STATUTORY INSTRUMENTS

1984 No. 145

CONSUMER PROTECTION

The Pedal Bicycles (Safety) Regulations 1984

Laid before Parliament in draft

Made - - -	*9th February* 1984
Coming into Operation as provided in Regulation 1(2) -	*1st March* 1984

Whereas the Secretary of State has, in accordance with the provisions of section 1(4) of the Consumer Safety Act 1978(**a**), consulted with such organisations as appear to him to be representative of interests substantially affected by these Regulations, the Health and Safety Commission (as regards Great Britain) and such other persons as he considers appropriate:

And whereas a draft of these Regulations has been approved by a resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 1 of the said Act, and now vested in him(**b**), hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Pedal Bicycles (Safety) Regulations 1984.

(2) These Regulations shall come into operation on the expiry of a period of 21 days beginning on the day on which these Regulations are made.

2.—(1) In these Regulations:—

"competition bicycle" means a bicycle which has no brakes and is specifically designed for off-road racing on enclosed tracks;

"tradesman's delivery bicycle" means a bicycle which is designed primarily or entirely for the carriage of goods in the course of a trade;

"tandem bicycle" means a bicycle which is designed to carry two or more persons at least two of whom can propel the vehicle at the same time; and

"the British Standard" means the specification for safety requirements for bicycles issued by the British Standards Institution under reference BS.6102: Part 1: 1981, and Part 2: 1982.

(**a**) 1978 c.38.

(**b**) S.I. 1979/571 and 1981/238.

(2) In these Regulations "supply" includes offering to supply, agreeing to supply, exposing for supply and possessing for supply, and "supplied" and "supplying" shall be construed accordingly.

(3) In these Regulations a reference to the height of the saddle of a bicycle is a reference to the height above the ground of the part of the seating area of the saddle which is furthest from the ground when the vehicle to which the saddle is attached is vertical and the saddle is raised to the fullest extent compatible with safety and any pneumatic tyres on the wheels of the vehicle are fully inflated.

3. Except as provided in Regulation 5 below, no person shall on or after 1st August 1984 supply any two-wheeled pedal cycle, not being constructed or adapted for propulsion by mechanical power, unless —

(*a*) in the case of a pedal cycle within the field of application of the British Standard, it complies with all the requirements specified in that Standard (including the requirement in paragraph 19 thereof for a marking consisting of the number BS.6102: Part I and the manufacturer's name or code);

(*b*) in the case of a pedal cycle outside the field of application of the British Standard, it complies with standards no less than those specified in the British Standard.

4. Except as provided in Regulation 6 below, no person shall on or after 1st August 1984 supply two or more parts of a kind specified in the British Standard which, without the addition of any other part of a kind so specified (but with, so far as necessary, parts not so specified) are capable of being assembled to form a two-wheeled pedal cycle, not being constructed or adapted for propulsion by mechanical power, unless the said parts are capable of being assembled to form a pedal cycle which in all respects complies —

(*a*) in a case where the pedal cycle so formed would be within the field of application of the British Standard, with the requirements (including that of marking) specified in the British Standard;

(*b*) in a case where the pedal cycle so formed would be outside the field of application of the British Standard, with standards no less than those specified in the British Standard.

5.—(1) The provisions of Regulation 3 above do not apply to the supply of a cycle by a person in the course of a retail trade or business —

(*a*) before 1st April 1985 if the cycle was obtained by that person in the course of that trade or business before the date on which these Regulations come into operation;

(*b*) before 1st November 1984 if the cycle was obtained by that person in the course of that trade or business on or after the date on which these Regulations come into operation but before 1st August 1984.

(2) The provisions of Regulation 3 above do not apply in respect of—

(*a*) a bicycle which has previously been supplied and used on a road;

(*b*) a bicycle the height of the saddle of which is less than 635 millimetres;

(*c*) a competition bicycle;

(*d*) a bicycle which has been constructed to the design of an individual person for use by that person in competitive events;

(*e*) a tradesman's delivery bicycle; or

(*f*) a tandem bicycle.

(3) The provisions of Regulation 3 above do not apply in any case where the person supplying the cycle reasonably believes that it will not be used in the United Kingdom.

6.—(1) The provisions of Regulation 4 above do not apply to the supply of parts by a person in the course of a retail trade or business —

(*a*) before 1st April 1985 if the parts were obtained by that person in the course of that trade or business before the date on which these Regulations come into operation;

(*b*) before 1st November 1984 if the parts were obtained by that person in the course of that trade or business on or after the date on which these Regulations come into operation but before 1st August 1984.

(2) The provisions of Regulation 4 above do not apply to the supply of parts if they —

(*a*) have previously been supplied and used on a road as parts of a bicycle; or

(*b*) are capable of being assembled so as to form a bicycle of a kind specified in Regulation 5(2)(*b*) to (*f*) above.

(3) The provisions of Regulation 4 above do not apply in any case where the person supplying the parts reasonably believes that they will not be used in the United Kingdom.

Nicholas Ridley,
Secretary of State for Transport.

9th February 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. Subject to exemptions these Regulations prohibit a person from supplying, offering or agreeing to supply, or exposing or possessing for supply on or after 1st August 1984 —

(*a*) a two-wheeled pedal cycle not being constructed or adapted for propulsion by mechanical power unless the requirements specified in Regulation 3 are complied with; or

(*b*) parts for assembly into a two-wheeled pedal cycle not being constructed or adapted for propulsion by mechanical power unless the requirements specified in Regulation 4 are complied with.

2. Regulation 5 specifies exemptions from the provisions of Regulation 3. Regulation 6 specifies exemptions from the provisions of Regulation 4. These exemptions cover bicycles or parts supplied by a person in the course of a retail trade or business —

(*a*) before 1st April 1985 if the bicycle or parts were obtained by the person before the date on which these Regulations come into operation, and

(*b*) before 1st November 1984 if the bicycle or parts were obtained by the person on or after the date on which these Regulations come into operation but before 1st August 1984.

These exemptions also cover particular kinds of bicycle and parts, bicycles and parts which have been previously supplied and used, and bicycles and parts which the supplier reasonably believes will not be used in the United Kingdom.

3. The requirements mentioned in paragraph 1 above relate to "the British Standard" (which expression, with others used in the Regulations, is defined in Regulation 2(1)). Enquiries about the availability of the British Standard should be made to the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE (telephone number Milton Keynes (STD 0908) 320066).

4. These Regulations apply to the whole of the United Kingdom.

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