STATUTORY INSTRUMENTS

1984 No. 605

HEALTH AND SAFETY

The Agriculture (Tractor Cabs) (Amendment) Regulations 1984

Made - - - -	*25th April* 1984
Laid before Parliament	*4th May* 1984
Coming into Operation	*25th May* 1984

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 the carrying out by the said Commission of consultations 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 1984 and shall come into operation on 25th May 1984.

Amendment of the Agriculture (Tractor Cabs) Regulations 1974

2. The Agriculture (Tractor Cabs) Regulations 1974**(b)** shall be amended by substituting for Regulation 3A 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/EEC**(c)** 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/EEC**(d)** relating to the roll-over protection structures of certain wheeled agricultural or forestry tractors or Council Directive No. 79/622/EEC**(e)** relating to the static testing of roll-over protection structures of certain wheeled agricultural or forestry tractors.

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

(b) S.I. 1974/2034, amended by S.I. 1976/1247 and 1980/1036.

(c) O.J. No. L105, 28.4.77, p. 1.

(d) O.J. No. L220, 29.8.77, p. 1.

(e) O.J. No. L179, 17.7.79, p. 1.

(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

(*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."

Revocation

3. The Agriculture (Tractor Cabs) (Amendment) Regulations 1980**(a)** are hereby revoked.

Signed by order of the Secretary of State.

John Selwyn Gummer,
Minister of State,
Department of Employment.

25th April 1984.

(a) S.I. 1980/1036.

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/EEC (relating to the driver-perceived noise level of certain tractors), No. 77/536/EEC (relating to the roll-over protection structures of certain tractors) and No. 79/622/EEC (relating to the static testing of roll-over protection structures of certain tractors).

They 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 Council Directive No. 77/311/EEC. They also provide that where a safety cab bears a component type approval mark in accordance with Council Directive No. 77/536/EEC or No. 79/622/EEC, 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 Council Directive No. 77/311/EEC and either Council Directive No. 77/536/EEC or No. 79/622/EEC, it shall be deemed approved and properly marked.

The Regulations also revoke the Agriculture (Tractor Cabs) (Amendment) Regulations 1980, and re-enact the provisions of those Regulations to take account of a Council Directive No. 79/622/EEC.

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