

2000 No. 151

**ROAD TRAFFIC AND VEHICLES**

**Motor Vehicle Testing (Amendment) Regulations  
(Northern Ireland) 2000**

*Made* . . . . . 27th April 2000

*Coming into operation* . . . . . 19th June 2000

The Department of the Environment, in exercise of the powers conferred on it by Articles 61(2) and (6), 62, 75(8), 81(8) and (9) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a), and of every other power enabling it in that behalf hereby makes the following Regulations:

*Citation, commencement and interpretation*

**1.**—(1) These Regulations may be cited as the Motor Vehicle Testing (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 19th June 2000.

(2) In these Regulations “the principal Regulations” means the Motor Vehicle Testing Regulations (Northern Ireland) 1995(b).

*Amendments to regulation 2 (interpretation)*

**2.**—(1) Regulation 2 of the principal Regulations shall be amended in accordance with paragraph (2).

(2) In paragraph (1)—

(a) for the definition of “the Construction and Use Regulations” there shall be substituted the following—

“ “Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(c);”;

(b) after the definition beginning with the expression “agricultural motor vehicle” there shall be inserted the following—

“ “ambulance” means a motor vehicle which is constructed or adapted, and primarily used, for the carriage of persons to a place where they will receive, or from a place where they have received, medical or dental treatment, and which, by reason of design, marking or equipment is readily identifiable as a vehicle so constructed or adapted;”;

(c) after the definition of the expression “break-down vehicle” there shall be inserted the following—

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(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department” and “prescribed”  
(b) S.R. 1995 No. 448 as amended by S.R. 1996 No. 140 and S.R. 1998 No. 74  
(c) S.R. 1999 No. 454

““child restraint”, “disabled person’s belt”, “forward-facing seat” and “seat belt” have the meanings given by regulation 55(11) of the Construction and Use Regulations;”;

(d) for paragraph (a) in the definition of “design gross weight”, there shall be substituted the following—

“(a) in the case of a vehicle which is equipped with a plate in accordance with regulation 79 of the Construction and Use Regulations, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 11 to those Regulations;”.

*Amendments to regulation 3 (the prescribed statutory requirements)*

**3.**—(1) Regulation 3 of the principal Regulations shall be amended in accordance with paragraph (2).

(2) In the Table in paragraph (1), after item 4 there shall be inserted the following items—

“5	VA	Paragraph 5 of Schedule 2
6	VI	Paragraph 6 of Schedule 2
7	VIA	Paragraph 7 of Schedule 2”.

*Amendments to regulation 5 (classification of vehicles and application of Regulations)*

**4.**—(1) Regulation 5 of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1) for the entries relating to Classes IV and V there shall be substituted—

- “Class IV: (a) Motor cars and heavy motor cars not being vehicles within Classes III, V, VA, VI or VIA  
(b) Break-down vehicles  
(c) Road construction vehicles  
(d) Tower wagons  
(e) Dual-purpose vehicles

Class V: Motor vehicles not being vehicles within Class VA, VI or VIA which are—

- (a) Large passenger-carrying vehicles  
(b) Ambulances with more than 16 seats in addition to the driver  
(c) Play buses

Class VA: Motor vehicles, other than vehicles to which paragraph (3) applies, which are—

- (a) Large passenger-carrying vehicles  
(b) Ambulances with more than 16 seats in addition to the driver  
(c) Play buses

in respect of which any forward-facing seat is fitted with a relevant seat belt

Class VI: Motor vehicles which are—

- (a) Minibuses and
- (b) Ambulances with more than 8 but not more than 16 seats in addition to the driver

Class VIA: Motor vehicles, other than vehicles to which paragraph (3) applies which are—

- (a) Minibuses and
- (b) Ambulances with more than 8 but not more than 16 seats in addition to the driver

in respect of which any forward-facing seat is fitted with a relevant seat belt.”.

