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STATUTORY INSTRUMENTS

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**2005 No. 390**

**The Tractor etc (EC Type-Approval) Regulations 2005**

**Interpretation**

**2.—(1) In these Regulations—**

“certificate of conformity” means a certificate issued under regulation 6 or by an EC type-approval authority in a Member State other than the United Kingdom;

“component” means a device, intended to be part of a vehicle, which may be type-approved independently of a vehicle;

“EC type-approval” means the procedure whereby a type of vehicle, system, component or separate technical unit is certified as having satisfied relevant technical requirements of the Tractor Type Approval Directive, and the expression shall include multi-stage EC type-approval;

“EC type-approval authority” means the authority in a Member State which is responsible for all aspects of the approval of a type of vehicle, system, component or separate technical unit, and which issues and, where appropriate, withdraws EC type-approvals, serves as the contact point for the EC type-approval authorities and checks the measures taken by the manufacturer in order to ensure product conformity;

“EC type-approval certificate” means a certificate in one of the forms in Annex II, Chapter C of the Tractor Type Approval Directive, or the corresponding annex to a separate directive;

“ECE Regulation” means a Regulation annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 2nd March 1958 to which the United Kingdom is a party as revised and re-titled the Agreement Concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled vehicles and the Conditions for Reciprocal recognition of Approvals granted on the basis of these Prescriptions by an agreement at Geneva on 5th October 1995(1) which revised Agreement was acceded to by the European Community by a Council Decision of 27th November 1997(2);

“interchangeable machinery” means any instrument which may be used in agriculture or forestry and which is designed or adapted for the purpose of being towed by a tractor and will when in use change or add to the tractor’s functions;

“multi-stage EC type-approval” is the procedure whereby one or more EC type-approval authorities certify that an incomplete or completed vehicle type has satisfied the relevant technical requirements of the Tractor Type Approval Directive;

“separate directive” means a directive listed in Annex II, Chapter B of the Tractor Type Approval Directive;

“separate technical unit” means a device which is subject to the requirements of a separate directive, which is intended to be part of a vehicle, and may be type approved separately but

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(1) Cmnd 1830 5.10.1995.

(2) O.J. L346, 17.12.97 p78.

only in relation to one or more specified types of vehicle, where the separate directive makes express provision for so doing;

“system” means a set of devices combined to form a specific function in a vehicle;

“the Tractor Type Approval Directive” means Directive [2003/37/EC](#) of the European Parliament and of the Council of 26th May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive [74/150/EEC](#)([3](#)) as read with Council Directive [2004/66/EC](#)([4](#));

“tractor” means any motorised, wheeled or tracked agricultural or forestry tractor having at least two axles and a maximum design speed of not less than 6 kilometres per hour, whose main function is tractive power, and is designed to perform the pulling, pushing, carrying and actuating of interchangeable equipment associated with agricultural or forestry work, or to tow agricultural or forestry trailers, although it may be adapted either to carry a load in connection with that work or be equipped with passenger seats or both;

“trailer” means any towed agricultural or forestry trailer constructed or adapted to carry loads and designed to be towed by a tractor for the purposes of agricultural or forestry work whether or not part of the load is carried by the tractor;

“type” in relation to vehicle means vehicles of a vehicle category which do not differ in the essential respects referred to, and within the permissible variants and versions set out in, Annex II Chapter A of the Tractor Type Approval Directive;

“vehicle” means any tractor, trailer or interchangeable towed machinery whether complete, incomplete or completed, which is constructed or adapted for the use of agriculture, horticulture or forestry and which has a maximum design speed of not less than 6 kilometres per hour; and

“vehicle category” means any set of vehicles which have identical design characteristics and which is defined in Annex II Chapter A of the Tractor Type Approval Directive.

(2) For the purposes of the Tractor Type Approval Directive the EC type-approval authority in the United Kingdom is the Secretary of State who is referred to in these Regulations as the “UK type-approval authority”.

(3) Other expressions used in these Regulations and which are also used in the Tractor Type Approval Directive shall have the same meaning as in that Directive and cognate expressions shall be construed accordingly.

(4) For the purposes of regulation 5(1) compliance with a technical requirement under an ECE Regulation shall be deemed to be equivalent to compliance with a technical requirement under the relevant separate directive if that ECE Regulation has been deemed equivalent by the operation of article 12(2) and (3) of the Tractor Type Approval Directive.

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(3) O.J. L171, 9.7.2003 p.1.

(4) O.J. L168, 1.5.2004 p.35; which Directive concerns adaptations to the Community *acquis* by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.