

## 1974 No. 763

## ROAD TRAFFIC

**The Motor Vehicles (Type Approval) (Amendment) (No. 2)  
Regulations 1974**

<i>Made</i>	- - - -	<i>5th April 1974</i>
<i>Laid before Parliament</i>		<i>9th May 1974</i>
<i>Coming into Operation</i>		<i>30th May 1974</i>

The Secretary of State for the Environment, as the designated Minister under the European Communities (Designation) Order 1972(a), in exercise of his powers under section 2 of the European Communities Act 1972(b) and of all other enabling powers, hereby makes the following Regulations:—

1. These Regulations may be cited as the Motor Vehicles (Type Approval) (Amendment) (No. 2) Regulations 1974 and shall come into operation on 30th May 1974.

2. The Motor Vehicles (Type Approval) Regulations 1973(c) shall be amended in accordance with the following provisions of these Regulations.

3. Regulation 3 (Interpretation) shall have effect as though in paragraph (1)—

(a) for the definition of “information document” there were substituted the following:—

“ “information document”—

- (i) in relation to an application, not being an application within subparagraph (iii) below, for the approval of a motor vehicle to which these Regulations apply, means a document in the form set out in Part I of Schedule I to these Regulations;
- (ii) in relation to an application, not being an application within subparagraph (iii) below, for the approval of a trailer to which these Regulations apply, means a document in the form set out in Part II of that Schedule, and
- (iii) in relation to an application for the approval of a vehicle to which these Regulations apply and for which the type approval requirements are contained in a single Community Directive or Regulation, or for the approval of a component of a vehicle to which these Regulations apply, means a document in a form issued for the purpose of such applications by or on behalf of the Secretary of State;”;

(a) S.I. 1972/1811 (1972 III, p. 5216).

(b) 1972 c. 68.

(c) S.I. 1973/1199 (1973 II, p. 3610).

- (b) for the definition of “the type approval requirements” there were substituted the following—
- “ “the type approval requirements”, in relation to a vehicle or component, means such of the requirements with respect to the design, construction, equipment and marking of vehicles or their components contained in the Community Directives or Community Regulations as are for the time being applicable in relation to a vehicle or component of that type;”;
- (c) in the definition of “the Community Directives” after the words “the Council Directives” there were inserted the words “and Commission Directives”, and before the words “Schedule 2” there were inserted the words “Part I of”;
- (d) after the definition of “the Community Directives” there were inserted the following definition:—
- “ “the Community Regulations” means the Council Regulations mentioned in Part II of Schedule 2 to these Regulations concerning the harmonisation of certain social legislation relating to road transport;”;
- and
- (e) after the definition of “member State” there were inserted the following definition:—
- “ “the relevant approval mark” in relation to the marking of a component of a vehicle means the marking designated pursuant to section 63 of the Road Traffic Act 1972(a) as an approval mark applicable to such a component;”.

4. Regulation 5 shall have effect as though—

- (a) in paragraph (1)(a)(ii), for the words “such of the type approval requirements as apply in relation to vehicles or vehicle components of that type;” there were substituted the words “the type approval requirements;”;
- and
- (b) in paragraph (2) the words “applicable to vehicles of that type” were omitted.

5. After Regulation 6 there shall be inserted the following Regulation:—

*“Marking of vehicle components*

6A. A manufacturer of a type vehicle component in respect of which a type approval certificate is in force may mark each component which is manufactured by him and which conforms with the type vehicle component in such of the relevant aspects of design, construction, equipment and marking as are mentioned in the type approval certificate with the relevant approval mark.”.

6. Regulation 11 shall have effect as though—

- (a) for the head note to that Regulation there were substituted the following:—

*“Suspension of type approval certificates where vehicles or vehicle components are altered”*, and

- (b) in paragraph (1) after the word “force” there were inserted the words “or of a vehicle component marked with the relevant mark”, after the words “made to the vehicle” there were inserted the words “or vehicle component”, and after the words “the manufacturer of the vehicle” there were inserted the words “or the component”.

7. Regulation 12 (Notice of cancellation, suspension or modification of type approval certificates) shall have effect as though in paragraph (3) after the words “previously issued” there were inserted the words “or any relevant approval mark applied”.

8. Schedule 1 shall have effect as though—

- (a) in the heading to Part I the words “*or to a component of such a motor vehicle*”, and
- (b) in the heading to Part II the words “*or to a component of such a trailer*” were omitted.

9. Schedule 2 shall have effect as though—

- (a) after the words “Schedule 2” there were inserted the words “Part I”;
- (b) in Part I of Schedule 2—
- (i) in column 3, at the end of the first entry, there were added the words “as amended by Commission Directive 73/350/EEC dated 7th November 1973”, and
- (ii) in column 4, at the end of the first entry, there were added the words “O.J. L321, 22.11.1973, p.33”; and
- (c) at the end of Part I of Schedule 2 there were added the following Part—

“PART II

The Council Regulations on the harmonisation of certain social legislation relating to road transport

Community Reference No.	Date of Regulation	Subject Matter	Official Journal Reference
(EEC) No. 1463/70	20th July 1970	The introduction of recording equipment in road transport	O.J. L164, 27.7.1970, p.1 (S.E. 1970 (II) p. 482)”

Signed by authority of the Secretary of State.

*Fred Mulley,*  
Minister for Transport,  
Department of the Environment.

5th April 1974.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Motor Vehicles (Type Approval) Regulations 1973 which make provision for the type approval of certain motor vehicles and trailers and their components where the Secretary of State is satisfied that the vehicle or vehicle component is of a type which conforms with the requirements as to design, construction, equipment and marking which are applicable thereto by virtue of certain Council Directives (EEC). The principal changes are as follows:—

- (a) the forms of information document in Part I of Schedule 1 to the 1973 Regulations are now applicable only to applications in respect of motor vehicles and trailers; the information document to be used in connection with applications for approval of vehicles in relation to which all the requirements for approval are contained within one Community Directive or Regulation or for approval of vehicle components will be in a form to be issued by or on behalf of the Secretary of State;
- (b) a new Regulation 6A empowers the manufacturer of a vehicle component in respect of which a type approval certificate is in force to apply an approval mark to components which are manufactured by him and which conform to the type vehicle components;
- (c) the existing Schedule 2 becomes Part I of Schedule 2 and a reference is inserted to Commission Directive No. 73/350/EEC of 7th November 1973 (which amends Council Directive No. 70/157/EEC relating to the permissible sound level and the exhaust system of motor vehicles and which requires the refusal after 30th September 1974 of a type approval certificate in respect of a motor vehicle which does not comply with the amended provisions);
- (d) a new Part II in Schedule 2 provides for reference to Regulations of the Council of the European Communities, on the harmonisation of certain social legislation relating to road transport, and providing for type approval of vehicles and components; and
- (e) provision is made for the type approval of recording equipment in vehicles used for the carriage of passengers or goods by road in accordance with Council Regulation (EEC) No. 1463/70 of 20th July 1970.

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