L.N. 164 of 2011

PRODUCT SAFETY ACT (CAP. 427)

Type Approval of Agricultural or Forestry Tractors (Amendment) Regulations, 2011

IN exercise of the powers conferred by article 38 of the Product Safety Act, the Prime Minister on the advice of the Malta Standards Authority, has made the following regulations:-

Citation, scope and commencement.

1. (1) The title of these regulations is the Type Approval of Agricultural or Forestry Tractors (Amendment) Regulations, 2011 and they shall be read and construed as one with the Type Approval Agricultural or Forestry Tractors Regulations, 2005, hereinafter referred to as "the principal regulations."

L.N. 123 of 2005.

(2) These regulations implement the following requirements:

(a) Directive 2009/144/EC on certain components and characteristics of wheeled agricultural or forestry tractors (codified version);

(b) Directive 2010/22/EU amending, for the purposes of their adaptation to technical progress, Directives 80/720/EEC, 86/298/EEC, 86/415/EEC and 87/402/EEC and Directives 2000/25/EC and 2003/37/EC relating to the type-approval of agricultural or forestry tractors;

(c) Directive 2010/52/EU amending, for the purposes of adaptation of their technical provisions, Directive 76/763/EEC relating to passenger seats for wheeled agricultural or forestry tractors and Directive 2009/144/EC on certain components and characteristics of wheeled agricultural or forestry tractors;

(d) Directive 2010/62/EU amending, for the purpose of adapting their technical provisions, Directives 80/720/EEC

and 86/297/EEC and Directives 2003/37/EC, 2009/60/EC and 2009/144/EC relating to the type-approval of agricultural or forestry tractors.

(3) These regulations shall come into force as follows:

(a) regulations 2, 3 and paragraph (b) of regulation 4 on the 1st May, 2011; and

(b) paragraphs (a) and (c) of regulation 4 on the 29th September, 2011.

Amends regulation 14 of the principal regulations.

2. In sub-regulation (3) of regulation 14 of the principal regulations, for the words "test bulletins" there shall be substituted the words "test reports".

Amends Schedule I to the principal regulations.

3. Model A of Schedule I to the principal regulations shall be amended as follows:

(a) for point 2.4 there shall be substituted the following:

"2.4. Technically permissible towable mass(es) (according to type of coupling):
2.4.1. Unbraked towable mass: .....
2.4.2. Independently braked towable mass: .....
2.4.3. Inertia-braked towable mass: .....
2.4.4. Towable mass when fitted with hydraulic or pneumatic braking: ....
2.4.5. Total technically permissible mass(es) of the tractor-trailer combination for each configuration of trailer braking: .....
2.4.6. Position of coupling point
2.4.6.1. Height above ground
2.4.6.1.1. Maximum height: .....
2.4.6.1.2. Minimum height: .....
2.4.6.2. Distance from the vertical plane passing through the axis of the rear axle
2.4.6.2.1. Maximum: .....
2.4.6.2.2. Minimum: .....
2.4.6.3. Maximum static vertical load/technically permissible mass on the coupling point:
2.4.6.3.1. — of the tractor: .....
2.4.6.3.2. — of the semi-trailer (interchangeable towed machinery) or the centre-axle trailer (interchangeable towed machinery): .....";

(b) for point 2.7.2 there shall be substituted the following:

"2.7.2. Overall dimensions of the tractor, including coupling unit:
2.7.2.1. Length for on-road use ([10]):
maximum: .....
minimum: .....
2.7.2.2. Width for on-road use ([11]):
maximum: .....
minimum: .....
2.7.2.3. Height for on-road use ([12]):
maximum: .....
minimum: .....
2.7.2.4. Forward overhang ([13]):
maximum: .....
minimum: .....
2.7.2.5. Rear overhang ([14]):
maximum: .....
minimum: .....
2.7.2.6. Ground clearance ([15]):
maximum: .....
minimum: .....";

and

(c) for footnote 15, there shall be substituted the words "Standard ISO 612/-6.8:1978".

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Amends Schedule II to the principal regulations.

4. Chapter B of Schedule II to the principal regulations shall be amended as follows:

(a) in Part I thereof, in line No. 18.1, in column T5, for the words "(X)" there shall be substituted the words "X".

