STATUTORY INSTRUMENTS

1972 No. 1690

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1972

Made - - -	*8th November* 1972
Laid before Parliament	*16th November* 1972
Coming into Operation	*7th December* 1972

The Secretary of State for the Environment, in exercise of his powers under section 40(1) of the Road Traffic Act 1972(**a**) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1972, and shall come into operation on 7th December 1972.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Motor Vehicles (Construction and Use) Regulations 1969(**c**), as amended (**d**), shall have effect as though—

(1) In paragraph (1) of Regulation 25A there were inserted the following sub-paragraph:—

"(*c*) a vehicle to which Regulation 25C applies.";

(2) After Regulation 25B there were inserted the following Regulations:—

"25C.—(1) Except as provided by paragraph (2) of this Regulation, this Regulation applies to every motor vehicle first used on or after 10th November 1973 which is propelled by a spark ignition engine.

(2) This Regulation does not apply to—

(*a*) a vehicle manufactured before 20th September 1973;

(*b*) a vehicle with less than four wheels, if

(i) its weight, whether laden or unladen, does not exceed 400 kilograms; or

(ii) it is not so constructed as to be capable of exceeding a speed of 30 miles per hour on the level under its own power; or

(*c*) a vehicle, the weight of which whether laden or unladen exceeds 3500 kilograms.

(**a**) 1972 c. 20. (**b**) 1889 c. 63.
(**c**) S.I. 1969/321 (1969 I, p. 829).
(**d**) The relevant amending instrument is S.I. 1971/444 (1971 I, p. 1291).

(3) Every vehicle to which the Regulation applies shall be legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by Regulation 2(3) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1972(**a**) (which designates an approval mark that may be applied to a vehicle to indicate that the vehicle meets certain requirements concerning the emission of gaseous pollutants by the engine thereof).

(4) Nothing in this Regulation shall be taken to authorise any person to apply the said approval mark to any vehicle to which this Regulation applies in contravention of the Trade Descriptions Act 1968(**b**).".

Signed by authority of the Secretary of State.
8th November 1972.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

EXPLANATORY NOTE

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

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1969 by requiring certain motor vehicles first used on or after 10th November 1973 to be marked with an approval mark designated by Regulation 2(3) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1972 to indicate that the vehicles meet certain requirements concerning the emission of gaseous pollutants (carbon monoxide and hydrocarbons) by their engines.

(**a**) S.I. 1972/1303 (1972 II, p. 3942). (**b**) 1968 c. 29.

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