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D R A F T   S T A T U T O R Y   I N S T R U M E N T S

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**2022 No.**

**ROAD TRAFFIC**

**EXITING THE EUROPEAN UNION**

The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022

*Made* - - - - - \*\*\*  
*Coming into force* \*\*\*

**CONTENTS**

**PART 1**

Introduction

1.	Citation, commencement, and extent	4
2.	Interpretation	4
3.	Savings	6

**PART 2**

Amendments to primary legislation

4.	Amendments to the Public Passenger Vehicles Act 1981	7
5.	Amendments to the Road Traffic Act 1988	7

**PART 3**

Amendments to secondary legislation

6.	Amendments to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999	10
7.	Amendments to the Road Vehicles (Individual Approval) (Fees) Regulations 2009	12
8.	Amendments to the Non-Road Mobile Machinery (Type-approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018	13
9.	Amendments to the Road Vehicles (Approval) Regulations 2020	14
10.	Amendments to Part 1	14
11.	Amendments to Part 2	16

12.	Amendments to Part 3	19
13.	Amendments to Part 4	23
14.	Amendments to Part 5	27
15.–16.	Insertion of Schedule A1	27
17.	Amendments to Schedule 1	30
18.	Amendments to Schedule 2	30
19.	Amendments to Schedule 4	30
20.	Amendments to Schedule 5	31

## PART 4

### EU Regulations

#### CHAPTER 1

#### Regulation (EU) 2018/858

21.	Regulation (EU) 2018/858	32
22.	Amendments to Chapter 1	32
23.	Amendments to Chapter II	33
24.	Amendments to Chapter III	40
25.	Amendments to Chapter IV	41
26.	Amendments to Chapter V	44
27.	Amendments to Chapter VII	45
28.	Amendments to Chapter VIII	46
29.	Amendment to Chapter IX	47
30.	Amendments to Chapter X	48
31.	Amendments to Chapter XI	49
32.	Amendment to Chapter XII	50
33.	Amendment to Chapter XIII	51
34.	Amendments to Chapter XIV	51
35.	Amendments to Chapter XV	51
36.	Amendment to Chapter XVI	54
37.	Amendment to Chapter XVII	55
38.	Amendments to Annex 1	55
39.	Amendments to Annex II	55
40.	Amendments to Annex III	56
41.	Amendments to Annex IV	56
42.	Amendments to Annex V	56
43.	Amendments to Annex VII	57
44.	Amendments to Annex VIII	57
45.	Amendments to Annex IX	57
46.	Amendments to Annex X	57

#### CHAPTER 2

#### Other EU Regulations

47.	Regulation (EC) No 715/2007	58
48.	Regulation (EC) No 78/2009: Articles	59
49.	Regulation (EC) No 78/2009: Annexes	61
50.	Regulation (EC) No 79/2009	62
51.	Regulation (EC) No 595/2009	63
52.	Commission Regulation (EC) No 631/2009	65
53.	Regulation (EC) No 661/2009	65

54.	Commission Regulation (EU) No 406/2010	67
55.	Commission Regulation (EU) No 672/2010	69
56.	Commission Regulation (EU) No 1003/2010	70
57.	Commission Regulation (EU) No 1005/2010	71
58.	Commission Regulation (EU) No 1008/2010	72
59.	Commission Regulation (EU) No 1009/2010	73
60.	Commission Regulation (EU) No 19/2011	74
61.	Commission Regulation (EU) No 109/2011	75
62.	Commission Regulation (EU) No 458/2011	77
63.	Commission Regulation (EU) No 582/2011: Articles	78
64.	Commission Regulation (EU) No 582/2011: Annexes	81
65.	Commission Regulation (EU) No 65/2012	84
66.	Commission Regulation (EU) No 130/2012	85
67.	Commission Regulation (EU) No 347/2012	86
68.	Commission Regulation (EU) No 351/2012	87
69.	Commission Regulation (EU) No 1230/2012: Articles	88
70.	Commission Regulation (EU) No 1230/2012: Annexes	90
71.	Regulation (EU) 167/2013	94
72.	Regulation (EU) 168/2013	95
73.	Regulation (EU) No 540/2014: Articles	95
74.	Regulation (EU) No 540/2014: Annexes	97
75.	Regulation (EU) 2015/758	99
76.	Commission Implementing Regulation (EU) 2017/78	101
77.	Commission Delegated Regulation (EU) 2017/79	103
78.	Commission Regulation (EU) No 2017/1151: Articles	103
79.	Commission Regulation (EU) 2017/1151: Annexes	106
80.	Commission Regulation (EU) 2017/2400: Articles	110
81.	Commission Regulation (EU) 2017/2400: Annexes	112
82.	Regulation (EU) 2019/2144	115
83.	Commission Implementing Regulation (EU) 2020/683: Articles	115
84.	Commission Implementing Regulation (EU) 2020/683: Annexes	116
85.	Commission Implementing Regulation (EU) 2020/1812	121

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) and 8C(1) of, and paragraph 21(a) and (b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (“the 2018 Act”)(a), and sections 54 and 61(2)(k) of the Road Traffic Act 1988 (“the 1988 Act”)(b).

In accordance with section 195(2) of the 1988 Act, the Secretary of State has consulted with such representative organisations as the Secretary of State thinks fit about the amendments made by regulations 65(2)(a)(ii) and (iii), (b)(i), (c)(ii) and (iii), and (d)(iii) and (iv) of these Regulations.

In accordance with paragraph 1(2) of Schedule 7 to the 2018 Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

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(a) 2018 c. 16. Section 8 was amended by s. 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (“the 2020 Act”). Section 8C was inserted by s. 21 of the 2020 Act, and paragraph 21 was amended by paragraph 53 of Schedule 5 to the 2020 Act.

(b) 1988 c. 52.

# PART 1

## Introduction

### Citation, commencement, and extent

- 1.—(1) These Regulations may be cited as the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022.
- (2) They come into force as follows—
- (a) regulations 4, 5, **Error! Reference source not found.** and (a), 70, 71, 55 and 56 at [11:01 p.m.] on 31st December 2022;
  - (b) all other provisions, on the day after the day on which they are made.
- (3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

### Interpretation

2. In these Regulations—

“Commission Delegated Regulation (EU) 2017/79” means Commission Delegated Regulation 2017/79 of 12 September 2016 establishing detailed technical requirements and test procedures for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicles systems, of 112-based eCall in-vehicle separate technical units and components and supplementing and amending Regulation (EU) 2015/758(a);

“Commission Implementing Regulation (EU) 2017/78” means Commission Implementing Regulation 2017/78 of 15 July 2016 establishing administrative provisions for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicles systems and uniform conditions for the implementation of Regulation (EU) 2015/758(b);

“Commission Implementing Regulation (EU) 2020/683” means Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(c);

“Commission Regulation (EC) No 631/2009” means Commission Regulation (EC) No 631/2009 of 22 July 2009 laying down detailed rules for the implementation of Annex I to Regulation (EC) No 78/2009(d);

“Commission Regulation (EU) No 406/2010” means Commission Regulation (EU) No 406/2010 of 26 April 2010 implementing Regulation (EC) No 79/2009 of the European Parliament and of the Council(e);

“Commission Regulation (EU) No 672/2010” means Commission Regulation (EU) No 672/2010 of 27 July 2010 concerning type-approval requirements for windscreen defrosting and demisting systems of certain motor vehicles and implementing Regulation (EC) No 661/2009(f);

“Commission Regulation (EU) No 1003/2010” means Commission Regulation (EU) No 1003/2010 of 8 November 2010 concerning type-approval requirements for the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers and implementing Regulation (EC) No 661/2009(g);

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- (a) EUR 2017/79.
  - (b) EUR 2017/78.
  - (c) EUR 2020/683.
  - (d) EUR 2009/631.
  - (e) EUR 2010/406.
  - (f) EUR 2010/672.
  - (g) EUR 2010/1003.

“Commission Regulation (EU) No 1005/2010” means Commission Regulation (EU) No 1005/2010 of 8 November 2010 concerning type-approval requirements for motor vehicle towing devices and implementing Regulation (EC) No 661/2009(a);

“Commission Regulation (EU) No 1008/2010” means Commission Regulation (EU) No 1008/2010 of 9 November 2010 concerning type-approval requirements for windscreen wiper and washer systems of certain motor vehicles and implementing Regulation (EC) No 661/2009(b);

“Commission Regulation (EU) No 1009/2010” means “Commission Regulation (EU) No 1009/2010 of 9 November 2010 concerning type-approval requirements for wheel guards of certain motor vehicles and implementing Regulations (EC) No 661/2009(c);

“Commission Regulation (EU) No 19/2011” means Commission Regulation (EU) No 19/2011 of 11 January 2011 concerning type-approval requirements for the manufacturer’s statutory plate and for the vehicle identification number of motor vehicles and their trailers and implementing Regulation (EC) No 661/2009(d);

“Commission Regulation (EU) No 109/2011” means Commission Regulation (EU) No 109/2011 of 27 January 2011 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards type-approval requirements for certain categories of motor vehicles and their trailers as regards spray suppression systems(e);

“Commission Regulation (EU) No 458/2011” means Commission Regulation (EU) No 458/2011 of 12 May 2011 concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009(f);

“Commission Regulation (EU) No 582/2011” means Commission Regulation (EU) No 582/2011 of 25 May 2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles(g);

“Commission Regulation (EU) No 65/2012” means Commission Regulation (EU) No 65/2012 of 24 January 2012 implementing Regulation (EC) 661/2009 of the European Parliament and of the Council as regards gear shift indicators(h);

“Commission Regulation (EU) No 130/2012” means Commission Regulation (EU) No 130/2012 of 15 February 2012 concerning type-approval requirements for motor vehicles with regard to vehicle access and manoeuvrability and implementing Regulation (EC) No 661/2009(i);

“Commission Regulation (EU) No 347/2012” means Commission Regulation (EU) No 347/2012 of 16 April 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with respect to type-approval requirements for certain categories of motor vehicles with regard to advanced emergency braking systems(j);

“Commission Regulation (EU) No 1230/2012” means Commission Regulation (EU) No 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers(k);

“Commission Regulation (EU) 2017/1151” means Commission Regulation (EU) 2017/1151 of 1 June 2017 supplementing Regulation (EC) No 715/2007(l);

“Commission Regulation (EU) 2017/2400” means Commission Regulation (EU) 2017/2400 of 12 December 2017 implementing Regulation (EC) No 595/2009(m);

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- (a) EUR 2010/1005.
  - (b) EUR 2010/1008.
  - (c) EUR 2010/1009.
  - (d) EUR 2011/19.
  - (e) EUR 2011/109.
  - (f) EUR 2011/458.
  - (g) EUR 2011/582.
  - (h) EUR 2012/65.
  - (i) EUR 2012/130.
  - (j) EUR 2012/347.
  - (k) EUR 2012/1230.
  - (l) EUR 2017/1151.
  - (m) EUR 2017/2400.

“Commission Implementing Regulation (EU) 2020/1812” means Commission Implementing Regulation (EU) 2020/1812 laying down rules on the online data exchange and the notification of EU type-approvals under Regulation (EU) 2018/858(a);

“Regulation (EC) No 715/2007” means Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles(b);

“Regulation (EC) No 78/2009” means Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users(c);

“Regulation (EC) No 79/2009” means Regulation (EC) No 79/2009 of the European Parliament and of the Council of 14 January 2009 on type-approval of hydrogen-powered motor vehicles(d);

“Regulation (EC) No 595/2009” means Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI)(e);

“Regulation (EC) No 661/2009” means Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor(f);

“Regulation (EU) No 167/2013” means 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(g);

“Regulation (EU) No 168/2013” means Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles(h);

“Regulation (EU) No 540/2014” means Regulation (EU) No 540/2014 of the European Parliament and of the Council of 16 April 2014 on the sound level of motor vehicles and of replacement silencing systems(i);

“Regulation (EU) 2015/758” means Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service(j);

“Regulation (EU) 2018/858” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(k).

## Savings

**3.** Nothing in these Regulations invalidates a UK type-approval which remained valid after IP completion day in consequence of regulation 10A of the Road Vehicles and Non-Road Vehicles Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019(l).

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- (a) EUR 2020/1812.
  - (b) EUR 2007/715.
  - (c) EUR 2009/78.
  - (d) EUR 2009/79.
  - (e) EUR 2009/595.
  - (f) EUR 2009/661.
  - (g) EUR 2013/167.
  - (h) EUR 2013/168.
  - (i) EUR 2014/540.
  - (j) EUR 2015/758.
  - (k) EUR 2018/858, as amended by S.I. 2019/648, 2020/818 and 2020/1393.
  - (l) S.I. 2019/648. Regulation 10A was inserted by S.I. 2019/1156.

## PART 2

### Amendments to primary legislation

#### Amendments to the Public Passenger Vehicles Act 1981

**4.**—(1) Section 6 (certificate of initial fitness (or equivalent) required for use as public service vehicles) of the Public Passenger Vehicles Act 1981(a) is amended as follows.

(2) In subsection (1)(d)—

(a) before sub-paragraph (i), insert—

“(ai) a GB certificate of conformity;”;

(b) in sub-paragraph (i), for “an EU” substitute “a relevant”;

(c) in sub-paragraph (ii), omit “national”.

(3) In subsection (3)—

(a) omit the definition of “EU certificate of conformity”;

(b) after the definition of “EU certificate of conformity”, insert—

““GB certificate of conformity” has the meaning given in Article 3(5B) of the Type Approval Regulation, and includes, for the purposes of this section, a certificate of conformity issued under section 57 of the Road Traffic Act 1988;”;

(c) omit the definition of “national small series certificate of conformity”;

(d) after the definition of “individual approval certificate”, insert—

““relevant certificate of conformity” means—

(a) a UK(NI) certificate of conformity, as defined in Article 3(5C) of the Type Approval Regulation, or

(b) in a case where the vehicle—

(i) was in the United Kingdom before IP completion day;

(ii) is a qualifying Northern Ireland good, within the meaning of section 47 of the United Kingdom Internal Market Act 2020(b); or

(iii) is of a type which has been type-approved under section 55(1A) of the Road Traffic Act 1988,

an EU certificate of conformity, as defined in Article 3(5A) of the Type Approval Regulation;

“small series certificate of conformity” means a certificate issued under regulation 16(7) of the Approval Regulations;”;

(e)

(f) after the definition of “small series certificate of conformity” insert—

““Type Approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”(c).

#### Amendments to the Road Traffic Act 1988

**5.**—(1) The Road Traffic Act 1988 is amended as follows.

(2) In section 55 (Type-approval)—

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(a) 1981 c. 14. Section 6 has been amended by s. 46 of the Criminal Justice Act 1982 (c. 48), s. 10 of the Transport Act 1982 (c. 49), paragraph 14, 19 of Schedule 4 to the Road Traffic Act 1991 (c.40), S.I. 2009/818, 2020/818  
(b) 2020 c. 27.  
(c) EUR 2018/858.

- (a) after subsection (1), insert—
- “(1D) Where the Secretary of State is satisfied on an application made to the Secretary of State by the manufacturer of a vehicle of a class to which relevant regulations apply—
- (a) that the manufacturer holds in respect of that vehicle a valid relevant European approval, and
  - (b) that adequate arrangements have been made to secure that other vehicles purporting to conform with that vehicle in the relevant aspects of design, construction, equipment and marking will so conform in all respects or with such variations as may be permitted,
- the Secretary of State may approve that vehicle as a type vehicle.
- (1E) The Secretary of State may exercise the power under paragraph (1D) in relation to a vehicle—
- (a) in the case of a vehicle other than a trailer to which the road vehicles type approval Regulation applies, only where the application is received on or before 30 June 2023;
  - (b) in the case of a vehicle other than a trailer to which the motorcycle type approval Regulation or the tractor type-approval Regulation applies, only where the application is received on or before 30 September 2023; or
  - (c) in the case of a trailer, or any vehicle part, only where the application is received on or before 30 June 2024.
- (1F) The Secretary of State may approve an application under subsection (1D) where the application was made before subsection (1D) comes into force.
- (1G) For the purposes of subsection (1D)—
- “relevant European approval” means—
- (a) an EC type-approval certificate, as defined in Article 3(34) of the road vehicles type approval Directive (as it had effect immediately before its repeal),
  - (b) an EU type-approval certificate, as referred to in Article 28 of the road vehicles type approval Regulation,
  - (c) an EU type-approval certificate, as defined in Article 3(32) of the tractor type-approval Regulation, or
  - (d) an EU type-approval certificate, as defined in Article 3(5) of the motorcycle type approval Regulation,
- whether issued before IP completion day or, in accordance with that legislation as it has effect in EU law, on or after IP completion day;
- “relevant regulations” means—
- (a) regulations made under section 54 of this Act, or
  - (b) regulations made under section 2(2) of, or paragraph 1A of Schedule 2 to, the European Communities Act 1972 in relation to the regulation of the type, description, construction or equipment of vehicles, or of parts of vehicles, or in relation to any vehicle type-approval scheme.”;
- (b) in subsection (2), after “relevant type approval requirements”, insert “or (as the case may be) the relevant European type approval requirements,”;
- (c) after subsection (2), insert—
- “(2A) If a type approval certificate is issued for a vehicle following approval under subsection (1A), the certificate is valid for a period of two years beginning with the date on which it is issued (unless it is cancelled or suspended under section 56).
- (d) for subsection (4), substitute—
- “(4) Subject to subsection (6) below, a type approval certificate may be issued for a type vehicle where the Secretary of State is satisfied that—



- (a) one or more, but not all, of the relevant type approval requirements, or
  - (b) one or more, but not all, of the relevant European type approval requirements,
- are complied with in the case of that vehicle.”;
- (e) after subsection (8), insert—
- “(9) In this section, “European type-approval requirements” means requirements prescribed in—
- (a) regulations made under section 2(2) of, or paragraph 1A of Schedule 2 to, the European Communities Act 1972 in relation to the regulation of the type, description, construction or equipment of vehicles, or of parts of vehicles, or in relation to any vehicle type approval scheme,
  - (b) the road vehicles type approval Regulation,
  - (c) the tractor type approval Regulation, or
  - (d) the motorcycle type approval Regulation.”.
- (3) In section 57 (certificates of conformity)(a)—
- (a) after subsection (1), insert—
- “(1ZC) If a manufacturer has a type approval certificate issued by the Secretary of State following approval under section 55(1D), a relevant European certificate of conformity issued by the manufacturer in respect of each vehicle that conforms to the type vehicle in question is to be treated as a certificate issued under subsection (1).
- (1ZD) In subsection (1ZC) “relevant European certificate of conformity” means—
- (a) a certificate of conformity issued before IP completion day by a manufacturer under any provision of the law of a member State other than the United Kingdom giving effect to Article 18 of the road vehicles type approval Directive,
  - (b) a certificate of conformity issued before IP completion day under Article 36 the road vehicles type approval Regulation,
  - (c) a certificate of conformity issued before IP completion day under Article 33 of the tractor type approval Regulation, or
  - (d) a certificate of conformity issued before IP completion day under Article 38 of the motorcycle type approval Regulation, or
  - (e) a certificate of conformity issued on or after IP completion day under that law, Article 36, Article 33 or Article 38 as it has effect at that time.”;
- (b) for subsection (1A), substitute—
- “(1A) In this Part of this Act, “certificate of conformity” means a certificate issued under subsection (1) above, except—
- (a) in the expression “EU certificate of conformity”;
  - (b) in the definition of that expression in section 85 of this Act;
  - (c) in the expression “relevant European certificate of conformity”; and
  - (d) in the definition of that expression in subsection (1ZD).”
- (4) In sections 63(1A), 65(1A) and 66(4A) for “EC certificate of conformity” substitute “EU certificate of conformity”.
- (5) In section 85(1) (interpretation of Part II)—
- (a) omit the definition of “EC certificate of conformity”;
  - (b) after the definition of “EEA State”, insert—
- ““EU certificate of conformity” means a certificate of conformity issued by a manufacturer under Article 38 of the motorcycle type approval Regulation, or under Article 38 of that Regulation as it has effect in EU law;”;

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(a) Section 57 was amended by s. 17(1)(a) of the Transport Act 1982 and S.I. 1992/3107.