(b) in Part II C thereof,

(i) in the introductory phrase, the words "test bulletins" shall be substituted by the words "test reports" and,

(ii) in footnote (1) there shall be substituted the following:

"(1) Test reports must be in conformity with OECD Council Decision C(2008) 128 of October 2008. The equivalence of the test reports can only be recognised for seat belt anchorages if these have been tested. The test reports in conformity with the Codes following OECD Council Decision C(2000) 59 as last amended by OECD Council Decision C(2005) 1 will remain valid. As from the date of transposition of this Directive, new test reports shall be based on the new version of the Codes."; and

(c) Appendix 1, Part II thereof shall be amended as follows:

(i) in line No. 2.2, column T4.3, for the word "(X)" there shall be substituted the word "X"; and

(ii) in line No. 17.1, in column T4.3, for the word "(X)" there shall be susttitued the word "X".

Substitutes Schedule VIII to the principal regulations.

5. For Schedule VIII to the principal regulations, there shall be substituted the following:-

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Schedule VIII

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
2009/63/EC	Directive 2009/63/EC of the European Parliament and of the	Repealing 74/151/EEC	L 214, p.23 19.08.2009	1 January 2010
	Council of 13 July 2009 on certain parts and characteristics of wheeled agricultural or forestry tractors. (Codified version)			

2009/60/EC	Directive 2009/60/EC of the European Parliament and of the Council of 13 July 2009 on the maximum design speed of an d load platforms for wheeled agricultural or forestry tractors. (Codified version)	Repealing Directive 74/152/EEC	L 198, p.15 30.7.2009	1 January 2010
		2010/62/EU	L 238, 9.9.2010, p. 7–13	29 September 2011
2009/59/EC	Directive 2009/59/EC of the European Parliament and of the Council of 13 July 2009 on rear-view mirrors for wheeled agricultural or forestry tractors. (Codified version)	Repealing Directive 74/346/EEC	L 198, p.9 30.7.2009	1st January 2010
2009/66/EC	Directive 2009/66/EC of the European Parliament and of the Council of 13 July 2009 on the steering equipment of wheeled agricultural or forestry tractors (Codified version).	Repealing 75/321/EEC	L 201, p.11 1.08.2009	1 January 2010
2009/64/EC	Directive 2009/64/EC of the European Parliament and of the Council of 13 July 2009 on the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility) (Codified version).	Repealing 75/322/EEC	L 216, p.1 20.08.2009	1 January 2010
76/432/EEC	Council Directive of April 6, 1976 on the approximation of the laws of the member states relating to the braking devices of wheeled agricultural or forestry tractors		L 122, 08.05.1976	The effective date
		82/890/EEC	L 378, 31.12.1982	The effective date
		96/63/EC	L 253, 30.09.1996	The effective date
		97/54/EC	L 277, 10.10.1997	The effective date
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
76/763/EEC	Council Directive of July 27, 1976 on the approximation of the laws of the member states relating to passenger seats for wheeled agricultural or forestry tractors		L 262, 27.09.1976	The effective date
		82/890/EEC	L 378, 31.12.1982	The effective date
		97/54/EEC	L 277, 10.10.1997	The effective date
		1999/86/EC	L 297, 18.11.1999	The effective date
		2010/52/EU	L 213, 13.8.2010, p. 37–42	2 March 2011

2009/76/EC	Directive 2009/76/EC of the European Parliament and of the Council of 13 July 2009 relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (Codified version).	Repealing 77/311/EEC	L201, p.18 1.08.2009	1 January 2010
2009/57/EC	Directive 2009/57/EC of the European Parliament and of the Council of 13 July 2009 relating to the roll-over protection structures of wheeled agricultural or forestry tractors (Codified version)	Repealing 77/536/EEC	L 261, p.1 3.10.2009	1 January 2010
78/764/EEC	Council Directive of July 25, 1978 on the approximation of the laws of the member states relating to the driver's seat on wheeled agricultural or forestry tractors		L 255, 18.09.1978	The effective date
		82/890/EEC	L 378 31.12.1982	The effective date
		83/190/EEC	L 109 26.04.1983	The effective date
		88/465/EEC	L 228 17.08.1988	The effective date
		97/54/EC	L 277 10.10.1997	The effective date
		1999/57/EC	L 148 15.06.1999	The effective date
		2006/96/EC	L363, P.81 20.12.2006	20.11.2006
2009/61/EC	Directive 2009/61/EC of the European Parliament and of the Council of 13 July 2009 relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors. (Codified version)	Repealing 78/933/EEC	L 203 p.19 5.08.2009	1 January 2010
2009/68/EC	Directive 2009/68/EC of the European Parliament and of the Council of 13 July 2009 on the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors. (Codified version)	Repealing 79/532/EEC	L 203, p.52 5.08.2009	1 January 2010