(3) After paragraph (2) there shall be added the following paragraphs—

“(3) This paragraph applies to vehicles, in respect of which—

- (a) a public service vehicle licence which includes an examination of the relevant seat belts has been issued on or after 19th June 2000; or
- (b) a test certificate which includes an examination of the relevant seat belts has been issued under section 45 of the Road Traffic Act 1988(a) on or after 1st August 1998; or
- (c) a certificate of initial fitness which includes an examination of the relevant seat belts has been issued on or after 1st August 1998; or
- (d) one or more forward-facing seats are fitted with a relevant seat belt, which, when so equipped, are of a type of vehicle in respect of which the Department is satisfied that the vehicle manufacturer holds—
  - (i) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the installation requirements of Community Directives 77/541(b), 82/319(c), 90/628(d), or 96/36(e); and
  - (ii) either—
    - (A) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the technical and installation requirements of Community Directives 76/115(f), 81/575(g), 82/318(h), 90/629(i), or 96/38(j); or

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(a) 1988 c.52  
(b) O.J. No. L220, 29.8.77, p. 95  
(c) O.J. No. L139, 19.5.82, p. 17  
(d) O.J. No. L341, 6.12.90, p. 1  
(e) O.J. No. L178, 17.7.96, p. 15  
(f) O.J. No. L24, 30.1.76, p. 6  
(g) O.J. No. L209, 29.7.81, p. 30  
(h) O.J. No. L319, 19.5.82, p.9  
(i) O.J. No. L341, 6.12.90, p. 14  
(j) O.J. No. L187, 26.7.96, p. 95

(B) an approval issued by or on behalf of the competent authority of a contracting State confirming compliance with the technical and installation requirements of ECE Regulation 14, 14.01, 14.02 or 14.03.”.

(4) In this regulation—

“approval authority” has the same meaning as in Community Directive 70/156(a);

“certificate of initial fitness” has the same meaning as in section 6 of the Public Passenger Vehicles Act 1981(b);

“contracting State” means a State which is a party to the International Agreement;

“EEA State” means a State which is a contracting party to the EEA Agreement;

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

“ECE Regulation” and “Community Directive” have the meanings given by regulation 2(2) of the Construction and Use Regulations;

“the International Agreement” means the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 25th March 1958(e) as amended(f) to which the United Kingdom is a party(g); and

“relevant seat belt” means a seat belt, not being a disabled person’s belt or a child restraint, which—

(a) is fitted to a forward-facing seat other than as required by regulation 55 of the Construction and Use Regulations; and

(b) on or after 19th June 2000 either—

(i) has not undergone an examination and been found to comply with the prescribed statutory requirements referred to in item 34 in paragraph 5(c) of Schedule 2; or

(ii) has undergone an examination and been found so to comply but is fitted in a vehicle in respect of which no test certificate has been issued to the effect that that is the case.

*New regulation 9A (requirements as to vehicles submitted for examinations)*

**5.** After regulation 9 of the principal Regulations there shall be inserted the following new regulation—

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(a) O.J. No. L42, 23.2.70, p. 1

(b) 1981 c. 14; section 6(1)(a) was amended by paragraph 14 of Schedule 4 to the Road Traffic Act 1991 (c. 40)

(c) Cmnd 2073

(d) Cmnd 2183

(e) Cmnd 2535

(f) Cmnd 3562

(g) By an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963

*“Requirements as to vehicles submitted for examinations*

**9A.**—(1) On being notified in writing by the Department, the applicant shall present the vehicle for inspection in clean condition, together with the registration book and previous test certificate or licence, if any, at the time and centre specified in the notice.