- (c) omit the definitions of “light passenger vehicle” and “the light passenger vehicle type approval Directive”.
- (6) In section 86 (index to Part II)—
  - (a) for “EC certificate of conformity” substitute “EU certificate of conformity”;
  - (b) omit the entries for “light passenger vehicle” and “light passenger vehicle type approval Directive”.

## PART 3

### Amendments to secondary legislation

#### **Amendments to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999**

**6.**—(1) The Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999<sup>(a)</sup> are amended as follows.

- (2) In regulation 2(2)—
  - (a) in the definition of “applicant”—
    - (i) in paragraph (a), after “EU instrument” insert “GB type-approval enactment”;
    - (ii) in paragraph (b), at the end, insert “GB small series type-approval”;
  - (b) in the definition of “approval requirements”, in paragraph (a), after sub-paragraph (iv) insert—
    - “(iva) a GB type-approval enactment;”;
  - (c) in the definition of “EU instrument”—
    - (i) in paragraph (a), before “Type” insert “EU”;
    - (ii) in paragraph (b), before “tractor” insert “EU”;
    - (iii) in paragraph (c), before “motorcycle” insert “EU”;
  - (d) in the definition of “ECE Regulation”—
    - (i) in paragraph (a), at the end insert “or the “EU Type Approval Regulation”;
    - (ii) in paragraph (b)(i), at the end, insert “or the “EU tractor type approval regulation”;
    - (iii) in paragraph (b)(ii), at the end, insert “or the “EU motorcycle type approval regulation”;
  - (e) after the definition of “ECE Regulation”, insert—
    - ““EU Type-Approval Regulation” has the meaning given in regulation 2(1) of the Approval Regulation;
    - “EU motorcycle type-approval Regulation” means Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles, as that Regulation applies in the European Union and in Northern Ireland under the Northern Ireland Protocol, and as amended from time to time;”
    - “EU tractor type approval regulation” means Regulation (EU) No 167/2013 of the European Parliament and of the Council on the approval and market surveillance of agricultural and forestry vehicles, as that Regulation applies in the European Union and in Northern Ireland under the Northern Ireland Protocol, and as amended from time to time;”;
  - (f) after the definition of “examination”, insert—
    - ““GB small series type-approval” has the meaning given in regulation 2(1) of the Approval Regulations;

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<sup>(a)</sup> S.I. 1999/2149.

“GB type-approval enactment” means any enactment or regulatory act listed in a table in—

- (a) Part I or Part III of Annex II to the Type Approval Regulation;
  - (b) Annex I to the tractor type approval Regulation, or
  - (c) Annex II to the motorcycle type approval Regulation;”;
- (g) in the definition of “national small series type approval” before “Type” insert “EU”;
- (h) after the definition of “the Type Approval Regulation”, insert—
- ““UK (NI) type-approval” has the meaning given in regulation 2(1) of the Approval Regulations.”.

(3) In regulation 2(4), at the end insert, “or, for the purposes of a UK (NI) type-approval or the national small series type-approval” to the EU Type Approval Regulation”.

(4) In regulation 5A—

- (a) in the heading, at the end, insert “or for the purposes of “a GB small series type approval”;
- (b) in paragraph (1)—
  - (i) after “Approval Regulations” insert “, whether in respect of national small series type-approval or a GB small series type-approval”;
  - (ii) after “Type Approval Regulation” insert “in the case of a GB small series type-approval or, in the case of the national small series type-approval scheme, the EU Type-Approval Regulation”;
- (c) in paragraph (2), at the beginning, insert “Subject to paragraph (2A)”;
- (d) after paragraph (2A), insert—

“(2A) In the case of the national small series type-approval scheme only, expressions used in this regulation or in Part 3 of Schedule 1 which are also used in the EU Type-Approval Regulation have the same meaning as in that Regulation and cognate expressions are to be construed accordingly.”.

(5) In regulation 6—

- (a) in the heading, for “an EU” substitute “a GB or a UK (NI)”;
- (b) for paragraph (1), substitute—

“(1) In this regulation—

“GB vehicle type approval certificate” means a type approval certificate issued under Article 26(2) of the Type Approval Regulation in relation to a complete, incomplete or completed vehicle (being expressions used in the Type Approval Regulation);

““UK (NI) vehicle type approval certificate” means a type approval certificate issued under Article 26(2) of the EU Type Approval Regulation in relation to a complete, incomplete or completed vehicle (being expressions used in the EU Type Approval Regulation);”.

- (c) in paragraph (2), at the beginning, insert “Where the examination is conducted with a view to the issue of a GB type-approval certificate”;
- (d) after paragraph (2), insert—

“(2A) Where the examination is conducted with a view to the issue of a UK (NI) type-approval certificate, expressions used in this regulation or in Part 4 of Schedule 1 which are also used in the EU Type-Approval Regulation have the same meaning as in that Regulation and cognate expressions are to be construed accordingly.”;

- (e) in paragraphs (3) to (7), for “EU vehicle type approval certificate”, each time it occurs, substitute “GB vehicle type approval certificate or UK (NI) type approval certificate”;

(6) In regulation 7(4)—

- (a) in sub-paragraph (b)—
  - (i) at the end of paragraph (i), omit “or”;

- (ii) after paragraph (i), insert—
  - “(ia) a GB type-approval enactment;”;
- (b) in sub-paragraph (c), at the end, insert “or a GB small series type-approval”.
- (7) In regulations 8 and 16(1)—
  - (a) after “for the purposes of” the first time it occurs, insert “a GB type-approval enactment;”;
  - (b) after “for the purposes of” the second time it occurs, insert “a GB small series type—approval or”.
- (8) In regulation 17(1), after “for the purposes of any” insert “GB type-approval enactment,”.
- (9) In Schedule 1—
  - (a) in the heading to Part 3, after “Regulations—” insert “GB Small Series Type-Approval and”;
  - (b) in the heading to Part 4, for “EU” substitute “GB or (UK(NI) Type-approval”.
- (10) In Schedule 3, in the Table—
  - (a) in the heading to entry (B), after “(B) insert “GB TYPE-APPROVAL ENACTMENTS OR”;
  - (b) in the description for fees 80003 and 80004, after “Regulation” insert “(or in the case of a UK (NI) type-approval, the EU Type-Approval Regulation)”;
  - (c) in entry (D), in the description for fee 80007, before “EU” insert “GB, UK(NI),”;
  - (d) in entry (E), in sub-paragraph (ii) of the description for fee 80008, for “EU” substitute “GB, UK(NI),”;
  - (e) in Note NB at the end of the Table, for “both EU and ECE certificates” substitute “both GB and ECE or both UK(NI) and ECE”.
- (11) In the Table in Part 3 of Schedule 4, in the description in column 1, after “Type Approval Regulation” insert “(or in the case of a UK(NI) type-approval, the EU Type-Approval Regulation)”.

### **Amendments to the Road Vehicles (Individual Approval) (Fees) Regulations 2009**

7.—(1) The Road Vehicles (Individual Approval) (Fees) Regulations 2009 are amended as follows.

- (2) In regulation 2(1)—
  - (a) for the definition of “the Type-Approval Regulation”, substitute—
    - ““the Type-Approval Regulation” has the meaning given in regulation 2(1) of the Approval Regulations;”;
  - (b) after the definition of “bank holiday” insert—
    - ““EU Type-Approval Regulation” has the meaning given in regulation 2(1) of the Approval Regulations”;
  - (c) in the definition of “individual approval”—
    - (i) before “individual” insert “GB”;
    - (ii) after “prescribed” insert “in respect of Great Britain”;
  - (d) after the definition of “the Type Approval Regulation”, insert—
    - ““UK(NI) individual approval” means the process of certification that a particular vehicle, whether unique or not, satisfies the relevant administrative and technical requirements prescribed in respect of Northern Ireland by the Approval Regulations (and particularly Chapter 2 of Part 3 of those Regulations);”;
  - (e) in regulation 2(2) at the end insert “or in the case of a UK(NI) individual approval, the EU Type-Approval Regulation”.
- (3) In regulation 12—

- (a) after “Regulation” insert “(or in the case of a UK(NI) individual approval, the EEU Type-Approval Regulation)”;
- (b) for “individual approval” substitute “GB individual approval or a UK(NI) individual approval, as the case may be”.

**Amendments to the Non-Road Mobile Machinery (Type-approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018**

**8.**—(1) The Non-Road Mobile Machinery (Type-approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018(a) are amended as follows.

(2) In regulation 2(1), after the definition of “enforcement authority”, insert—

““EU NRMM Regulation” means the NRMM Regulation as that Regulation has effect in EU law, and as it may be amended from time to time;”.

(3) After regulation 10, insert—

**“Products approved in member States or in Northern Ireland**

**10A.**—(1) Paragraphs (2) to (4) apply notwithstanding anything in these Regulations or the NRMM Regulation.

(2) A manufacturer or an importer may place a qualifying relevant product on the market in Great Britain.

(3) A distributor may make a qualifying relevant product available on the market in Great Britain.

(4) In this regulation—

“qualifying relevant product” means a relevant product—

- (a) in respect of which the manufacturer of the product holds a relevant approval, or
- (b) is an engine falling within the scope of Article 58(10) or (11) of the EU NRMM Regulation,
- (c) is an engine falling within the scope of Article 34(7) of the EU NRMM Regulation, provided the approval authority has examined the machine in which the replacement engine is proposed to be installed and concluded that the installation of an engine that complies with the applicable emission limits set out in Tables II-7 and II-8 of Annex II of that Regulation would involve significant technical difficulties, or
- (d) is a transition engine within the meaning of Article 3(32) of the EU NRMM Regulation, or a mobile machine in which a transition engine is installed, but only where that transition engine is placed or made available on the market in Great Britain in the same circumstances as are provided for in paragraphs 5, 6, 7 and 8 of Article 58 of that Regulation;

“relevant approval” means—

- (a) a valid type-approval issued in accordance with the EU NRMM Regulation, provided that the product to which it relates was in the United Kingdom before 1st January 2023,
  - (b) a valid type-approval issued in accordance with regulation 10B,
  - (c) a valid type-approval issued in relation to a qualifying Northern Ireland good in accordance with the EU NRMM Regulation,
- and includes any such approval which is revised or extended.”;

(4) After regulation 10A, insert—

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(a) S.I. 2018/764, amended by S.I. 2019/648 and 2020/1393.

### **Provisional type-approvals**

**10B.**—(1) Where the approval authority is satisfied on application made to it by the manufacturer of a qualifying relevant product—

- (a) that the manufacturer holds in respect of that qualifying relevant product a relevant European approval; and
- (b) that adequate arrangements have been made to secure that other products conform with that qualifying relevant product in the relevant aspects of design, construction, equipment and marking will so conform in all respects or with such variations as may be permitted,

the approval authority may, where an application has been received before the expiry of the relevant period, grant type-approval for the qualifying relevant product and issue the corresponding type-approval certificate.

(2) An application made by a manufacturer to the approval authority before paragraph (1) comes into force, which would have been an application under paragraph (1) if it had been made after paragraph (1) came into force, is to be treated as an application made under paragraph (1).

(3) If the type-approval certificate is issued following approval under paragraph (1), the certificate is to remain in force—

- (a) for a period of two years beginning with the day of issue; or
- (b) (if earlier) until such time as the manufacturer is notified by the approval authority in writing that the authority is no longer satisfied that the products purporting to conform with the qualifying relevant product do so conform.

(4) Where the approval authority gives notice to the manufacturer under paragraph (3)(b), that notice must set out the reasons for the authority’s opinion.

(5) For the purposes of paragraph (1)—

- (a) “relevant European approval” means a valid type-approval issued—
  - (i) before IP completion day other than in the United Kingdom in accordance with the NRMM Regulation; or
  - (ii) on or after IP completion day in a member State in accordance with the EU NRMM Regulation,including any such approval which is revised or extended;
- (b) the “relevant period” means the period beginning when this regulation comes into force, and ending at the end of 30th June 2024;

“qualifying relevant product”, means a relevant product which is intended to be placed on the market, or which is to be entered into service, in Great Britain.

(5) This regulation applies notwithstanding any other provision in these Regulations or the NRMM Regulation.”.

### **Amendments to the Road Vehicles (Approval) Regulations 2020**

**9.**—(1) The Road Vehicles (Approval) Regulations 2020(a) are amended in accordance with regulations 10 to 20.

#### **Amendments to Part 1**

**10.**—(1) After regulation 1, insert—

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(a) S.I. 2020/818.

## “Application

**1A.** The following provisions of these Regulations do not apply in England and Wales or Scotland—

- (a) in regulation 16, paragraphs (4) and (5);
- (b) regulation 17;
- (c) in regulation 18, paragraphs (8)(b) and (9).”

(2) In regulation 2(1)—

(a) after the definition of “enforcement authority”, insert—

““EU individual vehicle approval” means an individual vehicle approval granted in accordance with Article 44 of the EU Type Approval Regulation;

“EU small series type-approval” means an EU type-approval granted in accordance with Article 41 of the EU Type Approval Regulation;

“EU Type Approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, as that Regulation applies in EU law and as it has effect by virtue of the Northern Ireland Protocol, as amended from time to time;

“EU whole-vehicle type-approval” means a whole vehicle type-approval granted in accordance with Article 22 of the EU Type Approval Regulation;

“GB individual vehicle approval” means an individual vehicle approval granted in accordance with Article 45 of the Type Approval Regulation;

“GB medium series type-approval” means a GB type-approval granted in accordance with Article 41 of the Type Approval Regulation;

“GB small series type-approval” means a GB type-approval granted in accordance with Article 42 of the Type Approval Regulation;

“GB whole vehicle type-approval” means a whole-vehicle type-approval granted in accordance with Article 22 of the Type Approval Regulation;

“national individual vehicle approval” means national individual vehicle granted approval in accordance with Article 45 of the EU Type Approval Regulation;

“national small series type-approval” means national small series type-approval in accordance with Article 42 of the EU Type Approval Regulation;

“Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;

“qualifying Northern Ireland goods” has the meaning given in section 47 of the United Kingdom Internal Market Act 2020(a);”;

(b) in the definition of “UNECE Regulation”, after paragraph (a), insert---

“(aa) In the case of a UK (NI) type-approval only, a UN Regulation of that number specified in Annex I to Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, as that Regulation has effect by virtue of the Northern Ireland Protocol(b);”;

(c) after the definition of “UNECE Regulation”, insert—

““UK (NI) type-approval” means an EU type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with the EU Type Approval Regulation;

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(a) 2020 c. 27.

(b) OJ L325, 16.12.2019, p.1.

“UK (NI) national individual vehicle approval means an individual vehicle approval granted by the Secretary of State in respect of Northern Ireland in accordance with Article 45 of the EU Type Approval Regulation;

“UK (NI) national small series type approval” means a national small series type approval granted by the Secretary of State in accordance with Article 42 of the EU Type Approval Regulation;

“UK (NI) whole vehicle type-approval means an EU whole vehicle type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with Article 22 of the EU Type Approval Regulation;”;

(d) in paragraph (2), after “provided,” insert “subject to paragraph (3)”;

(e) after paragraph (2), insert—

“(3) Unless otherwise provided, any word or expression used in these Regulations in a provision relating to an EU type-approval issued by the Secretary of State in respect of Northern Ireland which is defined in Article 3 of the EU Type Approval Regulation has the meaning given in that Article.”.