2009/58/EC	Directive 2009/58/EC of 13 July 2009 on the coupling device and the reverse of wheeled agricultural or forestry tractors (Codified version)	Repealing 79/533/EEC	L 198 p.4 30.7.2009	1 January 2010
2009/75/EC	Directive 2009/75/EC of the European Parliament and of the Council of 13 July 2009 on roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (Codified version)	Repealing Directive 79/622/EEC	L 261, p.40 3.10.2009	1 January 2010
80/720/EEC	Council Directive of June 25, 1979 on the approximation of the laws of the member states relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors		L 194 28.07.1980	The effective date
		82/890/EEC	L 378 31.12.1982	The effective date
		88/414/EEC	L 200 26.07.1988	The effective date
		97/54/EC	L 277 10.10.1997	The effective date
		2010/22/EU	L 91, 10.4.2010, p. 1–68	1 May 2011
		2010/62/EU	L 238, 9.9.2010, p. 7–13	29 September 2011
86/297/EEC	Council Directive of June 25, 1979 on the approximation of the laws of the member states relating to the power take-offs of wheeled agricultural or forestry tractors		L 186 08.07.1986	The effective date
		97/54/EC	L 277 10.10.1997	The effective date
		2010/62/EU	L 238, 9.9.2010, p. 7–13	29 September 2011
86/298/EEC	Council Directive of May 25, 1986 on rear mounted roll-over protection structures of narrow-track wheeled agricultural or forestry tractors		L 186 08.07.1986	The effective date
		89/682/EEC	L 398 12.12.1989	The effective date
		2000/19/EC	L 94 13.04.2000	The effective date
		2005/67/EC	L 273 19.10.2005	From 1st January 2006
		2006/96/EC	L363, P.81 20.12.2006	20.11.2006
		2010/22/EU	L 91, 10.4.2010, p. 1–68	1 May 2011

86/415/EEC	Council Directive of July 24, 1986 on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors		L 240 24.07.1986	The effective date
		97/54/EC	L 240 24.07.1986	The effective date
		2010/22//EU	L 91, 10.4.2010, p. 1–68	1 May 2011
87/402/EEC	Council Directive of July 24, 1986 on roll-over protection structures mounted in front of the drivers seat on barrow-track wheeled agricultural or forestry tractors		L 220 08.08.1987	
		89/681/EEC	L 398 12.12.1989	The effective date
		2000/22/EC	L 107 04.05.2000	The effective date
		2005/67/EC	L 273 19.10.2005	From 1st January 2006
		2006/96/EC	L363, P.81 20.12.2006	20.11.2006
		2010/22/EU	L 91, 10.4.2010, p. 1–68	1 May 2011
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

2000/25/EC	Council Directive of May 22, 2000 on action to be taken against the emission of gaseous and particulate pollutants by engines intended to power agricultural or forestry tractors.		L 173 12.07.2000	The effective date – with the following addition : Following Article 4 paragraph 5of directive 2000/25/EC as amended by 2005/13/EC the dates of Article 4 paragraph 3 shall be postponed by 2 years. The conditions in the Article 4 paragraph 5 still apply.
		2005/13/EC	L 55 01.03.2005	From 1st January 2006 – see above
		2006/96/EC	L363, P.81 20.12.2006	20.11.2006
		2010/22/EU	L 91, 10.4.2010, p. 1–68	30th April 2010
77/537/EEC	Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors.		L 220 29.08.1977	The effective date
		82/890/EEC	L 378 31.12.1982	The effective date
		97/54/EC	L 277 10.10.1997	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)
2009/144/EC	Directive 2009/144/EC of the European Parliament and of the Council of 30 November 2009 on certain components and characteristics of wheeled agricultural or forestry tractors (codified version);		L 27, 30.1.2010, p 33-170	1 June 2010
		2010/52/EU	L 213, 13.8.2010, p. 37–42	2 March 2011
		2010/62/EU	L 238, 9.9.2010, p. 7–13	29 September 2011”.