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STATUTORY INSTRUMENTS

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**1993 No. 176**

**The Motor Vehicles (Wearing of Seat Belts) Regulations 1993**

**PART III**

**CHILDREN IN THE REAR OF A VEHICLE**

**General**

7. This Part of these Regulations has effect for the purposes of section 15(3) and (3A) of the Act.

**Description of seat belts to be worn by children**

8.—(1) For a child of any particular height and weight travelling in a particular vehicle, the description of seat belt prescribed for the purposes of section 15(3) of the Act to be worn by him is—

- (a) if he is a small child and the vehicle is a relevant vehicle, a child restraint of a description specified in sub-paragraph (a) or (b) of paragraph (2);
- (b) if he is a small child and the vehicle is not a relevant vehicle, a child restraint of a description specified in sub-paragraph (a) of paragraph (2);
- (c) if he is a large child, a child restraint of a description specified in sub-paragraph (a) of paragraph (2) or an adult belt.

(2) The descriptions of seat belt referred to in paragraph (1) are—

- (a) a child restraint with the marking required under regulation 47(7) of the Construction and Use Regulations if the marking indicates that it is suitable for his weight and either indicates that it is suitable for his height or contains no indication as respects height;
- (b) a child restraint which would meet the requirements of the law of another member State corresponding to these Regulations were it to be worn by that child when travelling in that vehicle in that State.

**Vehicles to which section 15(3) and (3A) of the Act do not apply**

9. The following classes of vehicles are exempt from the prohibition in section 15(3) and (3A) of the Act, that is to say—

- (a) vehicles which are neither motor cars nor passenger cars;
- (b) licensed taxis and licensed hire cars in which (in each case) the rear seats are separated from the driver by a fixed partition.

**Exemptions**

10.—(1) The prohibitions in section 15(3) and (3A) of the Act do not apply in relation to—

- (a) a small child aged 3 years or more if a seat belt of a description prescribed by regulation 8 for a small child of his height and weight is not available in the front or rear of the vehicle and he is wearing an adult belt;

- (b) a child for whom there is a medical certificate;
  - (c) a child aged under 1 year in a carry cot provided that the carry cot is restrained by straps; or
  - (d) a disabled child who is wearing a disabled person's belt.
- (2) The prohibition in section 15(3) of the Act does not apply in relation to a small child in a passenger car if no appropriate seat belt is available for him in the front or in the rear of the vehicle.
- (3) The prohibition in section 15(3) of the Act does not apply in relation to a small child in a vehicle other than a passenger car if no appropriate seat belt is available for him in the rear of the vehicle.
- (4) The prohibition in section 15(3) of the Act does not apply in relation to a large child in any vehicle if no appropriate seat belt is available for him in the rear of the vehicle.
- (5) The prohibition in section 15(3A) of the Act does not apply in relation to a child if no appropriate seat belt is available for him in the front of the vehicle.