## **Amendments to Part 2**

**11.**—(1) For the heading to Part 2, substitute “Type-approval”.

(2) In regulation 3, for “and the Type Approval Regulation” substitute “, the Type Approval Regulation and the EU Type Approval Regulation”.

(3) In regulation 4—

(a) in paragraph (a), for “and the Type Approval Regulation” substitute “, the Type Approval Regulation and the EU Type Approval Regulation”,

(b) at the end of paragraph (a), omit “and”, and

(c) at the end of paragraph (b), insert—

“, and

(c) where applied by the EU Type Approval Regulation, or otherwise applicable to relevant products, Regulation (EU) 2019/1020 on market surveillance and compliance of products, as that Regulation has effect by virtue of the Northern Ireland Protocol(a).”.

(4) In regulation 5, after “Approval Regulation” insert “or of the EU Type Approval Regulation”.

(5) In regulation 6—

(a) in the heading, omit “EU”;

(b) in paragraph (1)—

(i) in the opening words, for “EU type-approval application” substitute “application for a GB type-approval or a UK (NI) type-approval”;

(ii) in the closing words, after “Approval Regulation” insert “or the EU Type Approval Regulation, as applicable,”;

(c) in paragraph (2), after “Approval Regulation” insert “or the EU Type Approval Regulation, as applicable”.

(d) in paragraph (3), after “Approval Regulation” insert “or the EU Type Approval Regulation, as applicable”.

(6) After regulation 6, insert—

### **“Reusability, recycling and recovery of component parts and materials**

**6A.**—(1) Schedule A1 lays down—

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(a) OJ L169, 25.6.2019, p.1.



(a) the administrative and technical provisions for the type-approval of vehicles referred to in paragraph 2, with a view to ensuring that their component parts and materials can be reused, recycled and recovered in the minimum percentages set out in Annex I of UNECE Regulation 133;

(b) specific provisions to ensure that the re-use of component parts does not give rise to safety or environmental hazards.

(2) Schedule [ ] applies to vehicles belonging to categories M1 and N1, as defined in Article 4 of the Type Approval Regulation, and to new or reused component parts of such vehicles.”

(7) In regulation 7—

(a) renumber the existing paragraph as paragraph (1);

(b) in paragraph (1), as so renumbered—

(i) for “an EU type-approval, or national small series vehicle type-approval in accordance with Article 42 of the Type Approval Regulation” substitute “an approval referred to in paragraph (2)”;

(ii) in sub-paragraph (b), after “Regulation” insert “or the EU Type Approval Regulation”;

(c) after paragraph (1), insert—

“(2) The approvals referred to in this paragraph are—

(a) a GB type-approval;

(b) an EU type-approval issued by the Secretary of State before IP completion day;

(c) a UK (NI) type-approval granted on or after IP completion day;

(d) a national small series type-approval issued by the Secretary of State before IP completion day;

(e) a national small series type-approval issued by the Secretary of State on or after IP completion day in respect of Northern Ireland;

(f) a UK (NI) national small series type-approval;

(g) a GB small series type-approval.”.

(8) In regulation 8(1)—

(a) in the opening words, after “Regulation” insert “or the EU Type Approval Regulation”;

(b) after paragraph (a), insert—

“(b) the remedies available to the party concerned—

(i) where the application is made in respect of Great Britain, under the laws in force in Great Britain;

(ii) where the application is made in respect of Northern Ireland, under the laws in force in Northern Ireland, and”.

(9) In regulation 10(1)—

(a) in the opening words, after “Regulation” insert “, the EU Type Approval Regulation”;

(b) in sub-paragraph (b), after “Regulation” insert “or the EU Type Approval Regulation as applicable”.

(10) In regulation 11, in paragraphs (1), (4)(c) and (5), for “or the Type Approval Regulation” substitute “, the Type Approval Regulation or the EU Type Approval Regulation”.

(11) In regulation 12, for “or the Type Approval Regulation” substitute “, the Type Approval Regulation or the EU Type Approval Regulation”.

(12) In regulation 13(1), after “Regulation”, insert “or the EU Type Approval Regulation”.

(13) In regulation 14—

(a) in paragraph (1)(a), for the words after “registered in” to the end, substitute “Great Britain or, as the case may be, Northern Ireland, and”

- (b) in paragraph (3)—
  - (i) in sub-paragraph (a)—
    - (aa) in the opening words, for “to which Regulation (EC) 595/2009 applies”, substitute “which is of a type approved in accordance with Regulation (EC) 595/2009, or EU Regulation (EC) 595/2009”;
    - (bb) after “Approval Regulation” insert “or the EU Type Approval Regulation”;
  - (ii) in sub-paragraph (b)—
    - (aa) in the opening words, for “to which Regulation (EC) 715/2007 applies” substitute “which is of a type approved in accordance with Regulation (EC) 715/2007 or EU Regulation (EC) 715/2007”;
    - (bb) in paragraph (i) for “that Regulation” substitute “either or those Regulations”;
    - (cc) in paragraph (ii), after “Approval Regulation” insert “or the EU Type Approval Regulation”;
- (c) in paragraph (4)—
  - (i) for “a single EU vehicle type approval” substitute “an applicable type approval”;
  - (ii) for “that single EU vehicle type approval” substitute “that applicable type approval”;
  - (iii) in sub-paragraph (a), for “an EU”, substitute “a”;
- (d) for paragraph (5) substitute—
 

“(5) In paragraph (4)—

  - (a) “applicable type approval” means—
    - (i) an EU whole vehicle type approval or an EU small series type approval, whether or not issued by the Secretary of State, or
    - (ii) a GB whole vehicle type approval or a GB medium series approval issued by the Secretary of State;
  - (b) a motor vehicle is associated with an applicable type approval if a certificate of conformity relating to that type approval has been issued in respect of that vehicle.”
 

;
- (e) in paragraph (7)—
  - (i) in the definition of “defeat system”, after paragraph (b), insert—
 

“(c) in the case of a motor vehicle to which EU Regulation (EC) 595/2009 applies—

    - (i) where the engine system or engine family meets the conditions specified in Article 6(1a) of EU Commission Regulation (EC) No 582/2011, a “defeat strategy” as defined in paragraph 2 of UNECE Regulation 49;
    - (ii) in all other cases, a “defeat strategy” as defined in Article 3(8) of EU Regulation (EC) 595/2009,

at the time of applying for emissions type-approval for that vehicle;
  - (d) in the case of a motor vehicle to which EU Regulation (EC) 715/2007 applies—
    - (i) where, pursuant to Article 6(1) of EU Commission Regulation (EC) No 692/2008, the motor vehicle meets the requirements of EU Regulation (EC) 715/2007 by virtue of compliance with UNECE Regulation 83, a “defeat device” as defined in paragraph 2 of that UNECE Regulation;
    - (ii) in all other cases, a “defeat device” as defined in Article 3(10) of EU Regulation (EC) 715/2007,

at the time of applying for emissions type-approval for that vehicle;”;
  - (ii) in the definition of “emissions type-approval”—
    - (aa) omit “EC”, the first time it occurs;

- (bb) for “Regulation (EC) 715/2007 or Regulation (EC) 595/2009” substitute “Regulation (EC) 715/2007, EU Regulation (EC) 715/2007, Regulation (EC) 595/2009 or EU Regulation (EC) 595/2009”;
- (iii) after the definition of “emissions type-approval”, insert—
  - ““EU Commission Regulation (EC) No 692/2008” means Commission Regulation (EC) No 692/2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and EURO 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;
  - “EU Commission Regulation (EC) No 582/2011” means Commission Regulation (EC) No 582/2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;
  - “EU Commission Regulation (EC) 2017/1151” means Commission Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and EURO 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;
  - “EU Regulation (EC) 715/2007 means Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and EURO 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;
  - “EU Regulation (EC) 595/2009” means Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI), as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;”;
- (iv) in the definition of “extended documentation package”, after paragraph (b), insert—
  - “(c) in the case of a motor vehicle to which EU Regulation (EC) 715/2007 applies, the extended documentation package mentioned in—
    - (i) Article 5(11) of EU Commission Regulation (EC) No 692/2008; or
    - (ii) Article 5(11) of EU Commission Regulation (EU) 2017/1151;
  - (d) in the case of a motor vehicle to which EU Regulation (EC) 595/2009 applies, the extended documentation package specified in Article 5(3) of, and Section 8 of Annex 1 to, EU Commission (EC) No 582/2011;”.

### **Amendments to Part 3**

- 12.**—(1) In the heading for Chapter 1, for “National small” substitute “Small”.
- (2) In regulation 15—
  - (a) in the heading, after “applications for” insert “GB small series type-approval and UK(NI)”;
  - (b) in paragraph (1)—
    - (i) in sub-paragraph (a)—
      - (aa) before “national” insert “UK(NI)”;
      - (bb) at the end, omit “or”;
    - (ii) in sub-paragraph (b), after “approval” granted before IP completion day, or a UK(NI) national small series type-approval

- (iii) after sub-paragraph (b), insert—
  - “(c) a GB small series type-approval, or
  - (d) an amendment to a GB small series type-approval which the manufacturer holds,”;
- (c) in paragraph (4), for the words from “but as if” to the end, substitute—
  - “or the EU Type Approval Regulation, but as if in Article 3(9) and (11) of those Regulations, the words “type-approval certificates under Article 42” were in each case substituted for—
  - (a) in the Type Approval Regulation, for “GB type-approval certificates”, and
  - (b) in the EU Type Approval Regulation, for “EU type-approval certificates”.”.
- (3) In regulation 16—
  - (a) in the heading, after “grant of” insert “GB small series type approval and UK(NI)”;
  - (b) in paragraph (1), for sub-paragraph (a), substitute—
    - “(a) make the decision whether or not to grant—
    - (i) a GB small series type-approval or an amendment to such an approval in accordance with Article 42 of the Type Approval Regulation (type-approval of vehicles produced in small series), or
    - (ii) a UK(NI) national small series type-approval or an amendment to such an approval in accordance with Article 42 of the EU Type Approval Regulation,”
    - ;
  - (c) in paragraph (3), for “a national small series type-approval” substitute “a type-approval in accordance with paragraph (1)”;
  - (d) in paragraphs (4) and (5)—
    - (i) for “national small series type approval” substitute “a type-approval granted or amended in accordance with paragraph (1)”;
    - (ii) omit “other than the United Kingdom”;
  - (e) in paragraph (6), after “grant a” insert “GB small series type-approval or a UK(NI)”;
  - (f) in paragraph (7), after “holder of a” insert “GB small series type-approval or a UK(NI)”;
  - (g) in paragraph (9), after “Regulation” insert “or the EU Type Approval Regulation, as applicable.”.
- (4) In regulation 17—
  - (a) in the heading—
    - (i) after “Recognition” insert “in Northern Ireland”;
    - (ii) omit “other”;
  - (b) in paragraph (1)—
    - (i) before “Type-approval” insert “EU”;
    - (ii) after “recognition” insert “in Northern Ireland”;
    - (iii) before “small series” insert “national”;
    - (iv) omit “other than the United Kingdom”;
  - (c) in paragraphs (4) and (6), for “the United Kingdom” each time it occurs, substitute “Northern Ireland”;
  - (d) in paragraph (5)(b)—
    - (i) after “issue a” insert “UK(NI)”;
    - (ii) at the end, insert “in accordance with regulation 20(1)”.
- (5) In regulation 18—
  - (a) in paragraph (1), for “individual approval of a vehicle” substitute “a GB individual vehicle approval, a UK(NI) individual vehicle approval or an EU individual vehicle approval”;

- (b) in paragraph (2), for “individual approval certificate” substitute “an approval under this regulation”;
- (c) in paragraph (3)(a)—
  - (i) after “application” insert “for a UK(NI) national individual vehicle approval”;
  - (ii) before “Type-approval” insert “EU”;
- (d) in paragraph (4)—
  - (i) before “Type-approval” both times it appears, insert “EU”;
  - (ii) in sub-paragraph (a), omit “other than the United Kingdom”;
- (e) in paragraph (7)(a)—
  - (i) for “an individual approval” substitute “a GB individual vehicle approval”;
  - (ii) at the end, omit “and”;
  - (iii) after sub-paragraph (a), insert—
    - “(aa) make the decision whether or not to grant an EU individual vehicle approval in accordance with Article 44 of the EU Type Approval Regulation;
    - (ab) make the decision whether or not to grant a UK(NI) national individual vehicle approval in accordance with Article 45 of the EU Type Approval Regulation; and”;
- (f) in paragraph (8)—
  - (i) in the opening words, for “(7)(b)” substitute “7”;
  - (ii) in sub-paragraph (a), after “Approval Regulation” insert “or the EU Type Approval Regulation”;
  - (iii) in sub-paragraph (b)—
    - (aa) for “an individual approval” substitute “a UK(NI) national individual vehicle approval”;
    - (bb) for “the United Kingdom” substitute “Northern Ireland”;
- (g) in paragraph (9), for “the United Kingdom” substitute “Northern Ireland”;
- (h) in paragraph (10), for the words after “individual approval,” substitute—
  - “the approval authority must issue one of the following certificates in compliance with regulation 20(1A) or (2)—
    - (a) if the application relates to Great Britain, a GB individual approval certificate;
    - (b) in the application relates to Northern Ireland—
      - (i) a UK (NI) national individual approval certificate, or
      - (ii) an EU individual approval certificate.”;
- (i) in paragraph (16)—
  - (i) in the definition of “non-UK approval”, in sub-paragraphs (a) and (c)—
    - (aa) before “Type-approval” insert “EU”;
    - (bb) omit “other than the United Kingdom”;
  - (ii) in the definition of “non-UK approval, in sub-paragraph (b)—
    - (aa) for “or the United” substitute “or any part of the United”;
    - (bb) after “type approval” insert “or an individual vehicle approval certificate granted under Article 44 of the EU Type Approval Regulation”;
  - (iii) in the definition of “non-UK approval, in sub-paragraph (c), omit “44 or”;
  - (iv) in the definition of “qualifying applicant”—
    - (aa) renumber paragraphs (d) to (f) as paragraphs (a) to (c);
    - (bb) for paragraph (c), as renumbered, substitute—
      - “(c) a person established—

- (i) in Great Britain, in the case of an application for a GB individual vehicle approval, or
  - (ii) in Northern Ireland or a member State, in the case of an application for a UK (NI) national individual vehicle approval or an EU individual vehicle approval, who is acting on behalf of the manufacturer or owner.”
- (6) In regulation 19(7), in the closing words for individual approval” substitute “approval under regulation 18”.
- (7) In regulation 20—
  - (a) in the heading, for “national type approval of small series” substitute “UK(NI) national small series type approval, GB small series type-approval”;
  - (b) in paragraph (1)—
    - (i) for “nation” substitute “UK(NI) national”;
    - (ii) after “certificate” insert “or a GB small series type-approval certificate”;
    - (iii) for the words “to the Implementing Regulation”, substitute—
      - “—
      - (a) to the Implementing Regulation, in the case of a GB small series approval certificate, or
      - (b) to the EU Implementing Regulation, in the case of a national small series approval certificate.”;
  - (c) after paragraph (1), insert—
    - “(1A) An EU individual vehicle approval certificate must be in the form set out in Model D of Annex III to the EU Implementing Regulation.”;
  - (d) in paragraph (2), for the words “to the Implementing Regulation”, substitute—
    - “—
    - (a) to the Implementing Regulation, in the case of a GB individual vehicle approval certificate, or
    - (b) to the EU Implementing Regulation, in the case of a UK(NI) individual vehicle approval certificate.”;
  - (e) in paragraph (3)—
    - (i) in the opening words, for “A national small series certificate of conformity” substitute “The certificate of conformity for a GB small series type-approval or a national small series type-approval granted by the Secretary of State before IP completion day”—
    - (ii) for sub-paragraph (a), substitute—
      - “(a) the certificate must carry the heading “Small Series Certificate of Conformity (Great Britain), or, in the case of a national small series type-approval granted by the Secretary of State before IP completion day, Small Series Certificate of Conformity (United Kingdom)”;
    - (iii) in sub-paragraph (b)—
      - (aa) for “an EU type-approval” substitute “a GB type-approval”;
      - (bb) for “national” substitute “GB”;
    - (iv) in sub-paragraph (c)—
      - (aa) for “EU type approved” substitute “GB type-approved”;
      - (bb) for “nationally” substitute “GB small series”;
  - (f) after paragraph (3), insert—
    - “(3A) A national small series certificate of conformity must be in the same format as that prescribed by Articles 36 and 37 of the EU Type Approval Regulation and Article 8 of the EU Implementing Regulation for an EU certificate of conformity relating to a vehicle of the

same category and class containing such particulars as are relevant to the vehicle in respect of which it is issued, save that—

- (a) the certificate must carry the heading “National Small Series Certificate of Conformity (Northern Ireland)”,
  - (b) for each reference to an EU type-approval there must be substituted a reference to a national small series type-approval, and
  - (c) for “EU type-approved”, in each place the expression occurs, there must be substituted “nationally type-approved.”;
- (g) in paragraph (4)—
- (i) renumber the words from ““the Implementing Regulation” to the end as sub-paragraph (a);
  - (ii) after sub-paragraph (a), as so renumbered, insert—  
“(b) “the EU Implementing Regulation” means Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as it applies in the EU and in Northern Ireland under the Northern Ireland Protocol.”.

