

1987 No. 376

**HEALTH AND SAFETY****AGRICULTURE****Agriculture (Tractor Cabs) (Amendment) Regulations  
(Northern Ireland) 1987***Made* . . . . . 21st September 1987*Coming into operation* . . . . . 2nd November 1987

The Department of Agriculture, in exercise of the powers conferred on it by Article 17(2) of and paragraphs 1(1)(a) and (c), (2) and (3) of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978(a) and of every other power enabling it in that behalf, after consultation with the Health and Safety Agency for Northern Ireland and such other bodies as appear to the Department to be appropriate, hereby makes the following regulations:

*Citation and commencement*

1. These regulations may be cited as the Agriculture (Tractor Cabs) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 2nd November 1987.

*Amendment of the Agriculture (Tractor Cabs) Regulations (Northern Ireland) 1981*

2. The Agriculture (Tractor Cabs) Regulations (Northern Ireland) 1981(b) shall be amended as follows:—

(1) In regulation 2(1)—

(a) for the definition of “enclosed” there shall be substituted the following definition:—

““enclosed” in relation to a safety cab means enclosed and secured in such a manner as to prevent a person who drives the tractor to which such safety cab is affixed from falling from that tractor;”

(b) for the definition of “new” there shall be substituted the following definition:—

““new” means first sold for use in agriculture;”

(c) in the definition of “tractor” for the words “550 kilograms” there shall be substituted the words “560 kilograms”.

(2) For regulation 4(1)(a) and (b) there shall be substituted—

“4.—(1) This regulation applies to any safety cab which—

(a) S.I. 1978/1039 (N.I. 9)

(b) S.R. 1981 No. 5

- (a) has received type approval in accordance with Council Directive No. 77/311/EEC(a) relating to the driver-perceived noise level of wheeled agricultural or forestry tractors;
- (b) is marked with a component type approval mark in accordance with Council Directive No. 77/536/EEC(b) relating to the roll-over protection structures of certain wheeled agricultural or forestry tractors or Council Directive No. 79/622/EEC(c) relating to the static testing of roll-over protection structures of certain wheeled agricultural or forestry tractors.”.

(3) In regulations 5, 6 and 7 after the word “approved” where it appears there shall be inserted the words “or deemed to be approved” and after the word “marked” where it appears there shall be inserted the words “or deemed to be marked”.

Sealed with the Official Seal of the Department of Agriculture on 21st September 1987.

(L.S.)

*I. C. Henderson*

Assistant Secretary

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(a) O.J. No. L105, 28.4.77, p. 1  
(b) O.J. No. L220, 29.8.77, p. 1  
(c) O.J. No. L179, 17.7.79, p. 1

## EXPLANATORY NOTE

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

These regulations amend the Agriculture (Tractor Cabs) Regulations (Northern Ireland) 1981 to implement Council Directive No. 79/622/EEC (O.J. No. L179, 17.7.79, p. 1) (relating to the static testing of roll-over protection structures of certain tractors). They also make a number of other amendments.

In particular, the regulations—

- (a) amend certain definitions in regulation 2(1);
- (b) make minor amendments to the wording in regulation 4(1)(a) and (b) in relation to Council Directives No. 77/311/EEC (O.J. No. L105, 28.4.77, p. 1) (relating to the driver-perceived noise level of certain tractors) and No. 77/536/EEC (O.J. No. L220, 29.8.77, p. 1) (relating to roll-over protection structures of certain tractors);
- (c) provide that regulation 4 (type approved safety cabs) also applies to any safety cab which bears a component type approval mark in accordance with Council Directive No. 79/622/EEC and—
  - (i) that such safety cab may not be refused a certificate of approval by the Department of Agriculture on the grounds of lack of adequate roll-over protection; and
  - (ii) where a safety cab complies with both Council Directive No. 77/311/EEC and either Council Directive No. 77/536/EEC or 79/622/EEC it shall be deemed approved and properly marked;and
- (d) amend regulation 5 (sale and hire of tractors and safety cabs) to clarify that a safety cab which has received type approval under Council Directive No. 77/311/EEC and is marked with a component type approval mark in accordance with either Council Directive No. 77/536/EEC or No. 79/622/EEC may be sold or let on hire for use in agriculture in Northern Ireland, and make consequential amendments to regulation 6 (obligations on employers, workers and others) and regulation 7 (obligation on workers to report overturning, damage or loss).

Copies of the Council Directives may be obtained from the Government Book Shop, 80 Chichester Street, Belfast BT1 4JY.

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This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROADS.