

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2017 No. 140**

**ROAD TRAFFIC AND VEHICLES**

**The Motor Vehicles (Construction and Use)  
(Amendment) Regulations (Northern Ireland) 2017**

*Made* - - - - *4th July 2017*  
*Coming into operation* *6th November 2017*

The Department for Infrastructure<sup>(1)</sup> makes the following Regulations in exercise of the powers conferred by Articles 55(1) and 110(2) of the Road Traffic (Northern Ireland) Order 1995<sup>(2)</sup> and now vested in it<sup>(3)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2017 and shall come into operation on 6<sup>th</sup> November 2017.

**Amendment of the Motor Vehicles (Construction and Use) Regulations 1999**

2. For Part 1 (fire extinguishing apparatus) of Schedule 7 to the Motor Vehicles (Construction and Use) Regulations 1999<sup>(4)</sup> substitute—  
Regulation 51(1)

“PART 1

Fire Extinguishing Apparatus

1.—(1) A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution numbered BS EN 3-7:2004+A1:2007 and which—

(a) has a minimum test fire rating of 8A or 34B;

---

(1) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment is dissolved  
(2) 1995 No. 2994 (N.I. 18)  
(3) See Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)  
(4) S.R. 1999 No. 454; to which there are amendments not relevant to these Regulations

- (b) contains water or foam; and
- (c) has a minimum capacity of two litres.

(2) Sub-paragraph (1) shall not apply to a minibus if it carries apparatus for extinguishing fire which would meet the requirements of that sub-paragraph were there substituted—

- (a) for a reference in that sub-paragraph to any British Standard, a reference to a corresponding standard;
- (b) for the reference in that sub-paragraph to a test fire rating of 8A or the reference to a test fire rating of 34B, a reference to an equivalent level of performance specified in the corresponding standard; and
- (c) for the reference in regulation 51(2)(b) to the appropriate British Standards Institution Specification number, a reference to a marking indicating compliance with the corresponding standard.

(3) In sub-paragraph (2), “corresponding standard”, in relation to a British Standard, means—

- (a) a standard or code of practice of a national standards body or equivalent body of an EEA State or the Republic of Turkey;
- (b) any international standard recognised for use as a standard by any EEA State or the Republic of Turkey; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State or the Republic of Turkey,

where the standard or code of practice, international standard or technical specification provides, in relation to fire extinguishers, a level of safety equivalent to that provided by the British Standard and contains a requirement as respect the markings of fire extinguishers equivalent to that provided by the British Standard.

(4) In sub-paragraph (3)—

“EEA State” means a State which is a contracting party to the EEA Agreement; and  
“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992<sup>(5)</sup> as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(6)</sup>.”.

Sealed with the Official Seal of the Department for Infrastructure on 4<sup>th</sup> July 2017



*Elizabeth Loughran*  
A senior officer of the  
Department for Infrastructure

---

(5) Cm 2073; O.J. No. L1, 3.1.94, p.3  
(6) Cm 2183

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend Part I of Schedule 7 to the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 so as to update requirements for fire extinguishers fitted to Minibuses including the requirement that a fire extinguisher has a minimum capacity of two litres.

The requirement to remove halon gas from fire extinguishers is contained within Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 and Regulation (EC) No. 1005/2009 (OJ L 244, 29.9.2000, p.1-24) of the European Parliament and of the Council of 16 September 2009 (OJ L 286, 31.10.2009, p.1-30).

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34/EC

An Explanatory Memorandum has been produced and is available from the Safe and Sustainable Travel Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online at <http://www.legislation.gov.uk/nisr>.