#### **Amendments to Part 4**

**13.—**(1) In regulation 21—

- (a) in paragraph (1)—
  - (i) in the opening words, for “21” substitute “7”;
  - (ii) in the closing words—
    - (aa) after “unless” insert “the vehicle satisfies the condition in paragraph (1A) and either”;
    - (bb) for “one of the conditions” substitute “the condition”;
- (b) after paragraph (1), insert—  
“(1A) The condition in this paragraph is that, if no vehicle approval issued by the Secretary of State, whether before or after IP completion day, under Article 45 of the Type Approval Regulation or the EU Type Approval Regulation has effect with respect to the vehicle, the vehicle—
  - (a) has been constructed for use in left-hand traffic, and
  - (b) uses both imperial and metric units of measurement for the speedometer.”;
- (c) in paragraph (2), for the words after “unless” substitute—  
“the vehicle satisfies the condition in paragraph (1A), and either—
  - (a) the condition in paragraph (3) is satisfied, or
  - (b) paragraph (6) applies.”;
- (d) for paragraph (3), substitute—  
“(3) The “condition” is that an appropriate approval or certificate of conformity has effect with respect to the vehicle.”;
- (e) in paragraph (4)—
  - (i) in the opening words, for “paragraph (5)” substitute “paragraphs (4A) and (5)”;
  - (ii) in subparagraph (a)—
    - (aa) at the end of paragraph (i), omit “or”;
    - (bb) after paragraph (i), insert—

- “(ia) a type approval under section 55(1A) of the Road Traffic Act 1988 which was valid on the day the certificate of conformity in question was issued; or”
- (iii) in sub-paragraph (a)(ii), after “vehicle”, insert “and the Secretary of State has permitted the registration of that vehicle in accordance with Article 49 of the Type Approval Regulation, or of the EU Type Approval Regulation”;
- (iv) in sub-paragraph (b)(i), after “Type Approval Regulation” insert “or the EU Type Approval Regulation”;
- (f) after paragraph (4), insert—
- “(4A) For the purposes of this Part, where a vehicle is to be kept, or normally kept, at a place in Great Britain—
- (a) an EU certificate of conformity which is not a certificate of conformity to which paragraph (4B) applies only has effect if it is issued in relation to a vehicle which—
- (i) is a qualifying Northern Ireland good, or
- (ii) was in the United Kingdom before IP completion day;
- (b) an EU individual approval certificate which is not issued by the Secretary of State only has effect if it is issued in relation to a vehicle which—
- (i) is a qualifying Northern Ireland good, or
- (ii) was in the United Kingdom before IP completion day.
- (4B) This paragraph applies to—
- (a) an EU certificate of conformity to which section 57(1ZA) of the Road Traffic Act 1988(a) applies, and
- (b) an EU certificate of conformity issued pursuant to an EU type-approval certificate granted by the Secretary of State.”;
- (g) in paragraph (5)—
- (i) for sub-paragraph (a), substitute—
- “(a) the vehicle to which it relates —
- (i) was first put into service in a member State, and
- (ii) if it is to be kept or normally kept at a place in Great Britain, it was first registered outside the United Kingdom before IP completion day,”;
- (h) in paragraph (7)—
- (i) for “a national small series type-approval” substitute “a GB small series type-approval”;
- (ii) after “regulation 16”, insert “, where the vehicle is to be kept or normally kept in Great Britain”;
- (iii) in the words after sub-paragraph (d), for “United Kingdom” substitute “Great Britain”;
- (i) after paragraph (7), insert—
- “(7A) In relation to a vehicle of a type to which a national small series type-approval or a UK(NI) national small series type-approval has been granted by the approval authority under regulation 16, the Secretary of State must not—
- (a) issue a first vehicle licence for a motor vehicle,
- (b) issue a first nil licence for a motor vehicle,
- (c) register a motor vehicle before the issue of a first licence, or
- (d) give consent under regulation 23(3) to the supply off a large trailer for use on a road,
- if it appears that doing so would cause the total number of vehicles registered or, as the case may be, put into service on roads in the United Kingdom in any year to exceed the maximum permitted number.”;

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(a) 1988 c. 52. Subsection (1ZA) was inserted by S.I. 2019/648.



- (j) in paragraph (8), after “United Kingdom” insert “or Great Britain, as the case may be,”
- (k) in paragraph (9)—
  - (i) for the definition of “appropriate date”, substitute—
    - ““appropriate date” means, as the case may be—
    - (a) the date of the application under section 7 or 21 of the 1994 Act for the registration of, or the issue of a first licence for, a vehicle, or
    - (b) in the case of a certificate of conformity issued in respect of a vehicle of a type which has been approved under section 55(1A) of the Road Traffic Act 1988, the date of issue of that certificate of conformity;”;
  - (ii) for the definition of “EU certificate of conformity” substitute—
    - ““appropriate approval or certificate of conformity” means any of the following which is appropriate to the vehicle—
    - (a) where the vehicle is to be kept, or normally kept, at a place in Great Britain—
      - (i) a certificate of conformity issued under regulation 16(7) relating to—
        - (aa) a GB small series type approval,
        - (bb) a UK(NI) national small series type approval; or
        - (cc) a national small series type approval issued by the Secretary of State before IP completion day,
      - (ii) an individual vehicle approval certificate issued under regulation 18(10) of these Regulations, whether that approval—
        - (aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or
        - (bb) is a GB individual vehicle approval or a UK(NI) national individual vehicle approval;
      - (iii) an EU individual vehicle approval,
      - (iv) a GB certificate of conformity issued in relation to a GB whole vehicle type-approval, or a GB medium series type-approval,
      - (v) an EU certificate of conformity issued in relation to an EU type-approval, including a UK(NI) type approval, granted by the Secretary of State under the Motor Vehicles (EC Type Approval) Regulations 1998(a), the Road Vehicles (Approval) Regulations 2009(b) or under these Regulations,
      - (vi) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation, Council Directive 70/156/EEC of 6th February 1970 on the approximation of the laws of the member states relating to the type-approval of motor vehicles and their trailers(c), or Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as implemented in the law of that member State(d), or
      - (vii) a certificate of conformity issued under section 57 of the Road Traffic Act 1988(e), or
    - (b) where the vehicle is to be kept, or normally kept, at a place in Northern Ireland, a certificate or approval referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), (iii), (v), or (vi);”;

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(a) S.I. 1998/2051.  
 (b) S.I. 2009/818.  
 (c) OJ L 42, 23.2.1970, p. 1.;  
 (d) OJ L263, 9.10.2007.  
 (e) 1988 c. 52.

(iii) for the definition of “maximum permitted number”, substitute—

““maximum permitted number” means—

- (a) for the purposes of paragraph (7), the number of units specified in the table in paragraph 2 of Section A of Annex V to the Type Approval Regulation in relation to the vehicle category to which that type belongs, and
- (b) for the purposes of paragraph (7A), the number of units specified in the table in paragraph 2 of Section A of Annex V to the EU Type Approval Regulation in relation to the vehicle category to which that type belongs;”.

(2) In regulation 23—

(a) in paragraph (1), in the opening words, and in paragraph (2), after “road” insert “in the United Kingdom”;

(b) in paragraph (8), for the definition of “appropriate approval or certificate of conformity”, substitute—

““appropriate approval or certificate of conformity” means any of the following which is appropriate to the vehicle—

(a) where the trailer is to be authorised to be kept, or normally to be kept at a place in Great Britain—

(i) a certificate of conformity issued under regulation 16(7) relating to—

(aa) a GB small series type approval,

(bb) a UK(NI) national small series type approval; or

(cc) a national small series type approval issued by the Secretary of State before IP completion day,

(ii) an individual vehicle approval issued under regulation 18(10) of these Regulations, whether that approval—

(aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or

(bb) is a GB individual vehicle approval or a UK(NI) national individual vehicle approval;

(iii) a GB certificate of conformity issued in relation to a GB type-approval,

(iv) an EU certificate of conformity issued in relation to an EU type-approval, including a UK(NI) type approval, granted by the Secretary of State under the Motor Vehicles (EC Type Approval) Regulations 1998, the Road Vehicles (Approval) Regulations 2009 or under these Regulations;

(v) an EU certificate of conformity issued in relation to an EU type-approval granted by a Member State under the EU Type Approval Regulation or Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as implemented in the law of that member State, provided that the trailer to which the approval relates—

(aa) was in the United Kingdom before 1st January 2023, or

(bb) is a qualifying Northern Ireland good, or

(vi) a certificate of conformity issued under section 57 of the Road Traffic Act 1988, or

(b) where the trailer is to be authorised to be kept or normally to be kept in Northern Ireland—

(i) a certificate referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), or (vi), or

- (ii) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation or Directive 2007/46/EC as implemented in the law of that member State,”.
- (3) In regulation 25, after “road” each time it occurs, insert “in the United Kingdom”.
- (4) In regulation 26(1), in the definition of “principal information”, after sub-paragraph (g), insert—
  - “(h) whether the trailer is to be kept, or normally to be kept, at a place in Great Britain, in Northern Ireland, or in either jurisdiction;”.
- (5) In regulation 27—
  - (a) in the heading, at the end insert “(Great Britain)”;
  - (b) for “United Kingdom” substitute “Great Britain”.
- (6) After regulation 27, insert—

**“End-of-Series vehicles: limits (Northern Ireland)**

**27A.** For the purposes of Part B of Annex V of the EU Type Approval Regulation, the maximum number of complete vehicles and completed vehicles entered into service in Northern Ireland is restricted in accordance with paragraph 2 of that Part.”.

- (7) In regulation 28, after “Approval Regulation” insert “or the EU Type Approval Regulation”.

**Amendments to Part 5**

**14.** In regulation 29(2), for “and the Type Approval Regulation”, substitute “, the Type Approval Regulation and the EU Type Approval Regulation”.

**Insertion of Schedule A1**

- 15.** Before Schedule 1, insert—

**“SCHEDULE A1**

Regulation 0

**Reusability, recycling and recovery**

**Exemptions**

**1.** Without prejudice to the application of the provisions of paragraph 6, this Schedule does not apply to—

- (a) special purpose vehicles as defined in part A, point 5, of Annex I to the Type Approval Regulation;
- (b) multi-stage built vehicles belonging to category N1, provided that the base vehicle complies with this Schedule;
- (c) vehicles produced in small series, referred to in Articles 41 and 42 of the Type Approval Regulation.

**Definitions**

**2.—(1)** Terms used in this Schedule and in the Annexes to UN Regulation 133 have the definitions given in paragraph 2 of UN Regulation 133 unless otherwise stated.

- (2) In this Schedule—

“base vehicle” means a vehicle as defined in Article 3(24) of Regulation (EU) 2018/858, which is used at the starting stage of a multi-stage construction;

“competent body” has the meaning given in sub-paragraph (3);

“end-of-life vehicle” means a vehicle as defined in regulation 2 of the End-of-Life Vehicles Regulations 2003 [S.I. 2003/2635, amended by S.I. 2019/188. There are other amendments to these Regulations which are not relevant for this instrument];

“mass” means the mass of the vehicle in running order as defined in Article 2 of Regulation (EU) 1230/2012, but excluding the driver, whose mass is assessed at 75 kg;

“multi-stage construction” means the process by which a vehicle is produced in several stages by adding component parts to a base vehicle or by modifying those component parts;

“the Directive” means Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles, as last amended by Commission Delegated Directive (EU) 2020/363;

“UNECE Regulation 133” means UNECE Regulation 133.00, with the modifications set out in paragraph [ ];

“vehicle type” means the type of a vehicle as defined in Part B, points 1 and 3, of Annex I to Regulation (EU) 2018/858.

(3) In this Schedule, “competent body” means an entity, such as a technical service or another existing body, notified by the Secretary of State to carry out preliminary assessment of the manufacturer and to issue a certificate of compliance, in accordance with the prescriptions of this Schedule.

(4) The Secretary of State may notify the type-approval authority as the competent body under sub-paragraph (2), provided its competence in this field is properly documented.

### **Type-approval provisions**

**3.—**(1) The approval authority may only grant GB type-approval, with regard to reusability, recyclability and recoverability, to such vehicle types that satisfy the requirements of this Schedule.

(2) For the application of sub-paragraph (1), the manufacturer shall make available to the approval authority the detailed technical information necessary for the purposes of the calculations and checks referred to in Annex to UNECE Regulation 133, relating to the nature of the materials used in the construction of the vehicle and its component parts.

(3) In cases where such information is shown to be covered by intellectual property rights or to constitute specific know-how of the manufacturer (“M”) or of M’s suppliers, M or M’s suppliers must supply sufficient information to enable those calculations to be made properly.

(4) With regard to reusability, recyclability and recoverability, the approval authority must ensure, subject to sub-paragraph (5), that the manufacturer uses the model of the information document set out in Annex 2 to UNECE Regulation 133, when submitting an application for GB vehicle type-approval, pursuant to Article 23 of Regulation (EU) 2018/858.

(5) At the request of the manufacturer, numbered entries in the model information document referred to in sub-paragraph (4) (“the specified model”) may be replaced by corresponding entries with a different numbering taken from Annex II to Directive 2005/64 or Annex I to Regulation (EU) 2020/683, provided that all the information in the specified model is provided.

(6) When granting a GB type-approval pursuant to Article 26 of Regulation (EU) 2018/858, the type-approval authority must use the model of the GB type-approval certificate set out in Annex 3 to UNECE Regulation 133.

### **Preliminary assessment of the manufacturer**

4.—(1) The approval authority must not grant any type approval without first ensuring that the manufacturer has put in place satisfactory arrangements and procedures, in accordance with point 3 of Annex 5 to UNECE Regulation 133, to manage properly the reusability, recyclability and recoverability aspects covered by this Schedule.

(2) When this preliminary assessment has been carried out, a certificate named “Certificate of Compliance with Annex 5” (the “certificate of compliance”) must be granted to the manufacturer.

(3) In the framework of the preliminary assessment of the manufacturer, the approval authority must ensure that the materials used for the construction of a vehicle type comply with the provisions of Article 4(2)(a) of the Directive, taking into account the exemptions set out in Annex II to the Directive, and for this purpose, references in the table in Annex II to vehicles type-approved before a stated date are to be read as referred to vehicles which have received EU approval pursuant to Directive 2005/64 before the stated date.

(4) For the purpose of sub-paragraph (1), the manufacturer must recommend a strategy to ensure dismantling, reuse of component parts, recycling and recovery of materials.

(5) The strategy must take into account the proven technologies available or in development at the time of the application for a vehicle type-approval.

(6) The Secretary of State must appoint a competent body, in accordance with point 2 of Annex 5 to UNECE Regulation 133, to carry out the preliminary assessment of the manufacturer and to issue the certificate of compliance.

(7) The certificate of compliance must include the appropriate documentation and describe the strategy recommended by the manufacturer.

(8) The competent body must use the model set out in the Appendix to Annex 5 to UNECE Regulation 133 for the certificate of compliance.

(9) The certificate of compliance must remain valid for no less than two years from the date of deliverance of the certificate before new checks are conducted.

(10) The manufacturer must inform the competent body of any significant change that could affect the relevance of the certificate of compliance, and after consultation with the manufacturer, the competent body must decide whether new checks are necessary.

(11) At the end of the period of validity of the certificate of compliance, the competent body must, as appropriate, issue a new certificate of compliance or extend its validity for a further period of two years.

(12) The competent body must issue a new certificate in cases where significant changes have been brought to the attention of the competent body.

### **Reuse of component parts**

4. The component parts listed in Annex 6 to UNECE Regulation 133 must—

- (a) be deemed to be non-reusable for the purposes of calculating the recyclability and recoverability rates;
- (b) not be reused in the construction of vehicles covered by the Type Approval Regulation.

### **Modifications of UNECE Regulation 133**

5.—(1) For the purposes of this Schedule, UNECE Regulation 133 is modified as follows.

(2) In Annex 1, in paragraph 8, for “paragraph 6.3 of this Regulation” there were substituted “paragraph 4.2 of this Schedule”.

(3) In Annex 3—

- (a) in the heading, for “Communication” there were substituted “Communication: GB type-approval”;
- (b) for the image below the heading, there were substituted—  
“[ ]”.
- (c) explanatory note 1 were omitted.”

### **Amendments to Schedule 1**

#### **16. In Schedule 1—**

- (a) in paragraph 1—
  - (i) in the definition of “approval”, in paragraph (a), for “other” substitute “a”;
  - (ii) in the definition of “certificate of conformity” for “other” substitute “a”;
  - (iii) in the definition of “test report” after “Regulation”, insert “or the EU Type Approval Regulation”;
- (b) in paragraph 3, after “Decision”, the second time it occurs, insert “as it has effect in EU law”.

### **Amendments to Schedule 2**

#### **17. In Schedule 2—**

- (a) in paragraph 4(3), at the end insert “as that Directive, Regulation or Decision has effect in EU law”;
- (b) in the table in Part 4, in row 50, in the second column, after “are appropriately “e” / “E”” insert “or “g” / “n””.