(2) A vehicle examiner shall not be obliged to carry out an inspection where—

- (a) the vehicle is not submitted at the time and place notified to the applicant;
- (b) on submission of a vehicle for an inspection the applicant does not, after being requested to do so, produce the registration document and previous test certificate or licence, if any;
- (c) the correct fee in respect of that inspection has not been paid;
- (d) the particulars relating to that vehicle and shown in any application form relevant to that inspection are found to be substantially incorrect;
- (e) the vehicle, or any motor vehicle by which it is accompanied, or any part of or any equipment of the vehicle, is so dirty as to make it unreasonably difficult for the inspection to be carried out in accordance with the provisions of these Regulations;
- (f) the vehicle, or any motor vehicle by which it is accompanied, emits substantial quantities of avoidable smoke; or
- (g) an examiner is not able to complete the inspection due to the failure of a part of the vehicle, or any vehicle by which it is drawn or intended to be drawn, which renders the vehicle, or any such accompanying vehicle incapable of being moved in safety under the power of the vehicle or, as the case may be, of the accompanying vehicle.”.

*Amendment to regulation 10 (application for re-examinations)*

**6.** After paragraph (4) of regulation 10 of the principal Regulations there shall be inserted—

“(5) Where an application is made under paragraph (2) within 21 days from the date of service of the notice and the vehicle is presented for re-examination on a date and a time appointed by the Department, and some or all of the statutory requirements which were not complied with in the original examination relate to item 34 in paragraph 5(c) of Schedule 2, the fee payable is the appropriate fee determined in accordance with paragraph 3 of Schedule 1.”.

*Amendment to regulation 17 (duplicate test certificates)*

**7.** In paragraph (2) of regulation 17 of the principal Regulations, for the words “paragraph 5 of Schedule 1” there shall be substituted “paragraph 6 of Schedule 1”.

*Amendment to regulation 21 (fee payable for test under Article 75(5) or inspection under Article 81 of the Order)*

**8.**—(1) Regulation 21 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (1), for the words “paragraph 4 of Schedule 1”, there shall be substituted “paragraph 5 of Schedule 1”.

(3) In paragraph (2), for the words “paragraph 3 or 4”, there shall be substituted “paragraph 4 or 5”.

*Amendment to Schedule 1*

**9.** For Schedule 1 to the principal Regulations there shall be substituted the Schedule set out in Schedule 1 to these Regulations.

*Amendment to Schedule 2*

**10.** For Schedule 2 to the principal Regulations there shall be substituted the Schedule set out in Schedule 2 to these Regulations.

*Amendment to Schedule 3*

**11.** In Schedule 3 to the principal Regulations, after the word “seats,” there shall be inserted—

“seat belts”.

Sealed with the Official Seal of the Department of the Environment on  
27th April 2000.

(L.S.)

*J. Ritchie*  
A senior officer of the Department  
of the Environment

SCHEDULE 1

Regulation 9

“SCHEDULE 1 Regulations 7(2), 10(3), (4) and (5), 15(1), 17(2) and 21

**Fees**

1. *Fee payable for examination under regulation 7(2) or 10(3) or 15(1)*

(a) Vehicle in Class I or II.....	£10.50
(b) Vehicle in Class III or IV .....	£17.00
(c) Vehicle in Class V .....	£22.50
(d) Vehicle in Class VA—	
(i) with 13 to 16 seats exclusive of driver .....	£32.50
(ii) with 17 to 35 seats exclusive of driver .....	£41.50
(iii) with more than 35 seats exclusive of driver .....	£51.00
(e) Vehicle in Class VI.....	£22.50
(f) Vehicle in Class VIA .....	£32.50

2. *Fee payable for re-examination under regulation 10(4)*

(a) Vehicle in Class I or II.....	£7.50
(b) Vehicle in Class III or IV .....	£9.50
(c) Vehicle in Class V.....	£12.50
(d) Vehicle in Class VA—	
(i) with 13 to 16 seats exclusive of driver .....	£12.50
(ii) with 17 to 35 seats exclusive of driver .....	£12.50
(iii) with more than 35 seats exclusive of driver .....	£12.50
(e) Vehicle in Class VI.....	£12.50
(f) Vehicle in Class VIA .....	£12.50

