

STATUTORY INSTRUMENTS

S.I. No. 270 of 2002

European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery (Amendment) Regulations 2002

In exercise of the powers conferred on the Minister for the Environment and Local Government by Section 3 of the European Communities Act 1972 (No. 27 of 1972), which said powers are delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) (No. 2) Order 1997 (S.I. No. 428 of 1997) and for the purposes of giving effect to the provisions of Commission Directive 2001/63/EC⁽¹⁾ adapting to technical progress Directive 97/68/EC⁽²⁾ of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery, I, Dan Wallace, Minister of State at the Department of the Environment and Local Government, hereby make the following Regulations: -

² O.J. L59/1 of 27 February 2002

¹ O.J. L227/41 of 23 August 2001

Citation

1. (1) These Regulations may be cited as the European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery) (Amendment) Regulations 2002.

(2) These Regulations and the European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery) Regulations 1999 (S.I. No. 396 of 1999) shall be construed together as one and may be collectively cited as the European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery) Regulations 1999 and 2002.

Entry into Force

2. These Regulations shall come into operation on the 30th day of June 2002.

Definitions

3. In these Regulations:

"the 1999 Regulations" means the European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery) Regulations 1999 (S.I. No. 396 of 1999);

"the 2001 Directive" means Commission Directive 2001/63/EC of 17 August 2001 adapting to technical progress Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery.

Amendments of Annexes III and IV of the Directive

4. For the purposes of the 1999 Regulations, Annexes III and IV of the Directive shall apply as amended by Article 1 of the 2001 Directive.

Dated this 5th day of June 2002

Dan Wallace

Minister of State at the Department of the
Environment and Local Government

EXPLANATORY MEMORANDUM

(This is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations amend the European Communities (Control of Emissions of Gaseous and Particulate Pollutants from Non-Road Mobile Machinery) Regulations 1999 (S.I. No. 396 of 1999) providing for the type approval and placing on the market of internal combustion engines to be installed in non-road mobile machinery. The Regulations transpose into national law the amendment of Annexes III and IV of Directive 97/68/EC adapted to technical progress by Commission Directive 2001/63/EC.

The Regulations come into operation on the 30TH day of June 2002.