### **Amendments to Schedule 4**

#### **18. In Schedule 4, paragraph 1—**

- (a) for subparagraph (2), substitute—  
“(2) The specified conditions are that—
  - (a) where the trailer is to be kept or normally to be kept at a place in Great Britain, one of the following has effect with respect to the trailer—
    - (i) a certificate of conformity issued under regulation 16(7) relating to—
      - (aa) a GB small series type-approval,
      - (bb) a UK(NI) national small series type-approval; or
      - (cc) a national small series type-approval issued by the Secretary of State before IP completion,
    - (ii) an individual vehicle approval issued under regulation 27(10) of the Road Vehicle (Approval) Regulations 2009 or regulation 18(10) of these Regulations, whether that approval—
      - (aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or
      - (bb) is a GB individual vehicle approval or a UK(NI) national individual vehicle approval,
    - (iii) an EU individual vehicle approval;
    - (iv) a GB certificate of conformity issued in relation to a GB type-approval,
    - (v) an EU certificate of conformity issued in relation to an EU type-approval granted by the Secretary of State under the Road Vehicles (Approval) Regulations 2009 or under these Regulations,

- (vi) an EU certificate of conformity issued in relation to an EU type-approval granted by a Member State under the EU Type Approval Regulation or Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as implemented in the law of that Member State, provided that the trailer to which the approval relates—
    - (aa) was in the United Kingdom before 1st January 2023, or
    - (bb) is a qualifying Northern Ireland good, or
  - (vii) a certificate of conformity issued under section 57 of the Road Traffic Act 1988(a), or
- (b) where the trailer is to be kept, or normally to be kept in Northern Ireland, one of the following has effect with respect to the trailer—
- (i) a certificate referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), (iii), (v) or (vi), or
  - (ii) an EU certificate of conformity issued in relation to an EU type-approval granted by a Member State under the EU Type Approval Regulation or Directive 2007/46/EC as implemented in the law of that Member State,”;
- (b) in sub-paragraph (5)(a), after “Regulation” insert “, the EU Type Approval Regulation”;
- (c) after sub-paragraph (5), insert—
- “(5A) It is a defence for a person charged with an offence under sub-paragraph (1)(a), to show that, at the time when the trailer was supplied—
- (a) if the condition in sub-paragraph (2)(a) is not satisfied, there was reasonable cause to believe that the trailer would not be kept, or normally kept, at a place in Great Britain, or
  - (b) if the condition in sub-paragraph (2)(b) is not satisfied, there was reasonable cause to believe that the trailer would not be kept, or normally kept, at a place in Northern Ireland.
- “(5B) It is a defence for a person charged with an offence under sub-paragraph (3), to show that, at the time when the trailer was supplied or used, as the case may be, a goods vehicle test certificate issued under the following Regulations was in force in relation to the trailer--
- 
- (a) the Goods Vehicle (Plating and Testing) Regulations 1988(b), in the case of a trailer being used in Great Britain without a relevant consent, or
  - (b) the Goods Vehicle (Testing) Regulations (Northern Ireland) 2003(c), in the case of a trailer being used in Northern Ireland without a relevant consent.”;
- (d) in sub-paragraph (9)—
- (i) in the definition of “statutory inspection or test”, after sub-paragraph (a), insert—
- “(ab) the EU Type Approval Regulation.”.

## Amendments to Schedule 5

### 19. In Schedule 5—

- (a) in paragraphs 3 to 8, at the end of each paragraph insert “both as it has effect in domestic law, and as it has effect in EU law, and by virtue of the Northern Ireland Protocol”;
- (b) after paragraph 8, insert—

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(a) 1988 c. 52.  
 (b) S.I. 1988/1478.  
 (c) S.R. 2003 No. 304.

“9. Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015 concerning type-approval requirements for the deployment of the eCall in-vehicle system based on the 112 service and amending Directive 2007/46/EC but only so far as that Regulation has effect by virtue of the Northern Ireland Protocol(a).

10. Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicles occupants and vulnerable road users, as that Regulation has effect by virtue of the Northern Ireland Protocol..”

## PART 4

### EU Regulations

#### CHAPTER 1

#### Regulation (EU) 2018/858

#### **Regulation (EU) 2018/858**

20. Regulation (EU) 2018/858 is amended in accordance with regulations [21] to [45].

#### **Amendments to Chapter 1**

21.—(1) In Article 2(3) (scope), in the words after sub-paragraph (c), for “Directive 2006/42/EC of the European Parliament and of the Council” substitute “the Supply of Machinery (Safety) Regulations 2008(b)”.

(2) In Article 3 (definitions)—

(a) in point (2)—

(i) for “EU type-approval” substitute “GB type-approval”;

(ii) for “an approval authority” substitute “the approval authority”;

(b) in point (3)—

(i) after “procedure” insert “in Article 42”;

(ii) for “an approval authority” substitute “the approval authority”;

(iii) omit the words from “laid down” to the end;

(c) after point (5), insert—

“(5A) “EU certificate of conformity” means the document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable in the European Union at the time of its production;

(5B) “GB certificate of conformity” means the document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with this Regulation;

(5C) “UK(NI) certificate of conformity” means that document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable in Northern Ireland at the time of its production, but does not include, for the purposes of this Regulation, a certificate of conformity relating to a national small series type-approval issued under regulation 16(7) of the Road Vehicle (Approval) Regulations 2020(c);”;

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(a) OJ L123, 19.5.2015, p77.

(b) S.I. 2008/1597.

(c) S.I. 2020/818, amended by S.I. 2020/1393



- (d) in point (6), omit “EU individual vehicle approval or national”;
- (e) in point (9), for “EU” substitute “GB”;
- (f) in point (10), for “an approval” substitute “the approval”;
- (g) in point (11), for “EU” substitute “GB”;
- (h) in points (12), (13) and (14), for “an approval” substitute “the approval”;
- (i) in point (34), for “relevant Union harmonisation” substitute “applicable”;
- (j) in point (35)—
  - (i) omit “national”
  - (ii) omit “on the territory of the Member State”;
- (k) in point (36)—
  - (i) omit “of a Member State, notified to the Commission by that Member State,”;
  - (ii) omit “for acting as the contact point for the approval authorities of the other Member States,”;
- (l) omit point (37);
- (m) in point (39), for the definition of “national accreditation body”, substitute—
  - “national accreditation body” means—
    - (a) the UK national accreditation body as defined in point (11) of Article 2 of Regulation (EC) No 765/2008(a), or
    - (b) in cases where a technical service is located in a member State, the accreditation body as defined in point (ii) of Article 2 of Regulation (EC) No 765/2008(b) as it applies in EU law;
- (n) in point (41) and (42), for “Union” substitute “Great Britain”;
- (o) in point (50) and (52), for “the Union” substitute “Great Britain”;
- (p) after point (58), insert—
  - “(59) “EU Type Approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, as that Regulation has effect in EU law, as amended from time to time, and as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdraw agreement;
  - (60) “qualifying Northern Ireland goods” has the meaning given in section 47 of the United Kingdom Internal Market Act 2020(c);
  - (61) “retained direct EU legislation” has the meaning given in section 20 of the European Union (Withdrawal) Act 2018(d).”;
  - (62) “The Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.

(3) In paragraph 2 of Article 4, in the second subparagraph, for “The Commission is empowered to adopt delegated acts in accordance with Article 82, amending” substitute “The Secretary of State may by regulations, amend”.

## **Amendments to Chapter II**

**22.**—(1) In Article 5 (technical requirements)—

- (a) in paragraph 1, after “technical units” insert “for which approval is sought under this Regulation”.

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(a) EUR 765/2008.  
 (b) OJ L151, 14.6.2018, p.1.  
 (c) 2020 c. 27.  
 (d) 2018 c. 16.

- (b) in paragraph 2—
    - (i) in point (a), for “EU” substitute “GB”;
    - (ii) in point (c), and in the second subparagraph, for “, market surveillance authorities or the Commission”, substitute “or market surveillance authorities”;
  - (c) in paragraph 3, for “The Commission is empowered to adopt delegated acts in accordance with Article 82, amending”, substitute “The Secretary of State may by regulations amend”.
- (2) After Article 5, insert—

*“Article 5A*

**Recognition of EU type approvals in Great Britain**

1. Subject to compliance by manufacturers, distributors, importers and other economic operators with their obligations as set out in Articles 13, 14, 16, 17, 18, 19, 20, 38, 48, 50, 51 and 53, nothing in this Regulation, or in the regulatory acts listed in Annex II, prohibits the placing on the market, registration or entry into service in Great Britain of any vehicle, or any system, component or separate technical unit, to which this Article applies.
2. This Article applies to the following vehicles—
  - (a) a vehicle which was in the United Kingdom before IP completion day, and a trailer which was in the United Kingdom before 1st January 2023, provided that the manufacturer of the vehicle or trailer holds a relevant EU approval in relation to that vehicle or trailer;
  - (b) a vehicle in relation to which the manufacturer holds a valid type-approval certificate issued by the Secretary of State under section 55(1A) of the Road Traffic Act 1988(a);
  - (c) a vehicle in relation to which the manufacturer holds a relevant Northern Ireland approval;
  - (d) a vehicle—
    - (i) which is a qualifying Northern Ireland good, and
    - (ii) in relation to which the manufacturer holds a relevant EU approval;
  - (e) an incomplete vehicle—
    - (i) to which Article 22(4A) applies, and
    - (ii) in respect of which the manufacturer holds a relevant EU approval.
3. This Article applies to the following systems, components and separate technical units—
  - (a) a system, component or separate technical unit which was manufactured before 1st January 2023 in relation to which the manufacturer holds a relevant EU type approval;
  - (b) a system, component or separate technical unit in relation to which the manufacturer holds a valid type-approval certificate issued by the Secretary of State under section 55(1A) of the Road Traffic Act 1988;
  - (c) a system, component or separate technical unit in relation to which the manufacturer holds a relevant NI approval;
  - (d) a system, component or separate technical unit —
    - (i) which is a qualifying Northern Ireland good, and
    - (ii) in relation to which the manufacturer holds a relevant EU approval;
  - (e) any system or component fitted to a complete or an incomplete vehicle—
    - (i) to which Article 22(4A) applies, and

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(a) 1988 c. 52. Subsection (1A) was inserted by S.I. 2019/648.

- (ii) in relation to which the manufacturer holds a relevant EU approval.
4. For the purposes of this Regulation—
- (a) “a relevant EU approval” means a valid EU type-approval or EU individual vehicle-approval issued —
    - (i) before IP completion day by a member State other than the United Kingdom in accordance with this Regulation as it has effect in EU law, or
    - (ii) on or after IP completion day in accordance with the EU Type Approval Regulation by a member State,
 and includes any such approval which is revised or extended;
  - (b) “a relevant NI approval” means a valid EU type-approval, EU individual vehicle approval, national small series type approval or national individual vehicle approval issued by the Secretary of State on or after IP completion day in accordance with the EU Type Approval Regulation as it has effect by virtue of the Northern Ireland Protocol, and includes any such approval which is revised or extended.
5. This Article applies without prejudice to Article 50(6).”
- (3) In Article 6 (obligations of Member States)—
- (a) omit paragraphs 1 to 3;
  - (b) for paragraph 4, substitute—
 

“4. Vehicles, systems, components and separate technical units may only be placed on the market, registered or entered into service<sup>4</sup> if they comply with this Regulation, or, where Article 5A applies to the vehicle, system or component, with the EU Type Approval Regulation.”
  - (c) in paragraph 5—
    - (i) in the first subparagraph, for “Member States shall” substitute “The Secretary of State must”;
    - (ii) in the second subparagraph—
      - (aa) for “Member States” substitute “the Secretary of State”;
      - (bb) for the words from “harmonised dimensions” to the end, substitute “dimensions, weights and axle loads laid down in the Road Vehicles (Construction and Use) Regulations 1986<sup>(a)</sup> or the Road Vehicles (Authorised Weight) Regulations 1998<sup>(b)</sup>”;
  - (d) in paragraph 6, for “Member States shall” substitute “The market surveillance authority must”;
  - (e) omit paragraph 7;
  - (f) in paragraph 8—
    - (i) in the first and second subparagraphs, for “Member States shall” substitute “The Secretary of State must”;
    - (ii) in the first subparagraph, omit the words from “, and the results thereof” to the end;
    - (iii) omit the third subparagraph;
  - (g) in paragraph 9—
    - (i) in the first and second subparagraphs, for “Member States shall” substitute “The Secretary of State must”;
    - (ii) in the first subparagraph, omit the words “and the results thereof” to the end;
    - (iii) omit the third subparagraph;
  - (h) omit paragraph 10.

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(a) S.I. 1986/1078.

(b) S.I. 1998/3111.

- (4) In Article 7 (obligations of approval authorities)—
- (a) for “Approval authorities” each time it occurs, substitute “The approval authority”;
  - (b) in paragraph 1, at the end, insert “or, in the case of a relevant NI approval (within the meaning of Article 5A), the EU Type Approval Regulation”;
  - (c) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) for “They shall” substitute “it must”;
      - (bb) omit the words from “the obligation laid down” to “and to other”;
      - (cc) for “Union law” substitute “the law of any part of the United Kingdom”;
      - (dd) for “in the Union” substitute “in the United Kingdom”;
    - (ii) omit the second subparagraph;
  - (d) in paragraph 3—
    - (i) for “market surveillance authorities”, both times it occurs, substitute “the market surveillance authority”;
    - (ii) for “approval authorities” substitute “the approval authority”;
    - (iii) for “EU type-approval certificate” substitute “GB type-approval certificate”;
  - (e) in paragraph 4, for “an approval authority” substitute “The approval authority”.
- (5) In Article 8 (obligation of market surveillance authorities)—
- (a) in paragraphs 1, 3, 8, 9, 10, 12, for “Market surveillance authorities” each time it occurs, substitute “The market surveillance authority”;
  - (b) in paragraphs 2 and 11, for “the market surveillance authorities” substitute “the market surveillance authority”;
  - (c) for “market surveillance authority” each time it occurs, substitute “the market surveillance authority”;
  - (d) in paragraph 1, in point (c) of the second subparagraph—
    - (i) omit “the information exchanged in the Forum and”;
    - (ii) for “the implementing acts referred to in Article 13(10)” substitute “any retained direct EU legislation made under Article 13(10) as it had effect before IP completion day, or any regulations made under Article 13(10) as it is now in force”;
  - (e) in paragraph 2—
    - (i) omit “of each Member State”;
    - (ii) omit “per Member State”;
    - (iii) for “in that Member State” substitute “in Great Britain”;
    - (iv) in the second sub-paragraph, at the end insert “or, where Article 5A applies to the vehicle, the applicable regulatory acts listed in Annex II of the EU type-approval Regulation.”;
  - (f) omit paragraphs 4 to 7;
  - (g) in paragraph 8—
    - (i) for “to the authorities”, substitute “to the authority”;
    - (ii) for “authorities consider” substitute “authority considers”;
  - (h) in paragraph 10—
    - (i) omit “within the territories of their Member States”;
    - (ii) omit “or the Commission”;
  - (i) in paragraph 11—
    - (i) omit “of one Member State”;

- (ii) omit “relevant”;
- (j) in paragraph 12—
  - (i) omit the words from “to the obligation” to “available to the Commission and”;
  - (ii) for “Union law” substitute “the law of the United Kingdom, or any part of the United Kingdom”;
  - (iii) for “in the Union” substitute “in the United Kingdom”;
- (k) omit paragraphs 13 to 15.
- (6) Omit Articles 9 to 11.
- (7) In Article 12 (online data exchange)—
  - (a) omit paragraph 1;
  - (b) in paragraph 2—
    - (i) for “Member States”, both times it occurs, substitute “the Secretary of State”;
    - (ii) omit “in the common secure electronic exchange system,” both times it occurs;
    - (iii) for the third subparagraph, substitute—
 

“The Secretary of State may by regulations establish the format of, and the criteria for, public access to the information referred to in the first and second subparagraphs of this paragraph.”;
  - (c) omit paragraph 3;
  - (d) in paragraph 4—
    - (i) in the first paragraph—
      - (aa) for the words from the beginning to “in order to” substitute “The Secretary of State must”;
      - (bb) for “EU” both times it occurs, substitute “GB”;
      - (cc) for “1 September 2022” substitute “1 September 2024”;
    - (ii) for the second paragraph, substitute—
 

“The Secretary of State may by regulations establish the format of, and the criteria for, public access to the information referred to in the first subparagraph of this paragraph.”;
  - (e) in paragraph 5—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for “implementing acts” substitute “regulations”.
- (8) In Article 13 (general obligations of manufacturers)—
  - (a) in paragraph 1—
    - (i) after “this Regulation” insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (ii) at the end, for “those in Article 5” substitute “the requirements of Article 5 of the Regulation in question”;
  - (b) in paragraph 4—
    - (i) for “EU type-approval” both times it occurs, substitute “GB type-approval”;
    - (ii) for “the Union” each time it occurs, substitute “Great Britain”;
  - (c) in paragraph 5, after “this Regulation”, insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
  - (d) in paragraph 8, for “Union” substitute “Great Britain”;
  - (e) in paragraph 9, at the end insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, in the EU Type Approval Regulation”;
  - (f) in paragraph 10—

- (i) in the first subparagraph—
    - (aa) omit “without prejudice to Article 9(5) and”;
    - (bb) for “Union and national law” substitute “the law of the United Kingdom or of any part of the United Kingdom”;
  - (ii) for the second subparagraph, substitute—
 

“For the purposes of the first subparagraph of this paragraph, the Secretary of State may by regulations specify—

    - (a) the data to be made available free of charge, and
    - (b) the requirements to be met by third parties to demonstrate that they have—
      - (i) a legitimate interest in public safety or environmental protection, and
      - (ii) recourse to adequate testing facilities.”.
- (9) In Article 14 (obligations of manufacturers concerning their vehicles etc that are not in conformity or that present a serious risk)—
- (a) in paragraph 1—
    - (i) in the first subparagraph, after “Regulation” insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation,”;
    - (ii) in the second subparagraph, omit “that granted the type-approval”;
  - (b) in paragraph 2, for “authorities” both times it occurs, substitute “authority”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph, for “EU” each time it occurs, substitute “GB”;
    - (ii) in the second subparagraph—
      - (aa) for “authorities” substitute “authority”;
      - (bb) at the end, insert “and, where Article 5A applies to a vehicle, a copy of any EU certificate of conformity or UK(NI) certificate of conformity”;
  - (d) in paragraph 4—
    - (i) omit the first subparagraph;
    - (ii) in the second subparagraph, for “a national authority” substitute “the approval authority or the market surveillance authority”.
- (10) In Article 15 (obligations of manufacturer’s representatives)—
- (a) in paragraph 1—
    - (i) for “authorities” each time it occurs, substitute “authority”;
    - (ii) in point (a)—
      - (aa) for “EU” each time it occurs, substitute “GB”;
      - (bb) for “one of the official Union languages” substitute “English”;
    - (iii) in point (b), for “an approval authority” substitute “the approval authority”;
  - (b) in paragraph 2, in the first paragraph—
    - (i) omit “that granted the type-approval and the Commission”;
    - (ii) omit “both”.
- (11) In Article 16 (obligations of importers)—
- (a) in paragraph 1, at the end, insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, with the EU Type Approval Regulation”,
  - (b) in paragraph 2—
    - (i) for “EU” substitute “GB”;