3. *Fee payable for re-examination under regulation 10(5)*

(a) Vehicle in Class VA—	
(i) with 13 to 16 seats exclusive of driver .....	£12.50
(ii) with 17 to 35 seats exclusive of driver .....	£22.00
(iii) with more than 35 seats exclusive of driver .....	£31.50
(b) Vehicle in Class VIA .....	£12.50

4. *Fee payable for a full examination under Article 81 of the Order*

(a) Vehicle in Class I or II.....	£10.50
(b) Vehicle in Class III or IV .....	£17.00
(c) Vehicle in Class V .....	£22.50
(d) Vehicle in Class VA—	
(i) with 13 to 16 seats exclusive of driver .....	£32.50
(ii) with 17 to 35 seats exclusive of driver .....	£41.50
(iii) with more than 35 seats exclusive of driver .....	£51.00

(e) Vehicle in Class VI.....	£22.50
(f) Vehicle in Class VIA .....	£32.50
(g) Public service vehicle (not being a taxi).....	£45.00
(h) Taxi .....	£32.00
(i) Goods vehicle of 3,500 kgs maximum gross weight or under.....	£17.00
(j) Goods vehicle over 3,500 kgs maximum gross weight—	
(i) 2 axle rigid vehicle .....	£23.00
(ii) 3 axle rigid vehicle .....	£28.50
(iii) 4 axle rigid vehicle .....	£35.00
(iv) articulated vehicle having a 2 axle drawing vehicle.....	£25.00
(v) articulated vehicle having a 3 axle drawing vehicle.....	£32.50
(k) Trailer .....	£22.00
 5. <i>Fee payable for a test under Article 75(5) of the Order or a partial inspection under Article 81 of the Order</i>	
(a) Vehicle in Class I or II.....	£7.50
(b) Vehicle in Class III or IV.....	£9.50
(c) Vehicle in Class V .....	£12.50
(d) Vehicle in Class VI.....	£12.50
(e) Public service vehicle (not being a taxi) .....	£12.50
(f) Taxi .....	£11.00
(g) Goods vehicle of 3,500 kgs maximum gross weight or under. ....	£10.00
(h) Goods vehicle over 3,500 kgs maximum gross weight .....	£13.00
(i) Trailer .....	£13.00
 6. <i>Fee payable for a duplicate test certificate</i>	
Any vehicle .....	£9.00”

**The Prescribed Statutory Requirements for vehicles in classes I and II**

1. (a) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
1	20, 21 and 24	Braking
2	29, 30, 31 and 32	Wheels and Tyres
3	34	Steering
4	40 and 41	Speedometer
5	44	Audible Warning Instrument
6	45	Sidestands
7	46	Fuel Tanks
8	65	Silencers
9	80	Vehicle Identification Number
10	82	Plates

- (b) The requirements contained in the following provisions of the Lighting Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
11	21 and 26	Front Position Lamp
12	21 and 26	Dipped Beam Headlamp
13	21 and 26	Main Beam Headlamp
14	21 and 26	Rear Position Lamp
15	21 and 26	Rear Retro Reflector
16	21 and 26	Stop Lamp
17	21 and 26	Direction Indicator
18	21 and 26	Rear Registration Plate Lamp

- (c) The requirements contained in the following provisions of the Road Vehicles (Registration and Licensing) Regulations (Northern Ireland) 1973(a):

<i>Item No.</i>	<i>Regulation</i>	<i>Affecting</i>
19	18, 19, 20 and 21	Registration Marks

(a) S.R. & O. 1973 No. 490; relevant amending Regulations are S.I. 1976/2180

**The Prescribed Statutory Requirements for vehicles in class III**

2. (a) The requirements specified in items 1 to 5, 7 to 9 and 11 to 19, in paragraph 1.  
 (b) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
20	27	Structure and Suspension
21	35, 36 and 37	Glass and Field of Vision
22	38	Mirrors
23	39	Windscreen Cleaning
24	54, 55 and 56	Seat Belts and Anchorages fitted in accordance with the said regulations 54 and 55
25	115(1) (insofar as it relates to the condition of the seat belts and anchorages)	Seat Belts, other than those referred to in item 24 above, and their anchorages
26	62	Mascots
27	79	Plates

