

SCHEDULE 2

Regulation 7(4)

INTERPRETATION OF REFERENCE TO AVAILABILITY OF SEAT BELTS

1. For the purposes of these Regulations, in relation to a child riding in a vehicle,—
  - (a) if any front seat in the vehicle (other than the driver’s seat) is provided with an adult belt, that belt shall be regarded as being available for him in the front of the vehicle unless the requirements of paragraph 2 are satisfied in relation to that person, that seat and that belt; and
  - (b) if any rear seat in the vehicle is provided with an adult belt, that belt shall be regarded as being available for him in the rear of the vehicle unless the requirements of paragraph 2 are satisfied in relation to that person, that seat and that belt.
2. The requirements of this paragraph are satisfied in relation to a particular child (“the child in question”) and a particular seat (“the relevant seat”) provided with a particular seat belt (“the relevant belt”) if—
  - (a) another person is wearing the relevant belt;
  - (b) another child is occupying the relevant seat and wearing a child restraint which is an appropriate child restraint for that child;
  - (c) another person, being a person holding a medical certificate, is occupying the relevant seat;
  - (d) a disabled person (not being the child in question) is occupying the relevant seat and wearing a disabled person’s belt;
  - (e) by reason of his disability, it would not be practicable for the child in question to wear the relevant belt;
  - (f) the child in question is prevented from occupying the relevant seat by the presence of a carry cot which is restrained by straps and in which there is a child aged under 1 year;
  - (g) the child in question is prevented from occupying the relevant seat by the presence of a child restraint which could not readily be removed without the aid of tools; or
  - (h) the relevant seat is specially designed so that—
    - (i) its configuration can be adjusted in order to increase the space in the vehicle available for goods or personal effects, and
    - (ii) when it is so adjusted the seat cannot be used as such,and the configuration is adjusted in the manner described in sub-paragraph (i) above and it would not be reasonably practicable for the goods and personal effects being carried in the vehicle to be so carried were the configuration not so adjusted.
3. Paragraphs 2(b) and (d) shall not apply unless the presence of the other person renders it impracticable for the child in question to wear the relevant belt.
4. Paragraph 2(f) shall not apply if it would be reasonably practicable for the carry cot to be carried in any other part of the vehicle where it could be restrained by straps so as to render it practicable for the child in question to wear the relevant belt.
5. Paragraph 2(g) shall not apply if the child restraint is appropriate for the child in question.