

2003 No. 145

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment No. 2)
Regulations (Northern Ireland) 2003**

Made - - - - - *5th March 2003*

Coming into operation *1st May 2003*

The Department of the Environment, in exercise of the powers conferred on it by Articles 55(1) and (6) and 110(2) of the Road Traffic (Northern Ireland) Order 1995^(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 1st May 2003.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999^(b).

Amendment to regulation 73 (radio interference suppression)

2.—(1) Regulation 73 of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) For paragraph (4) there shall be substituted –

“(4) Subject to paragraph (7), the requirements of Community Directive 72/245/EEC^(c) as amended by Community Directive 95/54/EC^(d) shall be met by electrical/electronic sub-assemblies as components or separate technical units first used on or after 1st October 2002.”.

(3) In paragraph (5), for the words “ECE Regulation 10 or 10.01” there shall be substituted the words “ECE Regulations 10, 10.01 or 10.02”.

(4) For paragraph (7) there shall be substituted –

“(7) The requirements of paragraph (4) shall not apply to electrical/electronic sub-assemblies of the following descriptions –

(a) replacement parts intended for use on vehicles manufactured in accordance with type approvals granted before 1st January 1996 in compliance with Community Directive 72/245/EEC or Community Directive 72/306/EEC^(e) including any subsequent extension that may have been granted to such type approvals;

(a) S.I. 1995/2994 (N.I. 18); *see* Article 2(2) for the definition of “the Department”
(b) S.R. 1999 No. 454; to which there are amendments not relevant to these Regulations
(c) O.J. No. L152, 6.7.1972
(d) O.J. No. L266, 8.11.1995
(e) O.J. No. L190, 20.8.1972

(b) electrical/electronic sub-assemblies fitted to any vehicle under an authorisation having effect under Part III of the Police Act 1997^(a) or Part II of the Regulation of Investigatory Powers Act 2000^(b).”.

Amendment to Schedule 1 (Community Directives and ECE Regulations)

3. After item 2 in Table II in Schedule 1 to the principal Regulations there shall be inserted the following items –

“2A	10.02	10	17.12.68	Radio interference suppression	8.12.97	—
2B	10.02	10	17.12.68	Radio interference suppression	9.7.99	—
2C	10.02	10	17.12.68	Radio interference suppression	11.2.00	—”.

Sealed with the Official Seal of the Department of the Environment on 5th March 2003.

(L.S.)

Wesley Shannon

A senior officer of the Department of the Environment

(a) 1997 c. 50
(b) 2000 c. 23

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 454) (“the 1999 Regulations”).

Regulation 2 amends regulation 73 (radio interference suppression) of the 1999 Regulations by –

- (a) re-drafting paragraph (4) in order to apply solely to electrical/electronic sub-assemblies as components or separate technical units, rather than to whole vehicles;
- (b) amending paragraph (5) to take into account a further amendment to ECE Regulation 10 in line with Community Directive 95/54/EC; and
- (c) re-drafting paragraph (7) so as to specify the descriptions of electrical/electronic sub-assemblies to which Regulation 73 does not apply.

Regulation 3 makes consequential amendments to Table II of Schedule 1 to the 1999 Regulations.

Copies of the relevant Directives and ECE Regulations referred to in these Regulations may be obtained from TSO, 16 Arthur Street, Belfast BT1 4GD.

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