer of the vehicle” there shall be inserted the words “or the component”.

(7) In regulation 12(3) after the words “previously issued” there shall be inserted the words “or any relevant approval mark applied”.

(8) In Schedule 1—

(a) in the heading to Part I the words “or to a component of such a motor vehicle”, and

(b) in the heading to Part II the words “or to a component of such a trailer”

shall be omitted.

(9) For Schedule 2 there shall be substituted the Schedule.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 20th December 1978.

(L.S.)

*E. A. Simpson*

Assistant Secretary

## SCHEDULE

## SCHEDULE 2

(See regulations 3(1)  
and 5(1))

## PART I

The Community Directives relating to the design, construction, equipment and marking of vehicles or vehicle components.

1 Item Number	2 Community Directive			3 Subject Matter
	(a) Reference Number	(b) Date	(c) Official Journal Reference	
1	70/157/EEC	6th February 1970	O.J. L42, 23.2.70, p. 16 (S.E. 1970 (I), p. 111)	The permissible sound level and the exhaust sys- tem of motor vehicles.
	or			
	70/157/EEC as amended by 73/350/EEC	7th November 1973	O.J. L321, 22.11.73, p. 33	
	or			
	70/157/EEC as amended by 73/350/EEC and by 77/212/EEC	8th March 1977	O.J. L66, 12.3.77, p. 33	
2	70/220/EEC	20th March 1970	O.J. L76, 6.4.70, p. 1 (S.E. 1970 (1), p. 171)	Measures to be taken against air pollution by gases from posi- tive ignition engines of motor vehicles.
	or			
	70/220/EEC as amended by 74/290/EEC	28th May 1974	O.J. L159, 15.6.74, p. 61	
	or			
	70/220/EEC as amended by 74/290/EEC and by 77/102/EEC	30th November 1976	O.J. L32, 3.2.77, p. 32	

1 Item Number	2 Community Directive			3 Subject Matter
	(a) Reference Number	(b) Date	(c) Official Journal Reference	
	or 70/220/EEC as amended by 74/290/EEC and by 77/102/EEC and by 78/665/EEC	14th July 1978	O.J. L223, 14.8.78, p. 48	
3	70/221/EEC	20th March 1970	O.J. L76, 6.4.70, p. 23 (S.E. 1970 (I), p. 192)	Liquid fuel tanks and rear protective devices for motor vehicles and their trailers.
4	70/222/EEC	20th March 1970	O.J. L76, 6.4.70, p. 25 (S.E. 1970 (I), p. 194)	The mounting and fixing of rear registration plates on motor vehicles and their trailers.
5	70/311/EEC	8th June 1970	O.J. L133, 18.6.70, p. 10 (S.E. 1970 (II), p. 375)	The steering equip- ment for motor vehicles and their trailers.
6	70/387/EEC	27th July 1970	O.J. L176, 10.8.70, p. 5 (S.E. 1970 (II), p. 564)	The doors of motor vehicles and their trailers.
7	70/388/EEC	27th July 1970	O.J. L176, 10.8.70, p. 12 (S.E. 1970 (II), p. 571)	Audible warning devices for motor vehicles.
8	71/127/EEC	1st March 1971	O.J. L68, 22.3.71, p. 1 (S.E. 1971 (I), p. 136)	The rear-view mirrors of motor vehicles.
9	71/320/EEC  or 71/320/EEC as amended by 74/132/EEC  or 71/320/EEC as amended by 74/132/EEC and by 75/524/EEC	26th July 1971       11th February 1974      25th July 1975	O.J. L202, 6.9.71, p. 37 (S.E. 1971 (III), p. 746)       O.J. L74, 19.3.74, p. 7      O.J. L236, 8.9.75, p. 3	The braking services of certain cate- gories of motor vehicles and their trailers.

1 Item Number	2 Community Directive			3 Subject Matter
	(a) Reference Number	(b) Date	(c) Official Journal Reference	
10	72/245/EEC	20th June 1972	O.J. L152, 6.7.72, p. 15 (S.E. 1972 (II), p. 637)	The suppression of radio interference produced by spark-ignition engines fitted to motor vehicles.
11	72/306/EEC	2nd August 1972	O.J. L190, 20.8.72, p. 1 (S.E. 1972 (III), p. 889)	The emission of pollutants from diesel engines for use in vehicles.
12	74/60/EEC	17th December 1973	O.J. L38, 11.2.74, p. 2	The interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of the con- trols, the roof or sliding roof, the back rest and rear part of the seats).
	or 74/60/EEC as amended by 78/632/EEC	19th May 1978	O.J. L206, 29.7.78, p. 26	
13	74/61/EEC	17th December 1973	O.J. L38, 11.2.74, p. 22	Devices to prevent the unauthorised use of motor vehicles.
14	74/297/EEC	4th June 1974	O.J. L165, 20.6.74, p. 16	The interior fittings of motor vehicles (the behaviour of the steering mechanism in the event of an impact).
15	74/408/EEC	22nd July 1974	O.J. L221, 12.8.74, p. 1	The interior fittings of motor vehicles (strength of seats and of their anchorages).
16	74/483/EEC	17th September 1974	O.J. L266, 2.10.74, p. 4	The external pro- jections of motor vehicles.
17	75/443/EEC	26th June 1975	O.J. L196, 26.7.75, p. 1	Reverse and speed- ometer equipment of motor vehicles.

