
STATUTORY INSTRUMENTS

1992 No. 488

**PUBLIC HEALTH, ENGLAND &
WALES PUBLIC HEALTH, SCOTLAND**

NOISE

**The Construction Plant and Equipment (Harmonisation of
Noise Emission Standards) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>4th March 1992</i>
<i>Laid before Parliament</i>		<i>5th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

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. These Regulations, which extend to Great Britain, may be cited as the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) (Amendment) Regulations 1992, and shall come into force on 1st April 1992.

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

- (a) in regulation 2(1) at the end of the definition of “Special Directive”, there shall be added “as amended by Commission Directive [89/514/EEC](#)⁽⁴⁾”;
- (b) in the proviso to regulation 5(3), for “the date that the Special Directive entered into force” there shall be substituted “29th December 1988”.

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

(2) 1972 c. 68.

(3) S.I. 1988/361.

(4) OJ No. L253, 30.8.89, p. 35.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Department of Trade and Industry
4th March 1992

Reay
Parliamentary Under Secretary of State for
Industry and Technology,

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Directive [89/514/EEC](#) (OJNo. L253, 30.8.89, p. 35). They amend the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regulations 1988 which implemented Council Directive [86/662/EEC](#) (OJ No. L384, 31.12.86, p. 1). Commission Directive [89/514/EEC](#) amended Council Directive [86/662/EEC](#) by replacing Annex II of the latter Directive with a new Annex II which provides a real, dynamic method of measurement of the sound power level and the sound pressure level at the operator's position of earth-moving machines.

The amendment to the proviso to regulation 5(3) is consequential to the amendment to the definition of "Special Directive". It substitutes for the reference to the date when the Special Directive (in the 1988 Regulations, the Council Directive) entered into force the actual date of such entry into force.