- (ii) after “certificate”, insert “or a valid EU type-approval certificate or a valid UK (NI) type-approval certificate, as appropriate”;
  - (iii) after “Article 13(8)” insert “of this Regulation or, where applicable, of the EU Type Approval Regulation”;
  - (c) in paragraph 3, after “Regulation” insert “or of the EU Type Approval Regulation where applicable”;
  - (d) in paragraph 4—
    - (i) for “market surveillance authorities” substitute “market surveillance authority”;
    - (ii) omit “that granted the type-approval”;
  - (e) in paragraph 6—
    - (i) after “Article 59,” insert “of this Regulation or, where applicable, of the EU Type Approval Regulation”;
    - (ii) for the words from “the official language” to the end, substitute “English”;
  - (f) in paragraph 9, at the end, insert “or, where applicable, in the EU Type Approval Regulation”.
- (12) In Article 17 (obligations of importers concerning their vehicles etc, that are not in conformity or present a serious risk)—
- (a) for “authorities”, each time it occurs, substitute “authority”;
  - (b) for “EU” each time it occurs, substitute “GB”;
  - (c) in paragraph 1—
    - (i) after “this Regulation” insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (ii) omit “that granted the EU type-approval”;
  - (d) after paragraph 3, insert—
 

“3A. Where Article 5A applies to a vehicle, system, component or separate technical unit, the importer must—

    - (a) keep a copy of the EU type-approval certificate and the attachments referred to in Article 28(1) of the EU Type Approval Regulation for a period of—
      - (i) ten years after the end of the validity of the EU type-approval of a vehicle and
      - (ii) five years after the end of the validity of the EU type-approval of a system, component or separate technical unit, and
    - (b) ensure that they can be made available to the approval authority and the market surveillance authority on request.”;
  - (e) in paragraph 4—
    - (i) for “a national authority” both times it occurs”, substitute “the approval authority or the market surveillance authority”;
    - (ii) in the first subparagraph—
      - (aa) after “unit” insert “with this Regulation or, where applicable, the EU Type Approval Regulation”
      - (bb) for the words from “a language” to the end, substitute “English”.
- (13) In Article 18 (obligations of distributors)—
- (a) in paragraph 1—
    - (i) after “Article 59” insert “of this Regulation, or, where Article 5A applies to a vehicle, system, component or separate technical unit, of the EU Type Approval Regulation”;
    - (ii) for “the official language or languages of the relevant member State” substitute “English”;

- (iii) at the end insert “of this Regulation or, where Article 5A applies, of the EU Type Approval Regulation”;
  - (b) in paragraph 3, at the end insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, in the EU Type Approval Regulation”.
- (14) In Article 19 (obligations of distributors concerning vehicles etc not in conformity or presenting a serious risk)—
- (a) in paragraph 1—
    - (i) after “this Regulation” insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (ii) omit “that granted the EU type-approval”;
  - (b) in paragraph 2—
    - (i) after “this Regulation”, insert “or, where Article 5A applies to a vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (ii) omit “that granted the EU type-approval”;
  - (c) in paragraph 3—
    - (i) for “authorities” both times it occurs, substitute “authority”;
    - (ii) omit the words from “of the Member States” to the end.
  - (d) in paragraph 4, for “a national authority” substitute “the approval authority or the market surveillance authority”.
- (15) In Article 20 (cases in which obligations of manufacturers apply to importers and distributors)—
- (a) in point (b)—
    - (i) for “Union” both times it occurs, substitute “Great Britain”;
    - (ii) omit “the territory of the”;
  - (b) at the end of point (b), insert—
    - “;
  - (c) where the importer or distributor makes available on the market or is responsible for the entry into service of a vehicle, system, component or separate technical unit to which Article 5A applies on the basis of a relevant EU approval or a relevant NI approval that was granted to a manufacturer outside Great Britain, and it is not possible to identify a manufacturer’s representative in Great Britain”.
- (16) In Article 21, in the opening words—
- (a) for “an approval” substitute “the approval”;
  - (b) for “a market” substitute “the market”.

### **Amendments to Chapter III**

**23.**—(1) In the heading to Chapter III, for “EU” substitute “GB”.

(2) In Article 22 (procedures for EU type-approval)—

- (a) in the heading, and in paragraphs 4 and 5, for “EU” each time it occurs, substitute “GB”;
- (b) after paragraph 4, insert—

“4A. Until 31 December 2025 for M and N category vehicles, and 31 December 2026 for O category vehicles, where the approval authority is considering whether to grant multi-stage type-approval in respect of a completed vehicle, it may, for the purposes of paragraphs 3 and 4 of this Article, paragraphs 2 and 6 of Article 26, and paragraphs 2.1, 3.2 and 4.1 of Annex IX, consider any EU type-approvals which are valid under the EU Type Approval Regulation and have been issued in respect of the incomplete or complete vehicle or its systems and



components, as valid GB type-approvals granted under this Regulation pursuant to the technical requirements in the regulatory acts listed in Annex II.

4B. Paragraph 4A does not apply where the approval authority is considering whether to grant multi-stage type-approval to a single manufacturer, or two or more manufacturers who are part of a group of connected manufacturers, as defined in Article 3(2) of Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles(a).”.

(3) In Article 23 (application for EU type-approval)—

- (a) in the heading, and in paragraph 1, for “EU” both times it occurs, substitute “GB”;
- (b) in paragraph 2—
  - (i) in the first subparagraph, omit the second sentence;
  - (ii) omit the second subparagraph;
- (c) omit paragraph 3.

(4) In Article 24 (information folder)—

- (a) in paragraph 1—
  - (i) in point (a), for “implementing acts referred to in paragraph 4” substitute “retained direct EU legislation made under paragraph 4 as it had effect before IP completion day, or regulations made under paragraph 4 as it is now in force, except where paragraph 1A applies”;
  - (ii) in point (d), for “EU” substitute “GB”;
- (b) after paragraph 1, insert—

“1A. The information document submitted as part of an information folder accompanying an application for GB type-approval in relation to a vehicle, system, component or separate technical unit, which has previously been used to apply for an EU type-approval in accordance with the EU Type Approval Regulation, may be in the same format as the information document used to apply for that EU type-approval, if the application is made—

- (a) before 31st December 2025, in the case of a vehicle in category M or N, or
- (b) before 31st December 2026, in the case of a vehicle in category O, a component or a separate technical unit.”

(c) for paragraph 4, substitute—

“4. The Secretary of State may, by regulations prescribe—

- (a) the template for the information document and any other part of the information folder, and
- (b) a harmonised electronic format for the purposes of paragraph 3 of this Article.”

(5) In Article 25 (additional information to be provided with an application for type-approval)—

- (a) in the heading, for “EU” substitute “GB”;
- (b) in paragraphs 1, 2 and 3, for “EU type-approval” each time it occurs, substitute “GB type-approval”;
- (c) in paragraph 1, in the second subparagraph, for “EU” substitute “GB”;
- (d) in paragraph 3(b), for “EU whole-vehicle” substitute “GB whole-vehicle”.

#### **Amendments to Chapter IV**

**24.**—(1) In the Chapter heading for Chapter IV, for “EU” substitute “GB”.

(2) In Article 26 (General provision on conduct of procedures for EU type-approval)—

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(a) EUR 2019/631.

- (a) for “EU”, in the heading, and in paragraphs 1, 3 and 4, each time it occurs, substitute “GB”;
  - (b) in paragraph 2—
    - (i) in the opening words—
      - (aa) for “An approval” substitute “The approval”;
      - (bb) for “an EU” substitute “a GB”;
    - (ii) omit point (b);
  - (c) in paragraph 3, for the second subparagraph, substitute—
 

“The Secretary of State may by regulations amend Annexes III and IX to update the procedures in those Annexes in relation to GB type-approval and multi-stage approval to take into account regulatory and technological developments.”;
  - (d) in paragraph 5—
    - (i) for “an EU” substitute “a GB”;
    - (ii) omit the second sentence;
  - (e) in paragraph 6—
    - (i) for “an EU” substitute “a GB”;
    - (ii) omit the second subparagraph.
- (3) Omit Article 27 (notifications of EU type-approval).
- (4) In Article 28 (EU type-approval certificates)—
- (a) for “EU”, in the heading, and in paragraphs 1, 2, 4 and 7, each time it occurs, substitute “GB”;
  - (b) in paragraph 2—
    - (i) omit “harmonised”;
    - (ii) omit “the identification of the Member State which granted the EU type-approval and for”;
  - (c) for paragraph 3, substitute—
 

“3. The Secretary of State may by regulations lay down templates and provide for electronic formats for—

    - (a) the GB type-approval certificate;
    - (b) the numbering system; and
    - (c) the test result sheet.”
  - (d) in paragraph 5—
    - (i) for “an EU”, substitute “a GB”;
    - (ii) for “EU” the second time it occurs, substitute “GB”;
  - (e) in paragraph 7—
    - (i) after “regulatory acts” insert “or regulations”;
    - (ii) for “the implementing acts referred to in paragraph 3” substitute “Commission Implementing Regulation (EU) 2020/683(a), or regulations made under paragraph 3 as it is now in force”.
- (5) In Article 29 (specific provisions concerning EU type-approvals for systems, components and separate technical units)—
- (a) in the heading, and in paragraph 3, for “EU” each time it occurs, substitute “GB”;
  - (b) in paragraph 1, for “an EU” substitute “a GB”.
- (6) In Article 30 (tests required for EU type-approval)—

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(a) EUR 2020/683.

- (a) for “EU” each time it occurs, including in the heading, substitute “GB”
- (b) in paragraph 1, at the end, insert “or, where paragraph 2A applies, by the technical services of an approval authority of a member State (“an EU approval authority”)”.
- (c) after paragraph 2, insert—

“2A. The approval authority may rely on tests performed by the technical services of an EU approval authority when those tests are recorded in test reports and—

- (a) the test report was issued—
  - (i) before 31st December 2026, in the case of vehicles in category M or N, or
  - (ii) before 31st December 2027, in the case of vehicles in category O, components or separate technical units;
- (b) the tests described in the test report were made under any regulatory act set out in the table in Part I of Annex II as those regulatory acts apply in the law of the member State concerned;
- (c) the test report shows that the vehicle, component or separate technical unit meets one or more of the requirements of that regulatory act is it has effect in domestic law on the date on which the GB type-approval is issued; and
- (d) the EU type-approval to which the test report relates has not been invalidated since IP completion day otherwise than in accordance with Article 35(2)(a) of the EU Type Approval Regulation as that Regulation has effect in the law of the member State concerned.

2B. Where the EU type-approval referred to in paragraph 2A(d) has been extended or revised, the approval authority may take into account any test report or letter of no concern which accompanied any such extension or revision.”;

- (d) for paragraph 3, substitute—

“3. The Secretary of State may by regulations—

- (a) amend Commission Implementing Regulation (EU) 2020/683, or
- (b) make further provision on the format of the test reports.”

- (e) in paragraph 4, for “authorities” substitute “authority”;

- (f) for paragraph 8, substitute—

“8. The Secretary of State may by regulations amend Annex VIII to take account of technical and regulatory developments by updating the list of regulatory acts relating to—

- (a) which virtual testing methods may be used by a manufacturer or a technical service, and
- (b) the specific conditions under which those virtual testing methods are to be used.”.

- (7) In Article 31 (conformity of production arrangements)—

- (a) in paragraph 1—

- (i) for the words from the beginning to “type-approval shall” substitute “Where the approval authority has granted a GB type-approval, it must”;
- (ii) omit the words from “, if necessary” to “other Member States”;

- (b) in paragraph 2, for the words from the beginning to “type-approval shall” substitute “Where the approval authority has granted a GB whole vehicle type-approval, it must”

- (c) in paragraph 3—

- (i) for the words from the beginning to “type-approval shall” substitute “Where the approval authority has granted a GB type-approval, it must”;
- (ii) omit the words from “, if necessary” to “other Member States”;

- (d) in paragraph 4—

- (i) omit “that granted the EU type-approval”;
- (ii) for “EU” substitute “GB”;
- (e) in paragraph 6, for the words from the beginning to “type-approval shall” substitute “Where the approval authority has granted a GB type-approval, it must”.
- (f) in paragraph 7, for the words from the beginning to “type-approval” substitute “Where the approval authority has granted a GB type-approval and”;
- (g) for paragraph 8, substitute—

“8. The Secretary of State may by regulations amend Annex IV to take account of technological and regulatory developments by updating the conformity of production procedures.”

(8) Omit Article 32 (fees).

### **Amendments to Chapter V**

- 25.**—(1) In the heading to Chapter V, for “EU” substitute “GB”.
- (2) In Article 33 (general provisions on amendments of EU type-approvals)—
- (a) in the heading, and each time it occurs, for “EU type” substitute “GB type”;
  - (b) in paragraph 1, in the first sub-paragraph, omit “that granted the EU type-approval”;
  - (c) omit paragraph 2;
  - (d) in paragraphs 3 and 4, for “an approval” substitute “the approval”.
- (3) In Article 34 (revisions and extensions of EU type-approvals)—
- (a) in the heading and in paragraph 2, each time it occurs, for “EU type” substitute “GB type”;
  - (b) in paragraph 1, for “an approval”, substitute “the approval”;
- (4) In Article 35 (termination of validity)—
- (a) in paragraph 1, for “an EU” substitute “a GB”;
  - (b) in paragraph 2—
    - (i) in the opening words, for “An EU” substitute “a GB”;
    - (ii) in points (a), (d) and (e), for “EU type” substitute “GB type”;
  - (c) in paragraph 4—
    - (i) in the first subparagraph, omit “that granted the EU type-approval”;
    - (ii) omit the second subparagraph;
  - (d) in paragraph 5—
    - (i) for “an EU” substitute “a GB”;
    - (ii) omit “that granted the EU type-approval”;
  - (e) omit paragraph 6.
- (5) In Article 36 (Certificate of conformity in paper form)—
- (a) in paragraph 1, for “implementing acts referred to in paragraph 4” substitute “Commission Implementing Regulation (EU) 2020/683, or regulations made under paragraph 4 as it is now in force”;
  - (b) in paragraph 4—
    - (i) in the opening words, for “The Commission shall adopt implementing acts concerning” substitute “The Secretary of State may by regulations make provision in relation to”;
    - (ii) omit the second subparagraph;
  - (c) in paragraph 5, for “at least one of the official languages of the Union” substitute “English”.
- (6) In Article 37 (certificate of conformity in electronic form)—

- (a) in paragraph 1—
    - (i) omit “that has granted the whole vehicle type-approval”;
    - (ii) for “the implementing acts referred to in paragraph 8 of this Article” substitute “retained direct EU legislation made under paragraph 8 as it had effect before IP completion day, or regulations made under paragraph 8 as it is now in force”;
  - (b) omit paragraph 3;
  - (c) in paragraph 4—
    - (i) for “Member States” substitute “The approval authority”;
    - (ii) for “national small series vehicle type-approval” substitute “GB small series type-approval in accordance with Article 42”;
  - (d) in paragraph 5—
    - (i) for “The approval authority receiving” substitute “Where the approval authority receives”;
    - (ii) for “shall” substitute “it must”;
    - (iii) for “the implementing acts referred to in paragraph 8 of this Article” substitute “retained direct EU legislation made under paragraph 8 as it has effect before IP completion day or regulations made under paragraph 8 as it is now in force”;
  - (e) in paragraph 7—
    - (i) for “Member States shall” substitute “The Secretary of State must”;
    - (ii) for “the implementing acts referred to in paragraph 8” substitute “retained direct EU legislation made under paragraph 8 as it has effect before IP completion day or regulations made under paragraph 8 as it is now in force”;
  - (f) in paragraph 8—
    - (i) in the first subparagraph, for “Commission shall adopt implementing acts” substitute “Secretary of State may make regulations”;
    - (ii) omit the second subparagraph;
  - (g) omit paragraph 9;
  - (h) in paragraph 10, for “a national authority” substitute “the Secretary of State”.
- (7) In Article 38 (manufacturer’s statutory and additional plates, markings and type-approval mark of components and separate technical units)—
- (a) in paragraph 1, at the end, insert “or, where Article 5A applies to the vehicle, the markings required under the EU Type Approval Regulation and the relevant regulatory acts listed in Annex II to that Regulation”;
  - (b) for paragraph 3, substitute—
    - “3. The Secretary of State may by regulations—
      - (a) amend Commission Implementing Regulation (EU) 2020/683, and
      - (b) make further provision concerning the model for the GB type-approval mark.”;
  - (c) in paragraph 4, at the end insert “or, where Article 5A applies to the vehicle, component or separate technical unit, with the EU Type Approval Regulation”.

## **Amendments to Chapter VII**

- 26.**—(1) In Article 39 (exemptions for new technologies or new concepts)—
- (a) in paragraph 1, for “an EU” substitute “a GB”;
  - (b) in paragraph 2, for “EU-type” substitute “GB type” each time it occurs;
  - (c) omit paragraph 3;
  - (d) for paragraph 4, substitute—

“4. If type-approval is granted under this Article, that circumstance must be reflected in the heading of—

- (a) the type-approval certificate, and
- (b) any certificate of conformity.