1 Item Number	2 Community Directive			3 Subject Matter
	(a) Reference Number	(b) Date	(c) Official Journal Reference	
18	76/114/EEC	18th December 1975	O.J. L24, 30.1.76, p. 1	Statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment.
	or 76/114/EEC as amended by 78/507/EEC	19th May 1978	O.J. L155, 13.6.78, p. 31	
19	76/115/EEC	18th December 1975	O.J. L24, 30.1.76, p. 6	Anchorage for motor vehicle safety belts.
20	76/756/EEC	27th July 1976	O.J. L262, 27.9.76, p. 1	Installation of lighting and light signalling devices.
21	76/757/EEC	27th July 1976	O.J. L262, 27.9.76, p. 32	Reflex reflectors.
22	76/758/EEC	27th July 1976	O.J. L262, 27.9.76, p. 54	End-outline mar- ker lamps, front position (side) lamps, rear position (side) lamps and stop lamps.
23	76/759/EEC	27th July 1976	O.J. L262, 27.9.76, p. 71	Direction indica- tor lamps.
24	76/760/EEC	27th July 1976	O.J. L262, 27.9.76, p. 85	Rear registration plate lamps.
25	76/761/EEC	27th July 1976	O.J. L262, 27.9.76, p. 96	Headlamps which function as main beam and/or dipped beam headlamps and incandescent electric filament lamps for such headlamps.
26	76/762/EEC	27th July 1976	O.J. L262, 27.9.76, p. 122	Front fog lamps.
27	77/389/EEC	17th May 1977	O.J. L145, 13.6.77, p. 41	Towing devices.
28	77/538/EEC	28th June 1977	O.J. L220, 29.8.77, p. 60	Rear fog lamps for motor vehicles and their trailers.

1 Item Number	2 Community Directive			3 Subject Matter
	(a) Reference Number	(b) Date	(c) Official Journal Reference	
29	77/539/EEC	28th June 1977	O.J. L220, 29.8.77, p. 72	Reversing lamps for motor vehicles and their trailers.
30	77/540/EEC	28th June 1977	O.J. L220, 29.8.77, p. 83	Parking lamps for motor vehicles.
31	77/541/EEC	28th June 1977	O.J. L220, 29.8.77, p. 95	Safety belts and restraint systems for motor vehicles
32	77/649/EEC	27th September 1977	O.J. L267, 19.10.77, p. 1	The field of vision of motor vehicle drivers.
33	78/316/EEC	21st December 1977	O.J. L81, 28.3.78, p. 3	Interior fittings of motor vehicles (identification of controls, tell-tales and indicators).
34	78/317/EEC	21st December 1977	O.J. L81, 28.3.78, p. 27	Defrosting and demisting systems of glazed surfaces of motor vehicles.
35	78/318/EEC	21st December 1977	O.J. L81, 28.3.78, p. 49	Wiper and washer systems of motor vehicles.
36	78/548/EEC	12th June 1978	O.J. L168, 26.6.78, p. 40	Heating systems for the passenger compartment of motor vehicles.
37	78/549/EEC	12th June 1978	O.J. L168, 26.6.78, p. 45	Wheel guards of motor vehicles.

## PART II

The Council Regulations on the harmonisation of certain social legislation relating to road transport.

Community Reference No.	Date of Regulation	Official Journal Reference	Subject Matter
(EEC) No. 1463/70	20th July 1970	O.J. L164, 27.7.70, p. 1 (S.E. 1970 (II), p. 482)	The introduction of recording equip- ment in road transport. "



## EXPLANATORY NOTE

*(This note is not part of the Regulations but is intended to indicate their general purport.)*

These Regulations amend the Motor Vehicles (Type Approval) (Northern Ireland) Regulations 1973 which make provision, as required by virtue of a Directive of the European Economic Community (Council Directive No. 70/156/EEC of the 6th February 1970), for the type approval of certain motor vehicles and trailers and their components conforming to the requirements of certain Council Directives with respect to design, construction, equipment and marking of vehicles and their components.

The principal changes are as follows:—

- (a) the forms of information document in Parts I and II of Schedule 1 to the 1973 Regulations are now applicable only to applications in respect of motor vehicles and trailers; the information document to be used in connection with applications for approval of vehicles in relation to which all the requirements for approval are contained within one Community Directive or Regulation or for approval of vehicle components will be in a form to be issued by or on behalf of the Department of Transport;
- (b) a new regulation 6A empowers the manufacturer of a vehicle component in respect of which a type approval certificate is in force to apply an approval mark to components which are manufactured by him and which conform to the type vehicle components;
- (c) the substitution of a revised and extended Schedule 2, Part I of which lists the Community Directives relating to the design, construction, equipment and marking of vehicles or vehicle components. Part II refers to Council Regulations on the harmonisation of certain social legislation relating to road transport.