
STATUTORY INSTRUMENTS

1994 No. 2192

**The Road Vehicles (Construction and Use)
(Amendment) (No. 3) Regulations 1994**

Amendments to regulation 61 (exhaust emissions)

3.—(1) Regulation 61 shall be amended as follows.

(2) In paragraph (7), after “(7D),” there shall be inserted “(7E), (7F), (7G), (7H),”.

(3) In paragraph (7D) (b)—

(a) after the words “is a vehicle” there shall be inserted the words “to which neither the Type Approval for Goods Vehicles Regulations(1) nor the Type Approval (Great Britain) Regulations(2) applies and”; and

(b) sub-paragraph (i) shall be omitted.

(4) After paragraph (7D), there shall be inserted the following paragraphs—

“(7E) In relation to a vehicle to which either Part IV of Schedule 1B of the Type Approval (Great Britain) Regulations or Part IV of the Type Approval for Goods Vehicles Regulations applies, item 11 of Table II shall have effect as if for the entry in column (3) there were substituted “1st October 1995”.

(7F) In relation to a vehicle to which neither the Type Approval (Great Britain) Regulations nor the Type Approval for Goods Vehicles Regulations applies, and which was one among the first specified number of relevant vehicles to have been manufactured, item 11 of Table II shall have effect as if for the entry in column (3) there were substituted “1st October 1995”.

(7G) For the purposes of paragraph (7F) above, in relation to a vehicle (“the vehicle in question”),—

(a) “specified number” is 10 per cent. of the total number of vehicles to which neither the Type Approval (Great Britain) Regulations nor the Type Approval for Goods Vehicles Regulations applies that were both—

(i) manufactured by the manufacturer of the vehicle in question; and

(ii) registered under the Vehicles (Excise) Act 1971(3) or the Vehicles Excise and Registration Act 1994(4) during the period beginning with 1st October 1993 and ending with 30th September 1994;

or 50 whichever is the greater; and

(1) “The Type Approval for Goods Vehicles Regulations” is defined in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 as meaning “The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982” (S.I.1982/1271). Relevant amendments were made to the 1982 Regulations by S.I.1984/697, 1985/46, 1986/427 and 1089, 1987/1508, 1988/1523, 1989/1579, 1991/1021, 1992/25, 1342 and 3084, 1993/2200 and 1994/2191.

(2) “The Type Approval (Great Britain) Regulations” is defined in regulation 3(2) of The Road Vehicles (Construction and Use) Regulations 1986 as meaning “The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984” (S.I. 1984/981). Relevant amendments were made to the 1984 Regulations by S.I. 1984/1761, 1985/1651, 1987/1509, 1991/1022, 1992/2908, 1993/2201 and 1994/2190.

(3) 1971 c. 10; the Act was extended to Northern Ireland by section 10 of the Finance Act 1991 (c. 31) and was repealed by Schedule 5 to the Vehicles Excise and Registration Act 1994 (c. 22).

(4) 1994 c. 22.

- (b) a “relevant vehicle” is a vehicle to which neither the Type Approval (Great Britain) Regulations nor the Type Approval for Goods Vehicles Regulations apply and which—
- (i) was manufactured by the manufacturer of the vehicle in question on or after 1st August 1992 and before 1st August 1994;
 - (ii) was in the territory of an EEA State at some time before 1st October 1994;
 - (iii) was in existence on 1st October 1994; but
 - (iv) had not been registered under the Vehicles (Excise) Act 1971 or the Vehicles Excise and Registration Act 1994 before 1st October 1994.
- (7H) In paragraph (7G) above—
- “EEA State” means a State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993, but until that Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein⁽⁵⁾.”