
STATUTORY INSTRUMENTS

1992 No. 3043

**PUBLIC HEALTH, ENGLAND & WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND
NOISE**

**The Construction Plant and Equipment
(Harmonisation of Noise Emission Standards)
(Extension to Northern Ireland) Regulations 1992**

Made - - - - *4th December 1992*
Laid before Parliament *8th December 1992*
Coming into force - - *31st December 1992*

The Secretary of State, being a Minister designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures in respect of sound power level and sound pressure level requirements for the marketing of construction plant and equipment, in exercise of the powers conferred on him by that section and of all his other enabling powers, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) (Extension to Northern Ireland) Regulations 1992, and shall come into force on 31st December 1992.

(2) These Regulations shall extend to all parts of the United Kingdom.

2. The Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regulations 1988⁽³⁾ are hereby further amended as follows:—

- (a) in regulation 1 after the words “which extend to Great Britain” there shall be added the words “and to Northern Ireland”;
- (b) in regulation 3(1)—

(1) S.I. 1985/749, 1987/926.

(2) 1972 c. 68.

(3) S.I. 1988/361, as amended by S.I. 1992/488.

- (i) after the words “on or after 29th December 1988” there shall be inserted the words “in Great Britain or on or after 30th June 1993 in Northern Ireland”;
- (ii) for the words “that date” there shall be substituted the words “29th December 1988 in Great Britain or on or after 30th June 1993 in Northern Ireland, as the case may be,” and
- (iii) the words “Northern Ireland or of” shall be deleted.
- (c) in regulation 5(7) after the words “issued under these Regulations” the words “or under the law of Northern Ireland” shall be deleted;
- (d) in regulation 6(1) after the words “or under the law of” the words “Northern Ireland or of” shall be deleted; and
- (e) in paragraphs (1), (2) and (5) of regulation 7 wherever occurring the words “or under the law of Northern Ireland” shall be deleted.

4th December 1992

E. Leigh
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

In Great Britain the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regulations 1988 as amended by the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) (Amendment) Regulations 1992 (together “the principal Regulations”) implemented Council Directive [84/532/EEC](#) (OJ No. L300, 19.11.84 p.111) and Council Directive [86/662/EEC](#) (OJ No. L384, 31.12.86, p.1) as amended by Commission Directive [89/514/EEC](#) (OJ No. L253, 30.8.89, p.35). The principal Regulations apply to construction plant and equipment consisting of earth-moving machines as defined in the principal Regulations ie hydraulic or rope-operated excavators, dozers, loaders and excavator-loaders designed for use in or about building or civil engineering operations.

These Regulations further amend the principal Regulations. They:

- (a) extend to Northern Ireland on or after 30th June 1993 the prohibition on the -marketing of any earth-moving machine manufactured on or after that date unless an EEC type-examination certificate and a certificate of conformity has been issued in respect of that machine and an EEC mark placed thereon in accordance with the principal Regulations or under the law of a member State other than the United Kingdom. (Regulation 2); and
- (b) make amendments to the principal Regulations consequential to the extension of their application to Northern Ireland.

These Regulations implement the above mentioned Directives in Northern Ireland and accordingly no EEC type-examination certificates or certificates of conformity have been issued in respect of earth-moving machines, and no EEC mark affixed to such machines, under the law of Northern Ireland pursuant to Regulation 3(1) of the principal Regulations.