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 STATUTORY INSTRUMENTS
 

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## 1980 No. 1036

## HEALTH AND SAFETY

**The Agriculture (Tractor Cabs) (Amendment)  
Regulations 1980**

<i>Made - - - -</i>	21st July 1980
<i>Laid before Parliament</i>	30th July 1980
<i>Coming into Operation</i>	29th August 1980

The Secretary of State in exercise of the powers conferred on him by section 15(1), (3)(a) and (5)(a) of the Health and Safety at Work etc. Act 1974(a) ("the 1974 Act") and of all other powers enabling him in that behalf, and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after carrying out by the said Commission of consultation in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Agriculture (Tractor Cabs) (Amendment) Regulations 1980 and shall come into operation on 29th August 1980.

*Amendment of the Agriculture (Tractor Cabs) Regulations 1974*

2. The Agriculture (Tractor Cabs) Regulations 1974(b) shall be amended by inserting after Regulation 3 the following Regulation:—

“3A—(1) This Regulation applies to any safety cab which—

- (a) has received type approval in accordance with Council Directive No. 77/311(c) issued by the Council of the European Communities on 29th March 1977 (which relates to the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors);
- (b) is marked with a component type approval mark in accordance with Council Directive No. 77/536(d) issued by the Council of the European Communities on 28th June 1977 (which relates to the approximation of the laws of the Member States relating to the roll-over protection structures of certain wheeled agricultural or forestry tractors).

(2) In the case of a safety cab to which—

- (a) paragraph (1)(a) (above) applies, then nothing in Regulation 3(3) and (5) of these Regulations shall prevent the Health and Safety Executive from issuing a Certificate of Approval;
- (b) paragraph (1)(b) (above) applies, then the Health and Safety Executive shall not refuse to issue a Certificate of Approval on grounds relating to the structural strength of the roll-over protection structure; or

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(a) 1974 c. 37; section 15 was amended by the Employment Protection Act 1975 (c. 71) section 116 and Schedule 15, paragraph 6.

(b) S.I. 1974/2034, amended by S.I. 1976/1247.

(c) OJ No. L105 (28.4.77), p. 1.

(d) OJ No. L220 (29.8.77), p. 1.

- (c) both paragraphs apply, then for the purpose of these Regulations that safety cab shall be deemed to be approved and marked with the appropriate approval mark and supplementary marks”.

Signed by order of the Secretary of State.  
21st July 1980.

*Patrick Mayhew,*  
Joint Parliamentary Under Secretary of State,  
Department of Employment.

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#### EXPLANATORY NOTE

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

These Regulations amend the Agriculture (Tractor Cabs) Regulations 1974 so as to conform with Council Directives No. 77/311 (OJ No. L105, 28.4.77, p. 1) and No. 77/536 (OJ No. L220, 29.8.77, p. 1).

The Regulations enable the Health and Safety Executive to issue a Certificate of Approval in respect of safety cabs which have received type approval in accordance with EEC Directive 77/311. They also provide that where a safety cab bears a component type approval mark in accordance with EEC Directive 77/536, the Health and Safety Executive may not refuse to issue a Certificate of Approval on the grounds of lack of adequate roll-over protection. Where a safety cab complies with both Directives, it shall be deemed approved and properly marked.