

1973 No. 1977

AGRICULTURAL EMPLOYMENT
SAFETY, HEALTH AND WELFARE
The Agriculture (Tractor Cabs) (Amendment) Regulations 1973
Laid before Parliament in draft
Made - - - 23rd November 1973

Coming into Operation 28th November 1973

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by subsections (1) to (4) of section 1 and by section 17 of the Agriculture (Safety, Health and Welfare Provisions) Act 1956(a), and of all their other enabling powers, after consultation with such organisations as appear to them to represent the interests concerned, hereby make the following regulations, a draft whereof has been laid before Parliament and has been approved by resolution of each House of Parliament:—

Citation, and extent

1. These regulations, which may be cited as the Agriculture (Tractor Cabs) (Amendment) Regulations 1973, shall apply to Great Britain.

Interpretation

2.—(1) These regulations shall be construed as one with the Agriculture (Tractor Cabs) Regulations 1967(b), in these regulations referred to as “the principal regulations”.

(2) The Interpretation Act 1889(c) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Amendment of principal regulations to provide for restrictions on noise

3. The principal regulations shall be amended as follows:—

(a) In regulation 2(1), for the definition of “approval mark”, there shall be substituted the following definition:

“ “approval mark” means one of the two marks, incorporating a crown inside a triangle, illustrated in paragraph 1 of Part I of the Schedule to these regulations, and “appropriate approval mark” means

(a) in relation to a safety cab fitted to a tractor which is or has

(a) 1956 c. 49.
(c) 1889 c. 63.

(b) S.I. 1967/1072 (1967 II, p. 3163).

been new on or after 1st September 1975, or in relation to a safety cab which itself is or has been new on or after 1st September 1977, the mark illustrated in sub-paragraph (1) of that paragraph;

(b) in relation to any other safety cab, either approval mark; ”

(b) After regulation 3(2) there shall be inserted the following paragraphs :

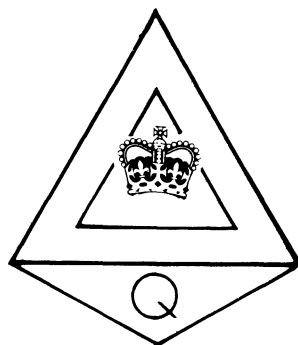
“(2A) In the case of a certificate of approval issued on or after 1st September 1977 the Ministers shall further be satisfied, and in the case of a certificate issued before that date may be so satisfied, before issuing the certificate, that the noise levels inside safety cabs of the model to which it relates, when fitted to tractors of descriptions specified in the certificate, would not be more than 90 dBA if tested in accordance with British Standard Specification No. B.S. 4063: 1973(a).

(2B) Where a certificate of approval is issued for any model of safety cab in respect of which the Ministers have been satisfied as to the matters specified in regulation 3(2A) above, the fact shall be stated in the certificate.

(2C) While a safety cab is fitted to a tractor which is or has been new on or after 1st September 1975, or where a safety cab itself is or has been new on or after 1st September 1977, it shall not be an approved safety cab for the purpose of these regulations unless the Ministers have been satisfied as to the matters specified in regulation 3(2A) above in relation to safety cabs of that model, and the fact is stated in the certificate of approval.”

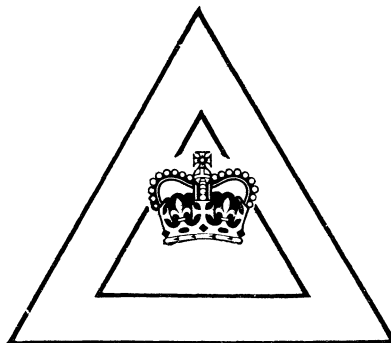
(c) In Part I of the Schedule, for paragraph 1 there shall be substituted the following paragraph :

“1.—(1) Where the Ministers have been satisfied, before issuing a certificate of approval (whether issued before or on or after 1st September 1977), that the noise levels inside safety cabs of the model to which it relates, when fitted to tractors of descriptions specified in the certificate, would not be more than 90 dBA if tested in accordance with British Standard Specification No. B.S. 4063:1973, the approval mark on an approved safety cab of that model shall be the following symbol:



(a) Specification for requirements and testing of protective cabs and frames for agricultural wheeled tractors: published by the British Standards Institution, 2 Park Street, London, W1A 2B.

(2) In any other case the approval mark on an approved safety cab shall be the following symbol :



”

Minor consequential amendments

4. In consequence of the provisions of the preceding regulation, the principal regulations shall also be amended as follows:

- (a) In regulation 2(3)(a), after the word “protection”, there shall be added the words “(including protection from noise)”.
- (b) In regulation 3(7)(a), before the words “approval mark”, there shall be added the word “correct”.
- (c) In regulations 4 and 5(1), before the words “approval mark”, wherever they occur, there shall be inserted the word “appropriate”.
- (d) In paragraph (a) of regulation 4, after the words “supplementary marks”, there shall be inserted the words “which relate to that approval mark and”.
- (e) In paragraphs (1) and (2) of regulation 7, after the end of sub-paragraph (b) in each case, there shall be inserted the words “or (c) that the safety cab has been approved as being of a particular standard”
- (f) In Part II of the Schedule to the regulations, for sub-paragraph (e) there shall be substituted the following sub-paragraphs:
 - “(e) Supplementary marks relating to the same approval mark shall be as near as is reasonably practicable to the approval mark and to each other.
 - (f) Where there is more than one approval mark on a safety cab the supplementary marks relating to each shall be separate and clearly distinguishable from those relating to the other.”

Miscellaneous amendments to principal regulations

5.—(1) Regulation 2(2) of the principal regulations (which deems the hire purchase of a tractor to be a sale) shall be amended by inserting after the word “tractor” the words “or a safety cab”.

(2) Regulation 3(2) of the principal regulations (which provides for the testing of safety cabs in accordance with a British Standard Specification) shall be amended by substituting for the words “British Standard Specification

No. B.S. 4063:1966" the words "the requirements relating to protective cabs set out in British Standard Specification No. B.S. 4063:1973."

(3) Where the first letting on hire or loan of a tractor for use in agriculture by the hirer or borrower, as the case may be, occurred before 1st September 1970, regulations 4(c) and 5 of the principal regulations (which prohibit the letting on hire and use of tractors without safety cabs) shall cease to apply to that tractor from the commencement of these regulations until 1st September 1977, notwithstanding the provisions of regulation 1(2) of the principal regulations.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 22nd November 1973.

(l.s.)

Joseph Godber.
Minister of Agriculture, Fisheries and Food.

Gordon Campbell.
Secretary of State for Scotland.

23rd November 1973.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Agriculture (Tractor Cabs) Regulations 1967 by providing for safety cabs to be tested for noise levels. A new approval mark is prescribed for cabs whose noise levels are not more than 90 dBA. From 1st September 1975 new tractors will have to be fitted with such cabs, and from 1st September 1977 all new safety cabs will have to satisfy the requirements as to noise. There is no restriction on fitting cabs which do not satisfy these requirements to tractors first sold before September 1975. Approved cabs fitted to such tractors will not have to be replaced with models which meet the noise requirements.

The Regulations apply the new British Standard Specification 4063:1973 to the testing of safety cabs instead of B.S. 4063:1966.

The exemption until 1st September 1977 for tractors sold for use in agriculture before 1st September 1970 is extended to include tractors let on hire or loaned for such use before the latter date.

The Regulations also provide for the hire-purchase of a safety cab to be treated as a sale.

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