

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 4103 of 7th August, 2014

LEGAL NOTICE NO. 148 OF 2014.

TRAFFIC ACT 2005

INTERPRETATION AND GENERAL CLAUSES ACT

**TRAFFIC (WEARING OF SAFETY BELTS) (AMENDMENT)
REGULATIONS 2014**

In exercise of the powers conferred on it by sections 57, 61 and 101 of the Traffic Act 2005 and in order to transpose into the law of Gibraltar Commission Implementing Directive 2014/37/EU of 27 February 2014 amending Council Directive 91/671/EEC relating to the compulsory use of safety belts and child restraint systems in vehicles, the Government has made the following Regulations–

Title and commencement.

1. These Regulations may be cited as the Traffic (Wearing of Safety Belts) (Amendment) Regulations 2014 and come into operation on 19 September 2014.

Amendments to the Traffic (Wearing of Safety Belts) Regulations 2008.

2. The Traffic (Wearing of Safety Belts) Regulations 2008 (the principal Regulations) are amended in accordance with regulations 3 to 5.

Amendment to regulation 2.

3. In regulation 2(1) of the principal Regulations in the definition of “Directive” for the words “as amended by Directive 2003/20/EC” substitute the words “as the same may be amended from time to time”.

Amendment to regulation 3.

4. Regulation 3 of the principal Regulations is–

- (a) by substituting the following subregulation for subregulation (1)–

“3.(1) “Child restraint” means an arrangement of components which may comprise a combination of straps or flexible components with a securing buckle, adjusting devices, attachments and in some cases a supplementary chair or impact shield, capable of being anchored to a vehicle and designed to diminish the risk of injury to the wearer in the event of a collision or abrupt deceleration, by limiting the mobility of the wearer’s body, that is divided into the following categories–

- (a) group 0 for children with a mass of less than 10 kg;
- (b) group 0+ for children with a mass of less than 13 kg;
- (c) group I for children with a mass from 9–18 kg;
- (d) group II for children with a mass from 15–25 kg;
- (e) group III for children with a mass from 22–26 kg, and

and which is approved-

- (f) to the standards of UN-ECE Regulation 44/03 or Directive 77/541/EEC, or
- (g) to the standards of UN-ECE Regulation 129,

or any subsequent adaptation thereto.”; and

- (b) by inserting the following subregulation after subregulation (2)–

“(3) A child restraint shall be installed in accordance with fitting information (e.g. instruction manual, leaflet or electronic publication) provided by the manufacturer of the child restraint system declaring in what manner and in which vehicle types the system may be safely used.”.

Amendment to regulation 4.

5. Regulation 4(3) is amended by substituting paragraph (a) with the following paragraph–

- “(a) subject to sub-regulation (b), shall be restrained by an integral or non-integral child-restraint system within the meaning of regulation 3(2)(a) and (b), which is suitable for the child's physical features in accordance with–
- (i) the classification provided for in regulation 3(1)(a) to (e), for child restraint systems approved in accordance with regulation 3(1)(f) or (g), and
 - (ii) the size range and maximum occupant mass for which the child restraint system is intended, as indicated by the manufacturer, for child restraint systems approved in accordance with regulation 3(1)(g);”.

Dated 7th August, 2014.

P J BALBAN,
Minister with responsibility for traffic.

EXPLANATORY MEMORANDUM

These Regulations amend the Traffic (Wearing of Safety Belts) Regulations 2008 transpose into the law of Gibraltar Commission Implementing Directive 2014/37/EU of 27 February 2014 amending Council Directive 91/671/EEC relating to the compulsory use of safety belts and child restraint systems in vehicles.