4A. The Secretary of State may by regulations—

- (a) amend Commission Implementing Regulation (EU) 2020/683, and
- (b) make further provision regarding the template which is to be used for type-approval certificates and certificates of conformity for the purposes of this paragraph.”
- (e) omit paragraph 5;
- (f) in paragraph 6—
  - (i) for “the implementing acts referred to in paragraph 3” substitute “the approval authority”;
  - (ii) for “authorisations are” substitute “the approval is”;
  - (iii) for “EU type” substitute “GB type”;
- (g) omit paragraph 7.

(2) In Article 40 (subsequent adaptation of regulatory acts)—

- (a) in paragraph 1—
  - (i) for the first subparagraph, substitute—

“1. Where the approval authority has authorised the granting of a GB type-approval in accordance with Article 39, the Secretary of State must, where necessary, amend the regulatory acts or regulations concerned to make provision in relation to the latest technological developments.”

- (ii) in the second subparagraph, for “Commission shall” substitute “the Secretary of State must”
- (b) in paragraph 2, for “in the implementing acts referred to in Article 39(3)” substitute “imposed on the type-approval under Article 39(6)”;
- (c) omit paragraph 3.

### **Amendments to Chapter VIII**

**27.—**(1) In Article 41 (EU type-approval of vehicles produced in small series)—

- (a) in the heading—
  - (i) for “EU” substitute “GB”;
  - (ii) for “small” substitute “medium”;
- (b) in paragraph 1—
  - (i) for “Member States” substitute “the approval authority”;
  - (ii) for “an EU” substitute “a GB”;
  - (iii) for “small” substitute “medium”;
- (c) in paragraph 3—
  - (i) for “EU” the first time it occurs, substitute “GB”;
  - (ii) for “small” substitute “medium”;
  - (iii) omit “harmonised”;
  - (iv) omit the words from “the identification” to “type-approval and for”;
- (d) in paragraph 4—
  - (i) for “Commission shall adopt implementing acts laying” substitute “Secretary of State may by regulations lay”;

- (ii) for “EU” substitute “GB”;
- (iii) for “small” substitute “medium”;
- (iv) omit the second sentence;
- (e) for paragraph 5, substitute—
  - “5. The Secretary of State may by regulations amend—
    - (a) Appendix 1 of Part 1 to Annex II to set out the technical requirements for vehicle categories M, N and O, and
    - (b) point 1 of Part A of Annex V accordingly as regards the quantitative annual limits.”

(2) In Article 42 (national type-approval)—

- (a) in the heading, and each time it occurs, omit “national”;
- (b) in paragraph 1, for “in the market of each Member State” substitute “in Great Britain”;
- (c) in paragraph 2—
  - (i) for “Member States” the first time it occurs, substitute “The approval authority”;
  - (ii) for the words from “those Member States” to the end, substitute “the vehicle type satisfies the relevant alternative requirements specified in Schedule 1 to the Road Vehicle (Approval) Regulations 2020”;
- (d) in paragraph 4—
  - (i) omit “harmonised”;
  - (ii) omit the words from “the identification of” to “approval and for”;
- (e) for paragraph 5, substitute—

“5. The Secretary of State may by regulations lay down the template and numbering system for the type-approval certificate of vehicles produced in small series which must bear the heading “GB small series vehicle type-approval certificate and must bear the content and nature of the exemptions granted pursuant to paragraph 2 of this Article”.”.

(3) Omit Article 43 (validity of a national type-approval).

### **Amendment to Chapter IX**

**28.**—(1) Omit Article 44 (EU individual vehicle approvals).

(2) In Article 45 (national individual vehicle approvals)—

- (a) in the heading and each time it occurs, omit “national”;
- (b) in paragraph 1—
  - (i) for “Member States” the first time it occurs, substitute “The approval authority”;
  - (ii) for “those Member States have imposed relevant alternative requirements” substitute “the vehicle complies with the relevant alternative requirements specified in Schedule 2 to the Road Vehicle (Approval) Regulations 2020”;
- (c) in paragraph 3, for “Member States shall” substitute “The approval authority must”;
- (d) in paragraph 5, for “A Member State shall” substitute “The approval authority must”;
- (e) in paragraph 6, for the words “shall at least” to the end, substitute “must allow for the identification of the requirements with which the vehicle conforms”;
- (f) for paragraph 7, substitute—

“7. The Secretary of State may by regulations lay down the template and the numbering system to be used in the GB individual vehicle approval certificate.”.

(3) Omit Article 46 (validity of national individual vehicle approvals).

(4) In Article 47 (specific provisions), in paragraphs 1 and 2, for “Articles 44 and 45” substitute “Article 45”.

### **Amendments to Chapter X**

**29.**—(1) In Article 48 (making available on the market, registration or entry into service: vehicles not end-of-series vehicles)—

- (a) in paragraph 1, at the end, insert “or, where Article 5A applies to the vehicle, Articles 36 and 37 of the EU Type Approval Regulation.”;
- (b) in paragraph 2, after “produced in” insert “medium and”.

(2) In Article 49 (making available on the market, registration or entry into service: end-of-series vehicles)—

- (a) in paragraph 1—
  - (i) for “Member States” substitute “the Secretary of State”;
  - (ii) for “EU” each time it occurs, substitute “GB”;
  - (iii) for “Union” substitute “United Kingdom”;
- (b) in paragraph 2, for “EU” substitute “GB”;
- (c) in paragraph 3—
  - (i) in the first subparagraph, for the words from “competent authority” to “in question” substitute “approval authority”;
  - (ii) in the second subparagraph—
    - (aa) for “Member States concerned” substitute “approval authority”;
    - (bb) omit “in their territory”;
- (d) in paragraph 4, for “Member States shall” substitute “The Secretary of State must”;
- (e) at the end, insert—

“5. A request may be made under paragraph 3 in relation to—

- (a) motor vehicles in relation to which the manufacturer holds a relevant EU approval which is no longer valid under the EU Type Approval Regulation and that—
  - (i) were in the United Kingdom before 1st January 2021, or
  - (ii) are qualifying Northern Ireland goods,
- (b) trailers in relation to which the manufacturer holds a relevant NI approval which is no longer valid under the EU Type Approval Regulation and that—
  - (i) were in the United Kingdom before 1st January 2023, or
  - (ii) are qualifying Northern Ireland goods, and
- (c) motor vehicles or trailers covered by a UK (NI) type-approval which is no longer valid under the EU Type Approval Regulation.

6. Where a request made under paragraph 3 includes any vehicle or trailer referred to in paragraph 5, references in paragraphs 1 and 2 to “GB type-approval” include a reference to “EU type-approval in accordance with the EU Type Approval Regulation”.

(3) In Article 50 (making available on the market or entry into service: components and separate technical units)—

- (a) for paragraph 1A, substitute—

“1A. Notwithstanding paragraph 1, components and separate technical units to which Article 5A applies, including those intended for the aftermarket, may also be made available on the market or entered into service provided that they comply with the requirements of the relevant regulatory acts listed in Annex II of the EU Type Approval Regulation and are properly marked in accordance with Article 38 of that Regulation.”;



- (b) in paragraph 3—
  - (i) for “Member States may permit” substitute “Paragraph 1 does not apply to”;
  - (ii) omit “44”;
  - (iii) after “45” insert “or, where Article 5A applies to the vehicle, Articles 41, 42, 44 and 45 of the EU Type Approval Regulation”;
- (c) in paragraphs 4 and 5, for “Member States may also permit” substitute “Paragraph 1 does not apply to”;
- (d) after paragraph 5, insert—
 

“6. Notwithstanding paragraph 1, replacement components and separate technical units that were EU type-approved before 1st January 2023 in accordance with the corresponding regulatory acts listed in Annex II of the EU Type Approval Regulation may be made available on the market or entered into service.”.

## **Amendments to Chapter XI**

- 30.**—(1) In Article 51 (national evaluation for serious risk or non-compliance)—
- (a) in the heading, omit “national”;
  - (b) in the first paragraph—
    - (i) for “an approval” substitute “the approval”;
    - (ii) for “authorities of one Member State have” substitute “authority has”;
    - (iii) after “this Regulation”, the second it occurs, insert “or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (iv) after “this Regulation” the third time it occurs, insert “or, where applicable, the EU Type Approval Regulation”;
    - (v) omit “and the relevant approval authorities”;
    - (vi) for “surveillance authorities” substitute “surveillance authority”.
- (2) In Article 52 (national procedures for serious risk or non-compliance)—
- (a) in the heading, omit “national”;
  - (b) in paragraph 1, omit “of one Member State”
  - (c) in paragraph 2—
    - (i) omit “of one Member State”;
    - (ii) after “this Regulation” insert “or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
    - (iii) omit “in the Union”;
  - (d) in paragraph 3—
    - (i) for “national authorities” substitute “market surveillance authority”;
    - (ii) omit “on their national market”;
    - (iii) for “that market” substitute “the market”;
  - (e) omit paragraph 4;
  - (f) in paragraph 6, for “, 52 and 53” substitute “and 52”.
- (3) In Article 53 (corrective and restrictive measures at Union level)—
- (a) in the heading, omit “at Union level”;
  - (b) omit paragraphs 1 to 7;
  - (c) for paragraph 8, substitute—

8. Where a corrective measure is imposed in accordance with Article 52, that measure must be available free of charge to holders of registrations for the affected vehicles. Where repairs have been carried out at the registration holder's expense before the adoption of the corrective measure, the manufacturer must reimburse the cost of such repairs up to the cost of the repairs required by that corrective measure.”.

(4) Omit Article 54 (non-compliant EU type-approval).

(5) In Article 55 (placing on the market and entry into service: parts and equipment that may pose a serious risk to the correct functioning of essential systems)—

- (a) in paragraph 1, for “an approval” substitute “the approval”;
- (b) in paragraph 3, for the first sub-paragraph, substitute—

“3. The Secretary of State may by regulations lay down the requirements for the authorisation of the parts and equipment referred to in paragraph 1 of this Article.”;

- (c) in paragraph 4, in the opening words, for “The Commission is empowered to adopt delegated acts in accordance with Article 82, amending”, substitute “The Secretary of State may by regulations amend”;
- (d) in paragraph 6—
  - (i) for “the Commission” the first time it occurs, substitute “the approval authority”;
  - (ii) for the third sentence, substitute “The Secretary of State may by regulations set out when those authorisations may be granted”;
  - (iii) omit the fourth sentence.

(6) In Article 56 (related requirements for parts or equipment that may pose a serious risk to the correct functioning of essential systems)—

- (a) in paragraph 1, in the second sentence, omit “and to one approval authority only”;
- (b) in paragraph 2, for the fourth subparagraph, substitute—

“The Secretary of State may by regulations lay down the template and the numbering system for the authorisation certificate referred to in the third subparagraph of this paragraph.”;

- (c) in paragraph 3, in the first paragraph—
  - (i) in the first sentence, omit “that issued the authorisation”;
  - (ii) in the second sentence, for “that approval” substitute “the approval”;
- (d) omit paragraphs 5, 6 and 7.

## **Amendment to Chapter XII**

**31.**—(1) In Article 57 (UN regulations required for EU type-approval)—

- (a) in the heading, for “EU” substitute “GB”;
- (b) in paragraph 1—
  - (i) for “Union” both times it occurs, substitute “United Kingdom”
  - (ii) for “EU” substitute “GB”;
- (c) in paragraph 2—
  - (i) in the first subparagraph—
    - (aa) for “Union” substitute “United Kingdom”;
    - (bb) for “Commission shall adopt delegated acts in accordance with Article 82, supplementing” substitute “the Secretary of State may by regulations supplement”;
  - (ii) in the second subparagraph—
    - (aa) for “Those delegated acts shall” substitute “Regulations made under this paragraph must”;

- (bb) for “EU” substitute “GB”.
- (2) In Article 58 (Equivalent of UN Regulations for the purpose of EU type-approval)—
- (a) in the heading, for “EU” substitute “GB”;
  - (b) in paragraph 2, for “authorities of the Member States” substitute “authority”.

### **Amendment to Chapter XIII**

- 32.**—(1) In Article 59 (information intended for users), in paragraph 3, for the words from “the official language” to “into service” substitute “English”.
- (2) In Article 60 (information intended for manufacturers), in paragraph 1, for “EU” substitute “GB”.

### **Amendments to Chapter XIV**

- 33.**—(1) In Article 61 (manufacturers’ obligations to provide vehicle OBD information and vehicle repair and maintenance information) —
- (a) in paragraph 2, for the words from the beginning to “standardisation body” substitute “The Secretary of State may by regulations specify a relevant standard for the purposes of this Article, from standards developed by the British Standards Institute, the European Committee for Standardisation or a comparable standardisation body. Until such a standard has been specified”;
  - (b) in paragraph 3(a), omit “national”;
  - (c) in paragraph 11—
    - (i) for the words from the beginning to “amending” substitute “The Secretary of State may by regulations amend”;
    - (ii) for “Commission shall” substitute “Secretary of State must”.
- (2) In Article 63(1) (fees for access to vehicle repair and maintenance information)—
- (a) for “national authorities” substitute “the approval authority or the market surveillance authority”;
  - (b) for “the Commission and” substitute “and to”.
- (3) In Article 64 (proof of compliance with vehicle OBD information and repair and maintenance information obligations), in paragraph 1, for “EU type-approval or national type-approval” substitute “a GB type-approval, including a GB small series type-approval”.
- (4) In Article 65 (compliance with obligations regarding access to vehicle OBD information and vehicle repair and maintenance information)—
- (a) in paragraph 1, for “An approval” substitute “The approval”;
  - (b) in paragraph 2—
    - (i) for “an approval” substitute “the approval”;
    - (ii) omit “that granted the relevant type-approval”;
  - (c) in paragraph 3—
    - (i) omit “request the approval authority that granted the whole vehicle type-approval to”;
    - (ii) for “subsequently to” substitute “subsequently”;
    - (iii) omit “the national approval authority and”;
    - (iv) omit “of the request”.
- (5) Omit Article 66 (forum on access to vehicle information).

### **Amendments to Chapter XV**

- 34.**—(1) In Article 67 (type-approval authority for technical services)—

- (a) in paragraphs 1—
    - (i) omit the words from “designated by” to “(‘type-approval authority’)”;
    - (ii) for “type-approval” the second time it occurs, substitute “approval”;
  - (b) omit paragraphs 2 and 3;
  - (c) in paragraph 4, for “type-approval” substitute “approval”;
  - (d) omit paragraphs 5 to 10.
- (2) In Article 68 (designation of technical services)—
- (a) in paragraph 1, in the opening words, for “type-approval authorities shall” substitute “approval authority must”;
  - (b) in paragraph 2, for “Each Member State may designate a type-approval authority” substitute “The approval authority may designate itself”;
  - (c) in paragraph 3—
    - (i) after “law of” insert “the United Kingdom or any part of the United Kingdom or of”;
    - (ii) for “type-approval” substitute “approval”;
  - (d) in paragraph 4—
    - (i) for “unless such liability is assumed by its Member State in accordance with national law”, substitute “unless a state has assumed liability for those activities in accordance with its national law”;
    - (ii) for “Member State” the second time it occurs, substitute “Secretary of State”;
  - (e) [omit paragraph 5.]
- (3) In Article 69 (independence of technical services)—
- (a) in paragraph 2, in the second subparagraph, for “type-approval authority of the relevant Member State”, substitute “approval authority”;
  - (b) in paragraph 5—
    - (i) for “type-approval” substitute “approval”;
    - (ii) omit “Union or national”.
- (4) In Article 70 (competence of technical services)—
- (a) in paragraph 1, in the opening words, for “type-approval” substitute “approval”;
  - (b) in paragraph 3, for the words from “The Commission” to “amending”, substitute “The Secretary of State may by regulations amend”.
- (5) In Article 71 (subsidiaries of and subcontracting by technical services)—
- (a) for “type-approval” each time it occurs, substitute “approval”;
  - (b) in paragraph 4, omit “designating”.
- (6) In Article 72 (in-house technical service of the manufacturer), for the words from “The Commission” to “amending”, substitute “The Secretary of State may by regulations amend”.
- (7) In Article 73 (assessment and designation of technical services)—
- (a) in paragraph 1—
    - (i) for “type-approval” substitute “approval”;
    - (ii) omit “of the Member State in which it requests to be designated”;
  - (b) in paragraph 2—
    - (i) for “a type-approval” substitute “the approval”;
    - (ii) for “the type-approval” substitute “the approval”;
    - (iii) for “Union” substitute “United Kingdom”;
  - (c) in paragraph 3, for “type-approval” substitute “approval”;
  - (d) omit paragraphs 4 to 7;

- (e) in paragraph 8, for “The joint assessment team shall” substitute “The personnel of the approval authority carrying out an assessment must”;
  - (f) omit paragraphs 10 to 14;
  - (g) in paragraph 16—
    - (i) for “The type-approval authority that”, substitute “Where the approval authority”;
    - (ii) for “shall” substitute “it must”.
- (8) Omit Article 74 (notification to the Commission concerning designation of technical services).
- (9) In Article 75 (changes to and renewal of designations of technical services)—
- (a) in paragraph 1—
    - (i) in the first subparagraph, for “type-approval”, both times it occurs, substitute “approval”;
    - (ii) omit the second and third subparagraphs;
  - (b) in paragraph 2—
    - (i) for “type-approval” substitute “approval”;
    - (ii) omit “approval authorities or for the “;
    - (iii) for “authorities” the second time it occurs, substitute “authority”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph—
      - (aa) for “type-approval”, the first time it occurs, substitute “approval”;
      - (bb) for “that” the second time it occurs, substitute “the”;
      - (cc) for “the notification referred to in the second subparagraph of” substitute “restricting, suspending or withdrawing the designation under”;
      - (dd) for “EU” substitute “GB”;
      - (ee) for “the technical service” the second time it occurs, substitute “that technical service”;
      - (ff) omit the words from “subject of the change” to the end;
    - (ii) in the second subparagraph—
      - (aa) for “notified the changes to” substitute “restricted, suspended or withdrawn”;
      - (bb) for “type-approval” substitute “approval”;
      - (cc) for “submit” substitute “prepare”;
      - (dd) omit the words “to the Commission and the other type-approval authorities”;
      - (ee) omit “designating type-”;
      - (ff) omit “instruct the type-approval authorities concerned to”;
      - (gg) for “EU” substitute “GB”;
  - (d) for paragraph 4, substitute—
 

“4. Where the designation of a technical service has been restricted, suspended or withdrawn, but the approval authority has decided not to suspend or withdraw, in accordance with the second subparagraph of paragraph 3, the GB type-approval certificates which were issued on the basis of inspection and test reports issued by that technical service, those certificates remain valid unless the type-approvals have been invalidated in accordance with point (f) of Article 35(2).”;
  - (e) in paragraph 5, in the second paragraph, omit “, and subject to the notification in Article 74”;
  - (f) in paragraph 6, for “type-approval” substitute “approval”.
- (10) In Article 76 (monitoring technical services)—

- (a) in paragraph 1, omit “designating type-” each time it occurs;
  - (b) in paragraph 2—
    - (i) for “a type-approval” substitute “the approval”;
    - (ii) omit “or by the Commission”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph, omit “designating type-”;
    - (ii) omit the second, third and fourth subparagraphs;
  - (d) in paragraph 4—
    - (i) in the first paragraph, for “designating type-approval authority” substitute “approval authority”;
    - (ii) omit the second subparagraph.
- (11) Omit Articles 77 (challenge to competence of technical services) and 78 (exchange of information on assessment, designation and monitoring of technical services).
- (12) In Article 79 (cooperation with national accreditation bodies)—
- (a) in paragraph 1, for “type-approval” substitute “approval”;
  - (b) in paragraph 2—
    - (i) for “Member States shall ensure that type-approval” substitute “The approval”;
    - (ii) for the words from “of the Member State” to “keeps” substitute “must keep”;
    - (iii) for “type-approval” the second time it occurs, substitute “approval”;
    - (iv) omit the words from “of the Member State” to “established”;
- (13) In Article 80 (operational obligations of technical services)—
- (a) in paragraph 2, for “designating type-approval”, both times it occurs substitute “approval”;
  - (b) in paragraph 3, for “type-approval”, each time it occurs, substitute “approval”;
- (14) In Article 81 (information obligations of technical services), omit “designating type-” both times it occurs.

