
STATUTORY INSTRUMENTS

1999 No. 1053

The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999

PART I

Citation and commencement

1. —These Regulations may be cited as the Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999, and shall come into force on 26th April 1999.

Interpretation

2.—(1) In these Regulations—

- (a) “Directive 97/68/EC” means the European Parliament and Council Directive [97/68/EC](#) on the approximation of laws of the member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery⁽¹⁾;
- (b) “the 1987 Act” means the Consumer Protection Act 1987⁽²⁾;
- (c) “non-road mobile machinery” means any mobile machine, transportable industrial equipment or vehicle with or without body work, not intended for the use of passenger- or goods-transport on the road, in which an internal combustion engine as specified in regulation 3(1) is installed;
- (d) “type approval” means the procedure whereby the approval authority certifies that an internal combustion engine type or engine family satisfies the relevant technical requirements of these Regulations with regard to the level of emissions of gaseous and particulate pollutants by the engine;
- (e) “engine type” means a category of engines which are similar in such essential engine characteristics as specified in Schedule 2, Appendix 1;
- (f) “parent engine” means an engine selected from an engine family in such a way that it complies with the requirements set out in paragraphs 6 and 7 of Schedule 1;
- (g) “engine family” means a manufacturer’s grouping of engines which, through their design, are expected to have similar exhaust emission characteristics as specified in Schedule 2 and which comply with the requirements of these Regulations;
- (h) “engine power output” means net power output of the engine;
- (i) “engine production date” means the date when the engine has passed the final check after it has left the production line and being the stage at which the engine is ready to be delivered or to be put in stock;

(1) OJ L No. 59, 27.2.98, p.1.

(2) 1987 c. 43.

- (j) “placing on the market” means the action of making available on the Community market, for payment or free of charge, a product to which these Regulations apply with a view to distribution or use or both in the Community;
 - (k) “manufacturer” means the person responsible for the construction of an engine and responsible to the approval authority for all aspects of the type approval process and for ensuring conformity of production.
 - (l) “technical service body” means the approval authority or the person that has been appointed as a testing laboratory to carry out tests or inspections;
 - (m) “information document” means the document set out in the format specified by Schedule 2 containing the information prescribed by that Schedule;
 - (n) “information folder” means the total folder or file of data, drawings, photographs and any other material supplied by the applicant to the approval authority or the technical service body as prescribed in the information document;
 - (o) “information package” means the information folder plus any test results or other documents that the approval authority or the technical service body has added to the information folder in the course of carrying out its functions;
 - (p) “index to the information package” means the document in which the contents of the information package, suitably numbered or otherwise marked to clearly identify all the pages, are listed;
 - (q) “competent approval authorities” means the bodies appointed as the approval authority in a member State other than the United Kingdom in accordance with Directive 97/68/EC.
- (2) For the purposes of these Regulations, the terms, symbols and abbreviations set out in paragraph 2 of Schedule 1 shall be interpreted in accordance with that paragraph.
- (3) For the purposes of these Regulations, Annexes, I, II, III, IV, V, VI, and VII to Directive 97/68/EC are respectively set out in Schedules 1, 2, 3, 4, 5, 6, and 7, and a reference in a regulation to a paragraph of a Schedule is a reference to a section in the Annex as set out in the relevant Schedule.
- (4) For the purposes of these Regulations, the Secretary of State is the approval authority.