



From the Parliamentary
Under Secretary of State

Alistair Carmichael MP
House of Commons
London
SW1A 0AA

Department for
Transport

- 9 JUL 2007

Great Minster House
76 Marsham Street
London SW1P 4DR

Tel: 020 7944 2566
Fax: 020 7944 4309
E-Mail: jim.fitzpatrick@dft.gsi.gov.uk

Web site: www.dft.gov.uk
Our Ref: SL/013971/07
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Ⓛ Alistair,

- 5 JUL 2007

Thank you for your letter of 4 June addressed to Stephen Ladyman following discussions with Mr Ian Finney Managing Director of Concept Mouldings about frontal protection systems. I am replying as I have Ministerial responsibility for this issue.

The EU legislation to which you refer (Directive 2005/66/EC) states that, from 25 May 2007, bull bars (Frontal Protection Systems (FPS)) being sold as after-market accessories must satisfy specific performance requirements related to a vehicle striking a pedestrian.

The initial proposals for the Directive sought to create a complete prohibition of the sale of FPS. The Department for Transport undertook significant research to inform its position and this indicated that FPS constructed of a flexible or compliant material could, in some circumstances, actually improve the level of protection afforded to pedestrians in the event of an impact. The UK's intervention directly resulted in the Directive permitting the continued sale of FPS such as those manufactured by Concept Mouldings. The Directive does not actually encourage the use of FPS.

Mr Finney has raised concerns about the legal interpretation that the Department has received concerning when a product is legally considered to be placed upon the market. Our advice is that this is when the product is made available for sale and not, as some may consider, when the transaction occurs. As after-market accessories, FPS are automatically subject to "The General Product Safety Regulations 2005" ("the 2005 Regulations") and therefore new legislation is not specifically required.