STATUTORY INSTRUMENTS

1992 No. 1201

ROAD TRAFFIC

The Horses (Protective Headgear for Young Riders) Regulations 1992

Made - - - -	*20th May 1992*
Laid before Parliament	*21st May 1992*
Coming into force - -	*30th June 1992*

The Secretary of State for Transport, in exercise of the powers conferred by section 2(1) of the Horses (Protective Headgear for Young Riders) Act 1990(**1**) (hereinafter "the Act "), and of all other enabling powers, and after consultation with representative organisations in accordance with section 2(2) of the Act, hereby makes the following Regulations:

Commencement and citation

1. These Regulations may be cited as the Horses (Protective Headgear for Young Riders) Regulations 1992 and shall come into force on 30th June 1992.

Interpretation

2. In these Regulations—

(a) a reference to a British Standard means a British Standard mentioned in an item in the Schedule as originally published or as subsequently amended by an Amendment Slip mentioned in that item;

(b) "the Directive" means Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment(**2**);

(c) "EC mark of conformity" has the same meaning as in the Directive; and

(d) a reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations and to a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which it appears.

(**1**) 1990 c. 25.
(**2**) OJ No L399, 30.12.89, p. 18.

Disapplication of section 1 of the Act

3.—(1) Section 1 of the Act shall not apply in relation to a child described in paragraph (2) nor to the riding of horses in the circumstances specified in paragraph (3).

(2) A child referred to in paragraph (1) is a child who is a follower of the Sikh religion while he is wearing a turban.

(3) The circumstances referred to in paragraph (1) are—

(a) the riding is within 30 metres of the high water mark of ordinary spring tides; and

(b) the horse is being led on a leading rein on foot by the owner of the horse or another person aged 18 years or over who is authorised to do so by the owner; and

(c) no more than two horses are being led at any one time.

Descriptions of protective headgear

4.—(1) Subject to paragraph (2), for the purposes of section 1 of the Act the protective headgear to be worn by a child riding a horse on a road, other than a child in relation to whom or in circumstances in relation to which section 1 is disapplied by regulation 3, shall be a helmet which—

(a) in the case of a helmet manufactured on or after 1st July 1992, bears the EC mark of conformity and satisfies the basic health and safety requirements laid down in Annex II to the Directive for a helmet which is manufactured with the intention that it should be worn by a child riding a horse or a pedal cycle on a road;

(b) in the case of a helmet manufactured before 1st July 1992—

(i) conforms to a British Standard and bears a marking applied by the manufacturer indicating compliance with the requirements contained in the British Standard; or

(ii) conforms to any relevant national standard of a national standards institution of, or a public authority of, another Member of State of the European Communities, or conforms to any national regulation of such Member State, provided that the standard or regulation offers guarantees of safety, suitability and fitness for purpose equivalent to those offered by a British Standard and bears a marking or an equivalent indication applied by the manufacturer indicating compliance with the requirements contained in the relevant standard or regulation; or

(iii) is such that it could reasonably be expected to afford the child a degree of protection from injury in the event of an accident similar to or greater than that provided by a helmet conforming to a British Standard meeting the requirements of paragraph (1)(b)(i) or any relevant national standard or regulation meeting the requirements of paragraph (1)(b)(ii).

(2) For the purposes of paragraph (1)(a) a helmet shall be regarded as satisfying the basic health and safety requirements if the manufacturer is able to comply with the provisions of Article 5(2) of the Directive.

(3) In this regulation a reference to a helmet bearing an EC mark of conformity is a reference to a mark properly applied in accordance with articles 8 to 13 of the Directive.

Manner of wearing headgear

5. For the purposes of section 1 of the Act a helmet which conforms to the requirements of regulation 4 shall be securely fastened to the head of the wearer by means of the straps or other fastening provided on the headgear for that purpose.

Signed by authority of the Secretary of State

Kenneth Carlisle
Parliamentary Under Secretary of State,
Department of Transport

20th May 1992

SCHEDULE (regulations 2(a) and 4)

BRITISH STANDARDS

1. British Standard 6473: 1984 as amended by the following Amendment Slips:—

Number	Date of Publication
1	29th March 1985
2	31st December 1986

2. British Standard 6863: 1987

3. British Standard 4472: 1988

4. British Standard 6863: 1989

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Horses (Protective Headgear for Young Riders) Act 1990. Section 1(1) of the 1990 Act makes it an offence for various persons (a parent, a guardian, an owner of a horse, a person who has custody of a horse immediately before a child rides it, an employer of a child) to cause or permit a child under the age of 14 to ride a horse (defined in section 3 of the 1990 Act to include a pony, mule, donkey or other equine animal) on a road unless the child is wearing protective headgear of such description as may be specified in the regulations and in such manner as may be so specified.

In the case of helmets manufactured on or after 1st July 1992, these Regulations prescribe the description of the headgear by reference to the requirements of Council Directive 89/686/EEC of 21st December 1989 (OJ No L399, 30.12.89, p. 18) on the approximation of the laws of the Member States relating to personal protective equipment. For helmets manufactured before 1st July 1992, the Regulations prescribe the description of the headgear by reference to particular British Standards or equivalent standards or regulations in other Member States of the European Communities.

The Regulations also prescribe the manner of wearing the headgear.

The offence in section 1(1) is disapplied in the case of a child who is a follower of the Sikh religion while he is wearing a turban and in the case of the riding of horses within 30 metres of the high water mark provided that the horse is being led on foot by the owner or another person (aged 18 or over) authorised by him and no more than two horses are being led at any one time.

Copies of the British Standards specifications referred to in these Regulations may be obtained from any of the sales outlets operated by the British Standards Institute (BSI), or by post from BSI at Linford Wood, Milton Keynes, MK14 6LE (Telephone number: Milton Keynes (STD 0908) 221166).