SUBSIDIARY LEGISLATION 427.59

APPROVAL AND MARKET SURVEILLANCE OF AGRICULTURAL AND FORESTRY VEHICLES REGULATIONS

1st January, 2016*

LEGAL NOTICE 18 of 2016, as amended by Legal Notice 69 of 2017.

Citation.

1. The title of these regulations is the Approval and Market Surveillance of Agricultural and Forestry Vehicles Regulations.

Scope.
Amended by: L.N. 69 of 2017.

2. These regulations implement:

(*a*) the requirements set by Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles;

(*b*) Commission Delegated Regulation (EU) No 1322/ 2014 of 19 September 2014 supplementing and amending Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle construction and general requirements for the approval of agricultural and forestry vehicles;

(*c*) Commission Delegated Regulation (EU) 2015/68 of 15 October 2014 supplementing Regulation (EU) No 167/ 2013 of the European Parliament and of the Council with regard to vehicle braking requirements for the approval of agricultural and forestry vehicles;

(*d*) Commission Delegated Regulation (EU) 2015/96 of 1 October 2014 supplementing Regulation (EU) No 167/ 2013 of the European Parliament and of the Council as regards environmental and propulsion unit performance requirements of agricultural and forestry vehicles;

(*e*) Commission Delegated Regulation (EU) 2015/208 of 8 December 2014 supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of agricultural and forestry vehicles;

(*f*) Commission Implementing Regulation (EU) 2015/504 of 11 March 2015 implementing Regulation (EU) No 167/ 2013 of the European Parliament and of the Council with regard to the administrative requirements for the approval

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

and market surveillance of agricultural and forestry vehicles; and

(*g*) the separate Directives listed in the Schedule.

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

Cap. 510. "the Act" means the Malta Competition and Consumer Affairs Authority Act;

"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 including for 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.

Approval authority. **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 167/2013.

(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 the infringement of the provisions of Regulation (EU) No 167/2013 shall be those provided for in Part IV of the Product Safety Act.

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(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.

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Schedule

LIST OF SEPARATE DIRECTIVES, AND THEIR DATE OF ADOPTION

Base Directive no.	Title of Base Directive	Amending Directive No.	Official Journal reference	Date of Adoption
71/320/EEC	Council Directive of July 26, 1971 on the approximation of the laws of the member states relating to the braking devices of certain categories of motor vehicles and of their trailers		L 202, 06.09.1971	With respect to these regulations - The effective date
		74/132/EEC	L 74/78, 19.03.1974	With respect to these regulations - The effective date
		75/524/EEC	L 263/3-4, 08.09.1975	With respect to these regulations - The effective date
		79/489/EEC	L 128/12-13, 26.05.1979	With respect to these regulations - The effective date
		85/647/EEC	L 380/1-2, 31.12.1985	With respect to these regulations - The effective date
		88/194/EEC	L 92/47-49, 04.04.1988	With respect to these regulations - The effective date
		91/422/EEC	L 233/21-29,22.08.1991	With respect to these regulations - The effective date
		98/12/EC	L 81, 18.03.1998	With respect to these regulations - The effective date
		2002/78/EC	L 267, 04.10.2002	With respect to these regulations - The effective date
89/173/EEC	Council Directive of July 25, 1978 on the approximation of the laws of the member states relating to certain components and characteristics of wheeled agricultural or forestry tractors		L 67 10.05.1989	The effective date
		97/54/EEC	L 277 10.10.1997	The effective date
		2000/1/EC	L 21 26.01.2000	The effective date
		2006/26/EC	L 65; 07.03.2006	31st December, 2006
		2006/96/EC	L363, P.81 20.12.2006	20.11.2006
92/22/EC	Council Directive of March 31, 1992 on safety glazing and glazing materials on motor vehicles and their trailers		L 129 14.05.1992	With respect to these regulations - The effective date
		2001/92/EC	L 291 08.11.2001	With respect to these regulations - The effective date

76/115/EEC	Council Directive of December 18, 1975 on the approximation of the laws of the Member States relating to anchorage for motor-vehicles safety belts.		L 24 30.01.1976	With respect to these regulations - The effective date
		81/575/EEC	L 209 20.07.1981	With respect to these regulations - The effective date
		82/318/EEC	L 139 19.05.1982	With respect to these regulations - The effective date
		90/629/EEC	L 314; 06.12.1990	With respect to these regulations - The effective date
		96/38/EC	L 187 26.07.1996	With respect to these regulations - The effective date
77/541/EEC	Council Directive of June 28, 1977 on the approximation of the laws of the member states relating to safety belts and restraints systems of motor vehicles.		L 220 29.08.1977	With respect to these regulations - The effective date
		81/576/EEC	L 209 29.07.1981	With respect to these regulations - The effective date
		82/319/EEC	L 139 19.05.1982	With respect to these regulations - The effective date
		87/354/EEC	L 192 11.07.1987	With respect to these regulations - The effective date
		90/628/EEC	L 341 06.12.1990	With respect to these regulations - The effective date
		96/36/EC	L 178 17.07.1996	With respect to these regulations - The effective date
		2000/3/EC	L 53 25.02.2000	With respect to these regulations - The effective date
75/443/EEC	Council Directive of June 26, 1975 on the approximation of the laws of the member states relating to the reverse and speedometer equipment of motor vehicles		L 196 26.07.1975	With respect to these regulations - The effective date
		97/39/EC	L 177 05.07.1997	With respect to these regulations - The effective date
91/226/EEC	Council Directive of March 27, 1991 on the approximation of the laws of the member states relating to the spray-suppression systems of certain categories of motor vehicles and their trailers		L 103 23.04.1991	With respect to these regulations - The effective date

92/24/EEC	Council Directive of March 27, 1991 on the approximation of the laws of the member states relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles		L 129 14.05.1992	With respect to these regulations - The effective date
89/297/EEC	Council Directive of April 13, 1989 on the approximation of the laws of the member states relating to the lateral protection (side guards) of certain motor vehicles and their trailers		L 124 05.05.1989	With respect to these regulations - The effective date
2008/2/EC	DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 January 2008 on the field of vision and windscreen wipers for wheeled agricultural or forestry tractors		L 24,29.1.2008	1st May 2008 Repealing Directive 74/347/EEC with its successive amendments. (referred to in Article 6)