SUBSIDIARY LEGISLATION 427.43

APPROVAL AND MARKET SURVEILLANCE OF TWO OR THREE-WHEEL VEHICLES AND QUADRICYCLES REGULATIONS

1st January, 2016*

LEGAL NOTICE 17 of 2016, as amended by Legal Notice 67 of 2017.

Citation.

1. The title of these regulations is Approval and Market Surveillance of Two- or Three-Wheel Vehicles and Quadricycles Regulations.

Scope.
Amended by:
L.N. 67 of 2017.

2. These regulations implement the requirements set by:

(*a*) Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles;

(*b*) UNECE Regulation (No 22) regarding the Uniform Provisions Concerning the Approval of Protective Helmets and their Visors for Drivers and Passengers of Motor Cycles and Mopeds;

(*c*) Commission Delegated Regulation (EU) No 3/2014 of 24 October 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of two- or three-wheel vehicles and quadricycles;

(*d*) Commission Delegated Regulation (EU) No 44/2014 of 21 November 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to the vehicle construction and general requirements for the approval of two- or three-wheel vehicles and quadricycles;

(*e*) Commission Delegated Regulation (EU) No 134/2014 of 16 December 2013 supplementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to environmental and propulsion unit performance requirements and amending Annex V thereof; and

(*f*) Commission Implementing Regulation (EU) No 901/ 2014 of 18 July 2014 implementing Regulation (EU) No 168/2013 of the European Parliament and of the Council with regard to the administrative requirements

*see regulation 1(2) of these Regulations as originally promulgated.

for the approval and market surveillance of two- or three-wheel vehicles and quadricycles.

Definitions.

3. In these regulations, unless the context otherwise requires:

Cap. 510.

"the Act" means the Malta Competition and Consumer Affairs Authority Act;

"the 1958 Agreement" means the Revised Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts, done at Geneva on 20 March 1958*;

"end-of-series vehicle" means any vehicle that is part of a stock which cannot be made available on the market or can no longer be made available on the market, registered or enter into service owing to the entry into force of new technical requirements against which it has not been approved;

"national type-approval" means a type-approval procedure laid down by the national law of a Member State, the validity of such approval being restricted to the territory of that Member State;

"registration" means the administrative authorisation for the entry into service in road traffic of a vehicle, involving the identification of the latter and the issuing to it of a serial number, to be known as the registration number, be it permanently, temporarily or for a short period of time;

"UNECE Regulation" means the United Nations Economic Commission for Europe (UNECE) Regulation which is annexed to the Revised 1958 Agreement concerning the Uniform Provisions Concerning the Approval of Protective Helmets and their Visors for Drivers and Passengers of Motor Cycles and Mopeds and any amendments thereto†.

Designation of competent authorities.

4. (1) The Technical Regulations Division of the Malta Competition and Consumer Affairs Authority is the approval authority and the market surveillance authority within the meaning of Regulation (EU) No 168/2013 and UNECE Regulation (No 22).

(2) The Authority for Transport in Malta shall be the competent authority responsible for registration, national type- approval and end-of-series vehicles.

Penalties.

5. (1) The penalties applicable for any infringement related to the provisions of regulation 4(1) shall be those provided for in Part IV of the Product Safety Act.

Cap. 427.

(2) The penalties applicable for any infringement related to registration, national type-approval and end-of-series vehicles, in accordance with regulation 4(2), shall be those provided for in the Authority for Transport in Malta Act.

Cap. 499.

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* http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?redirect=true&treatyId=474

† http://www.unece.org/trans/main/wp29/wp29regs21-40.html