- (c) The requirements contained in the following provisions of the Lighting Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
28	21 and 26	Rear Fog Lamp

**The Prescribed Statutory Requirements for vehicles in class IV**

3. (a) The requirements specified in items 1 to 5, 7 to 9 and 11 to 28 in paragraphs 1 and 2.  
 (b) The requirements contained in the following provisions of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
29	6, 7, 8, 9, 13 and 14	Dimensions
30	42 and 83	Speed Limiter
31	58 to 61	Rear Under-run Devices and Sideguards
32	74	Emissions

- (c) The requirements of the Community Recording Equipment Regulation insofar as they relate to the installation of recording equipment and the seals to be affixed to such equipment.

**The Prescribed Statutory Requirements for vehicles in class V**

- 4. (a) The requirements specified in items 1 to 5, 7 to 9, 11 to 30 and 32 in paragraphs 1 to 3.
- (b) The requirements of paragraph 3(c).
- (c) The requirements contained in the following provision of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
33	22	Braking

**The Prescribed Statutory Requirements for vehicles in class VA**

- 5. (a) The requirements specified in items 1 to 5, 7 to 9, 11 to 30, 32 and 33 in paragraphs 1 to 4.
- (b) The requirements of paragraph 3(c).
- (c) The requirements contained in the following provision of the Construction and Use Regulations:

<i>Item No.</i>	<i>Regulations</i>	<i>Affecting</i>
34	115(1) (insofar as it relates to the manner in which the seat belts and anchorages have been installed including, in the case of a seat which incorporates integral seat belt anchorages, the system by which the seat assembly itself is secured to the vehicle structure and the structure of the frame and legs of the seat)	Seat Belts, other than child restraints, disabled person's belts or those referred to in item 24 of paragraph 2 above, fitted to forward-facing seats, and their anchorages

**The Prescribed Statutory Requirements for vehicles in class VI**

- 6. (a) The requirements specified in items 1 to 5, 7 to 9, 11 to 30, 32 and 33 in paragraphs 1 to 4.
- (b) For minibuses of a type mentioned in regulation 50 of the Construction and Use Regulations, the requirements specified in Schedules 6 and 7 to those Regulations.
- (c) The requirements of the Community Recording Equipment Regulation insofar as they relate to the installation of recording equipment and the seals to be attached to such equipment.

**The Prescribed Statutory Requirements for vehicles in class VIA**

- 7. (a) The requirements specified in items 1 to 5, 7 to 9, 11 to 30 and 32 to 34 in paragraphs 1 to 5.
- (b) The requirements of paragraphs 6(b) and (c)."

## EXPLANATORY NOTE

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

These Regulations further amend the Motor Vehicles Testing Regulations (Northern Ireland) 1995 (“the 1995 Regulations”). Those Regulations make provision for certain motor vehicles to be examined by persons authorised by the Department and for test certificates to be issued for vehicles that are found to meet certain requirements.

The amendments involve—

- (1) The introduction into the vehicle test of—
  - (a) an annual check of the condition of all seat belts fitted to vehicles in Classes IV to VIA, other than those fitted in accordance with regulation 55 of the Motor Vehicles (Construction and Use) Regulations 1999, and their anchorages (“the condition check”); and
  - (b) a single check of the quality of installation of all forward-facing seat belts fitted to vehicles in new Classes VA and VIA, other than child restraints, disabled person’s belts or those fitted in accordance with the said regulation 55, and their anchorages (“the installation check”);
- (2) Prescribing the fees payable for the revised vehicle test; and
- (3) Altering other fees and charges.

Regulation 2 makes consequential amendments to regulation 2 (interpretation) of the 1995 Regulations.

Regulations 3 and 10 introduce the condition check and the installation check as prescribed statutory requirements for the purposes of the vehicle test.

