

1989 No. 1035

HEALTH AND SAFETY

**The Self-Propelled Industrial Trucks
(EEC Requirements) (Amendment) Regulations 1989**

<i>Made - - - -</i>	<i>21st June 1989</i>
<i>Laid before Parliament</i>	<i>26th June 1989</i>
<i>Coming into force</i>	<i>18th July 1989</i>

The Secretary of State, being a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to measures and technical requirements in respect of the manufacture and marketing of lifting and mechanical handling appliances and their components, 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 Self-Propelled Industrial Trucks (EEC Requirements) (Amendment) Regulations 1989, and shall come into force on 18th July 1989.

2. The Self-Propelled Industrial Trucks (EEC Requirements) Regulations 1988^(c) are hereby amended as follows:—

- (a) in regulation 2(1)—
 - (i) at the end of the definition of “certificate of conformity” there shall be added “and (if the truck was manufactured on or after 18th July 1989) the Commission Directive”;
 - (ii) after the definition of “certificate of conformity” there shall be inserted “‘Commission Directive’ means the Directive adopted by the Commission of the Communities which adapts the Special Directive to the requirements of technical progress”^(d);
 - (iii) at the end of the definition of “EEC tests” there shall be added “and (if the truck was manufactured on or after 18th July 1989) in the Annex of the Commission Directive”;
- (b) in regulation 6(2), after “the Special Directive” there shall be inserted “and, in the case of a truck manufactured on or after 18th July 1989, of the Annex of the Commission Directive”;
- (c) in regulations 7, 8(1), (3), (4) and 10(1), after “the Special Directive” there shall be inserted “and (if the truck was manufactured on or after 18th July 1989) the Commission Directive”;
- (d) in regulation 8(5)(a), after “the Special Directive” there shall be inserted “or the Commission Directive”; and
- (e) in Schedule 3, after “(86/663/EEC)” there shall be added “[and to the requirements of the Directive adopted by the Commission of the Communities which adapts the Special Directive to the requirements of technical progress (89/240/EEC)*]” and there shall be added at the foot of the page the following—

“*The words in square brackets to be included if the truck was manufactured on or after 18th July 1989”.

Francis Maude
Parliamentary Under-Secretary of State,
Department of Trade and Industry

21st June 1989

(a) S.I. 1987/926. (b) 1972 c.68. (c) S.I. 1988/1736.
(d) 89/240/EEC (OJ. No. L100, 12.4.89, p.1).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Self-Propelled Industrial Trucks (EEC Requirements) Regulations 1988 ("the principal Regulations") and implement Commission Directive 89/240/EEC which adapts to technical progress Council Directive 86/663/EEC (OJ No. L384, 31.12.86, p.12) concerning the approximation of the laws of member States relating to certain self-propelled industrial trucks.

The principal Regulations are extended so as to provide for additional tests to be carried out on self-propelled industrial trucks manufactured on or after 18th July 1989 (stability, visibility and functional tests) to ensure that they comply with the technical requirements of Annex I of the Council Directive.

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