

2001 No. 147

**ROAD TRAFFIC AND VEHICLES**

**Motor Cycles (Protective Headgear) (Amendment) Regulations  
(Northern Ireland) 2001**

*Made* . . . . . 30th March 2001

*Coming into operation* . . . . . 14th May 2001

The Department of the Environment, in exercise of the powers conferred on it by Articles 27(1), 28(1) 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, and commencement*

1. These Regulations may be cited as the Motor Cycles (Protective Headgear) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 14th May 2001.

*Amendment of the Motor Cycles (Protective Headgear) Regulations  
(Northern Ireland) 1999*

2.—(1) The Motor Cycles (Protective Headgear) Regulations (Northern Ireland) 1999(b) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 1 (citation, commencement and interpretation), for paragraph (2) there shall be substituted—

“(2) In these Regulations—

“ECE Regulation 22” means Regulation No. 22 set out in Addendum 21 to the UN ECE Agreement;

“ECE Regulation 22.05” means ECE Regulation 22 as amended by the 05 series of amendments and all previous amendments in operation on 14th May 2001;

“EEA State” means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993(c);

“the UN ECE Agreement” means the Agreement of the United Nations Economic Commission for Europe concluded at Geneva on 20th March 1958 as amended(d) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment

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(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department”

(b) S.R. 1999 No. 170

(c) Cm 2073 and 2183

(d) Cmnd 2535 and 3562

and parts which can be fitted to and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions, to which the United Kingdom is a party by virtue of an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.”.

(3) In regulation 3 (prescribed types of recommended helmet) for paragraph (1) there shall be substituted—

“(1) The types of helmet hereby prescribed as types of helmet recommended as affording protection to persons on or in motor cycles from injury in the event of an accident are helmets which as regards their shape, construction and other qualities conform—

(a) with British Standard 6658:1985 as amended by Amendment Slip number 1 published on 28th February 1986 and are marked with the number of that standard;

(b) with any other standard accepted by an EEA State which offers in use equivalent levels of safety, suitability and fitness for purpose and are marked with a mark to indicate that standard;

and in each case are marked with an approved certification mark of an approved body (whether or not they are required to be so marked by the standard in point); or

(c) with ECE Regulation 22.05 including the approval, marking and conformity of production requirements of that Regulation.”.

Sealed with the Official Seal of the Department of the Environment on 30th March 2001.

(L.S.)

*Sam Foster*  
Minister of the Environment

## EXPLANATORY NOTE

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

These Regulations amend the Motor Cycles (Protective Headgear) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 170) (“the 1999 Regulations”).

Regulation 2(2) substitutes paragraph (2) of regulation 1 of the 1999 Regulations and inserts definitions of “ECE Regulation 22”, “ECE Regulation 22.05” and “the UN ECE Agreement”.

Regulation 2(3) substitutes paragraph (1) of regulation 3 of the 1999 Regulations and adds, as a new prescribed type of recommended helmet, those helmets which conform with ECE Regulation 22.05 including the approval, marking and conformity of production requirements of that Regulation. Only these helmets and the other types of helmet prescribed by regulation 3 of the 1999 Regulations may be sold as affording protection from injury to motorcyclists.

These Regulations have been notified to the European Commission pursuant to Directive 98/34/EC of 22nd June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations (O.J. 1998 No. L204, p. 37).

The Motor Cycles (Eye Protectors) Regulations (Northern Ireland) 2000 (S.R. 2000 No. 161) as amended by the Motor Cycles (Eye Protectors) (Amendment) Regulations (Northern Ireland) 2001 (S.R. 2001 No. 146) prescribe certain types of eye protectors as authorised for use by persons driving or riding on a motor bicycle.

The Value Added Tax (Protective Helmets) Order 2000 (S.I. 2000/1517) came into force on 30th June 2000. Its effect is to bring up to date and extend the present scope of VAT relief available on the supply of protective helmets for wear by a person driving or riding a motor bicycle.

Copies of the UN ECE Agreement, ECE Regulation 22 and its amendments including the 05 series of amendments and the Regulations referred to in these Regulations and this Explanatory Note can be obtained from The Stationery Office Bookshop, 16 Arthur Street, Belfast BT1 4GD.

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