Regulation 4 introduces three new vehicle test Classes VA, VI and VIA for the purpose of the installation check. In practice Class VA will cover buses and coaches, while VI and VIA will cover minibuses and ambulances. With the exception of vehicles in respect of which an installation check has already been carried out on or after 19th June 2000 or certain type approval requirements relating to seat belts and anchorages are met, vehicles which formerly would have come within Class V and those which come within the new Class VI and which are fitted with relevant seat belts will now come within Class VA or VIA. Once these vehicles have passed the installation check they will revert to their former Class for the purpose of subsequent tests but will return to their respective ‘A’ Class if further relevant seat belts are fitted so that a further installation check can be carried out.

Regulation 5 introduces a new provision allowing examiners to refuse to carry out an inspection in certain specified circumstances.

Regulation 9 substitutes for Schedule 1 (fees) of the 1995 Regulations a new Schedule. This amends several of the existing fees payable for examinations and introduces a number of new fees. The changes of substance are as follows—

- (1) Examinations—
  - (a) for a vehicle in Class V, £22.50 (formerly £22.00);
  - (b) for a vehicle in Class VA—
    - (i) with 13 to 16 seats, exclusive of the driver, £32.50;
    - (ii) with 17 to 35 seats, exclusive of the driver, £41.50; and
    - (iii) with more than 35 seats, exclusive of the driver, £51.00;
  - (c) for a vehicle in Class VI (formerly classed as minibuses), £22.50; and
  - (d) for a vehicle in Class VIA, £32.50.
- (2) Re-examinations under regulation 10(4)—
  - (a) for vehicles in Class V, £12.50 (formerly £11.00); and
  - (b) for a vehicle in Classes VA, VI and VIA, £12.50.
- (3) Re-examinations under regulation 10(5)—
  - (a) for a vehicle in Class VA—
    - (i) with 13 to 16 seats, exclusive of the driver, £12.50;
    - (ii) with 17 to 35 seats, exclusive of the driver, £22.00;
    - (iii) with more than 35 seats, exclusive of the driver, £31.50; and
  - (b) for a vehicle in Class VIA, £12.50.
- (4) Full examinations under Article 81 of the Road Traffic (Northern Ireland) Order 1995—
  - (a) for a vehicle in Class I or II, £10.50;
  - (b) for a vehicle in Class III or IV, £17.00;
  - (c) for a vehicle in Class V, £22.50 (formerly £22.00);
  - (d) for a vehicle in Class VA—
    - (i) with 13 to 16 seats, exclusive of the driver, £32.50;
    - (ii) with 17 to 35 seats, exclusive of the driver, £41.50;
    - (iii) with more than 35 seats, exclusive of the driver, £51.00; and
  - (e) for a vehicle in Class VI, £22.50;
  - (f) for a vehicle in Class VIA, £32.50; and
  - (g) for a public service vehicle, not being a taxi, £45.00 (formerly £35.00);
  - (h) for a rigid goods vehicle over 3,500 kgs maximum gross weight—
    - (i) with 2 axles, £23.00 (formerly £25.00);
    - (ii) with 3 axles, £28.50 (formerly £30.00);
    - (iii) with 4 axles, £35.00 (formerly £32.50); and
  - (i) for an articulated vehicle with a two axle drawing vehicle, £25.00.

(5) Tests under Article 75(5) or partial inspections under Article 81 of the Road Traffic (Northern Ireland) Order 1995—

- (i) for a vehicle in Class V, £12.50 (formerly £11.00);
- (ii) for a vehicle in Class VI, £12.50;
- (iii) for a public service vehicle, not being a taxi, £12.50 (formerly £11.00);
- (iv) for a taxi, £11.00 (formerly £10.00);
- (v) for a goods vehicle over 3,500 kgs gross weight, £13.00 (formerly £16.50); and
- (vi) for a trailer, £13.00 (formerly £11.00).

Copies of the ECE Regulation and relevant Community Instruments referred to in these Regulations may be obtained from The Stationery Office Bookshop, 16 Arthur Street, Belfast BT1 4GD.

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