## **Amendment to Chapter XVI**

**35.**—(1) For Article 82 (exercise of the delegation), substitute—

*“Article 82*

### **Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
  2. Such regulations may—
    - (a) make incidental, supplemental, consequential or transitional provision, and
    - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.
  3. Before making any Regulations to which paragraph 4 applies the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.
  4. This paragraph applies to regulations made under Articles 4(2), 5(3), 26(3), 30(8), 31(8), 41(5), 55(3) or (4), 61(11), 70(3), 72(3) or Annex X.
  5. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (2) Omit Article 83 (committee procedure).

## Amendment to Chapter XVII

36. Omit Articles 84 (penalties), 85 (administrative fines in support of corrective and restrictive measures at Union level) and 90 (reporting).

## Amendments to Annex I

37.—(1) Annex I (general definitions, criteria for vehicle categorisation, types of vehicle and types of bodywork) is amended as follows.

(2) In the Introductory Part, in paragraph 2.4.1, for “Council Directive 80/181/EEC” substitute “the Units of Measurement Regulations 1986(a).”

(3) In Part A (criteria for vehicle categorisation)—

(a) in paragraph 1, in the first subparagraph, for the words from the beginning to “national individual vehicle approval” substitute “For the purposes of GB type-approval, including GB small series type-approval, and individual vehicle approval”;

(b) in paragraph 6.2, omit “national”.

(4) In Part B (criteria for types of vehicle, variants and versions), in paragraph 6.3.1(b), for “points 3.2 and 3.3 of Annex 1 to Directive 96/53/EC”, substitute “column 4 of table 6 in Schedule 3 to the Road Vehicles (Authorised Weight) Regulations 1998(b)”.

## Amendments to Annex II

38.—(1) Annex II (requirements for the purpose of EU type-approval of vehicles, systems, components or separate technical units) is amended as follows.

(2) In the heading to Annex II, and in the heading to Part I (regulatory acts for EU type-approval of vehicles produced in unlimited series) of Annex II, for “EU” substitute “GB”.

(3) In Part I of Annex II, in Appendix 1—

(a) in the heading to Appendix 1—

(i) for “EU” substitute “GB”;

(ii) for “small” substitute “medium”;

(b) In table 1—

(i) in item 20A, in the column headed “applicability and specific requirements”—

(aa) before “Daytime Running”, insert “The requirement for”;

(bb) for the words “shall be fitted” to the end, substitute “does not apply to types which had EU whole-vehicle type-approval prior to 30th June 2023, in accordance with this Regulation or the EU Type Approval Regulation.”;

(ii) in item 63, in the column headed “applicability and specific requirements”, for “EU” substitute “GB”;

(c) in table 2—

(i) in footnote <sup>(1)</sup>, for “EU” substitute “GB”;

(ii) in item 20A, in the column headed “applicability and specific requirements”—

(aa) before “Daytime Running”, insert “The requirement for”;

(bb) for the words “shall be fitted” to the end, substitute “does not apply to types which had EU whole-vehicle type-approval prior to 30th June 2023, in accordance with this Regulation or the EU Type Approval Regulation.”;

(iii) in item 63, in the column headed “applicability and specific requirements”, for “EU” substitute “GB”;

(4) Omit Appendix 2 to Part I.

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(a) S.I. 1986/1082, amended by S.I. 1994/2867, 2001/55 and 2009/3046.

(b) S.I. 1998/3111.

(5) In Part II (list of UN regulations recognised as an alternative to the Directives or Regulations referred to in Part I) to Annex II—

- (a) in the opening paragraph—
  - (i) for “Union” substitute “United Kingdom”;
  - (ii) omit “by virtue of Decision 97/836/EC, or subsequent Council decisions as referred to in Article 3(3) of that Decision,”;
  - (iii) for “an EU” substitute “a GB”;
- (b) in the second paragraph—
  - (i) for “an EU” substitute “a GB”;
  - (ii) omit “, subject to the Community Decision as referred to in Article 4(2) of Decision 97/836/EC”.

(6) In Part III (list of regulatory acts setting out the requirements for the purpose of EU type-approval of special purpose vehicles) to Annex II—

- (a) in the heading, for “EU” substitute “GB”.
- (b) in the explanatory notes following the table in Appendix 6—
  - (i) in note X, for “Member States” substitute “The approval authority”;
  - (ii) in note Q, for “An EU” substitute “A GB”;
  - (iii) in note R, for the existing text, substitute “Space must be provided for a registration plate meeting the requirements of the Road Vehicles (Display of Registration Marks) Regulations 2001(a)”;
  - (iv) in note T, for “The vehicle can be tested in accordance with Directive 70/157/EEC” substitute “The vehicle may be subjected to the test procedures described in Directive 70/157/EEC, as it had effect immediately before IP completion day”;
  - (v) in notes V and V1, for “Directive 97/68/EC” substitute “Regulation (EU) 2016/1628(b)”;
  - (vi) in note W1, in the second subparagraph, for “An EU” substitute “A GB”;
  - (vii) in note W6, for the third sentence of the second subparagraph, substitute “An extension to the UNECE type-approval (or GB type-approval, if applicable) is not required.”;
  - (viii) in note W8, in the second subparagraph, for “EU” substitute “GB”.

### **Amendments to Annex III**

**39.**—(1) Annex III (procedures to be followed with respect to EU type-approval) is amended as follows.

- (2) In the heading to Annex III, for “EU” substitute “GB”.
- (3) In paragraph 2, in points (a), (b) and (d), for “EU” substitute “GB”.

### **Amendments to Annex IV**

**40.**—(1) Annex IV (conformity of production procedures) is amended as follows.

- (2) In point 2.3.1.1(c), omit “in one of the Member States”.
- (3) Omit point 2.3.2.
- (4) In point 4.1.1.2, omit the last sentence.

### **Amendments to Annex V**

**41.**—(1) Annex V (small series and end-of-series limits) is amended as follows.

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(a) S.I. 2001/561, amended by S.I. 2001/1079 and 2002/2687.  
(b) EUR 2016/1628.



- (2) For the heading, substitute “GB medium series, GB small series and end-of-series limits”.
- (3) In section A (small series quantitative annual limits)—
  - (a) in the heading, after “small” insert “and medium”;
  - (b) in paragraph 1, for “in the Union” substitute “in Great Britain”;
  - (c) in the table following paragraph 1, in the entry for “N2, N3”, for “delegated acts” substitute “regulations”;
  - (d) in paragraph 2, for “in a Member State, shall be determined by that Member State but”, substitute “in Great Britain”.
- (4) In section B (end-of-series limits)—
  - (a) in the opening words—
    - (i) for “in each Member State”, substitute “in Great Britain”;
    - (ii) for “the Member State” substitute “the Secretary of State”;
  - (b) in paragraph 1—
    - (i) for “in that Member State”, substitute “in Great Britain”;
    - (ii) for “the Member State” substitute “the Secretary of State”.

#### **Amendments to Annex VII**

**42.**—(1) Annex VII (regulatory acts for which a manufacturer may be designated as a technical service) is amended as follows.

- (2) In point 1.3—
  - (a) for “EU” substitute “GB”;
  - (b) for “small” substitute “medium”.
- (3) In paragraph 3 of the Appendix to Annex VII, for “implementing acts referred to in Article 30(3)” substitute “retained direct EU legislation made under Article 30(3) as it had effect before IP completion day, or regulations made under Article 30(3) as it is now in force”.

#### **Amendments to Annex VIII**

**43.** In Appendix 3 to Annex VIII (conditions for the use of virtual testing methods by a manufacturer or a technical service), in the penultimate box on the right side of the flow chart, the reference to “EC Directive” is to be read as a reference to “relevant requirement”.

#### **Amendments to Annex IX**

**44.**—(1) Annex IX (procedures to be followed during multi-stage type-approval) is amended as follows.

- (2) In point 1.1, in the second sentence, for “approval authorities” substitute “the approval authority”.
- (3) In the heading at point 2, for “approval authorities” substitute “the approval authority”.
- (4) In point 2.1, in subparagraphs (a) and (c), for “EU” substitute “GB”.
- (5) In point 2.2, for “EU” substitute “GB”.
- (6) In point 3.2.4, for “EU” substitute “GB”.
- (7) In point 4.2, in the second indent, for “EU” substitute “GB”.
- (8) In the Appendix, for “e2\*201X/XX\*2609” substitute “g11\*201X/XX\*2609”.

#### **Amendments to Annex X**

**45.**—(1) Annex X (access to vehicle OBD information and vehicle repair and maintenance information) is amended as follows.

- (2) In point 2.2, for “An approval authority” substitute “The approval authority”.
- (3) Omit point 5.3.
- (4) In point 6.3, for the words from “Forum” to “Article 66 shall” substitute “Secretary of State must by regulations”.
- (5) In point 6.6, for “Regulation (EC) No 692/2008” substitute “Commission Regulation (EU) 2017/1151(a)”.

## CHAPTER 2

### Other EU Regulations

#### **Regulation (EC) No 715/2007**

- 46.**—(1) Regulation (EC) No 715/2007 is amended as follows.
- (2) In Article 2 (scope), for “Annex II to Directive 70/156/EEC” both times it occurs, substitute “Article 4 of Regulation (EU) 2018/858”.
  - (3) In Article 3 (definitions), in paragraphs 2 and 13, for “Directive 70/156/EEC” each time it occurs, substitute “Regulation (EU) 2018/858”.
  - (4) In Article 4 (manufacturer’s obligations)—
    - (a) in paragraph 1, for “the Community” both times it occurs, substitute “Great Britain”;
    - (b) in paragraph 2, in the third sub-paragraph, omit the final sentence;
    - (c) for paragraph 4, substitute—
 

“4. The Secretary of State may by regulations establish procedures and requirements for the implementation of paragraphs 2 and 3.”.
  - (5) In Article 5(3) (requirements and tests), for the opening words, substitute “The Secretary of State may by regulations impose requirements for the implementation of paragraph 2, which must include establishing the requirements relating to”.
  - (6) In Chapter IV (obligations of member states), in the title, for “Member States” substitute “the Secretary of State”.
  - (7) In Article 10 (type approval)—
    - (a) for “EC type approval or national type approval”, each time it occurs, substitute “GB type-approval”;
    - (b) in paragraph 1, for “national authorities” substitute “Secretary of State”;
    - (c) in paragraphs 2 and 4, for “national authorities”, substitute “approval authority”;
    - (d) in paragraphs 3 and 5—
      - (i) for “Article 7(1) of Directive 70/156/EEC” substitute “Article 48 of Regulation (EU) 2018/858”;
      - (ii) for “national authorities” substitute “the Secretary of State”;
    - (e) in paragraph 6, for “the Community” substitute “Great Britain”.
  - (8) In Article 11 (type approval of replacement parts)—
    - (a) for “national authorities” each time it occurs, substitute “the approval authority”;
    - (b) in paragraph 2, for “EC” substitute “GB”.
  - (9) Omit Articles 12 (financial incentives) and 13 (penalties).
  - (10) In Article 14 (redefinition of specifications)—
    - (a) in paragraph 1—
      - (i) in the first sentence, for “Commission” substitute “Secretary of State”;

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(a) EUR 2017/1151.

- (ii) for the second sentence, substitute “The Secretary of State may make regulations to account for, or limit, methane emissions.”;
  - (b) omit paragraphs 2 and 3;
  - (c) in paragraph 4—
    - (i) in the first sentence, for “Commission” substitute “Secretary of State”;
    - (ii) for the second sentence, substitute “If the Secretary of State considers that it is necessary to regulate the emissions of additional pollutants, the Secretary of State may make regulations amending these Regulations accordingly.”;
  - (d) in paragraph 5—
    - (i) for “Commission” substitute “Secretary of State”;
    - (ii) for the words from “shall present” to the end, substitute “may make regulations if the Secretary of State considers that it is appropriate to do so to tighten the emission limits”.
- (11) For Article 15 (committee procedure), substitute—

*“Article 15*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
  2. Such regulations may—
    - (a) make incidental, supplemental, consequential or transitional provision, and
    - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.
  3. Regulations to which paragraph 4 applies may not be made unless the Secretary of State has consulted with such representative organisations as they think fit.
  4. This paragraph applies to regulations made under Article 4(4) or 5(3).
  5. A statutory instrument containing regulations made under this Article is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (12) Omit Article 16 (amendments to Directives 70/156/EC and 2005/55/EC) and Annex II.
- (13) In Article 18, omit paragraph 3.
- (14) After Article 18 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

**Regulation (EC) No 78/2009: Articles**

- 47.**—(1) Regulation (EC) No 78/2009 is amended as follows.
- (2) In Article 2(1) (scope), for “Article 3(11) of Directive 2007/46/EC and in point 1 of Section A of Annex II thereto”, both times it occurs, substitute “Article 4 of Regulation (EU) 2018/858”.
  - (3) In Article 3(5) (definitions) for “Directive 2007/46/EC” substitute “Commission Implementing Regulation (EU) 2020/683”.
  - (4) In Article 4 (technical requirements)—
    - (a) in paragraphs 3 and 4, for “approval authorities” substitute “approval authority”;
    - (b) for paragraph 6, substitute—
 

“6. The Secretary of State may by regulations lay down technical provisions for the application of the requirements set out in Annex I.”.
  - (5) In Article 5 (application for EC type-approval), including the heading to that Article, for “EC” each time it occurs, substitute “GB”.

(6) In the heading of Chapter III (obligations of the authorities of Member States), for “the authorities of Member States” substitute “the Secretary of State and the approval authority”.

(7) In Article 6 (granting of EC type-approval)—

- (a) in the heading and each time it occurs, for “EC” substitute “GB”;
- (b) in paragraph 1, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”
- (c) in paragraph 3, for “An approval” substitute “The approval”.

(8) In Article 7 (EC type-approval mark)—

- (a) in the heading, for “EC” substitute “GB”;
- (b) in the Article, for “an EC” substitute “a GB”.

(9) In Article 8 (modification of the type and amendments to approvals), for “Article 13 of Directive 2007/46/EC” substitute “Article 33 of Regulation (EU) 2018/858”.

(10) In Article 9 (timetable for application to vehicles)—

- (a) for “EC type-approval” each time it appears, substitute “GB type-approval”;
- (b) in paragraph 1—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) omit “or national type-approval”;
- (c) in paragraph 2—
  - (i) for “national authorities” substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (d) in paragraph 3—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) omit “or national type-approval”;
- (e) omit paragraph 4;
- (f) in paragraph 5—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) omit “or national type-approval”;
- (g) in paragraphs 6, 7 and 8—
  - (i) for “national authorities” substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (h) in paragraph 9—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) omit “or national type-approval”.

(11) In Article 10 (application to frontal protection systems)—

- (a) in paragraph 1—
  - (i) for “National authorities” substitute “The approval authority”;
  - (ii) for “EC” both times it occurs, substitute “GB”;
  - (iii) omit “or national type-approval”;
- (b) in paragraph 2—
  - (i) for “National authorities” substitute “The Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;

- (c) in paragraph 3, for “Article 28 of Directive 2007/46/EC” substitute “Article 50 of Regulation (EU) 2018/858”.
- (12) Omit Articles 11 (collision avoidance systems) to 14 (amendments to Directive 2007/46/EC).
- (13) After Article 16 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

**Regulation (EC) No 78/2009: Annexes**

- 48.**—(1) The Annexes to Regulation (EC) No 78/2009 are amended as follows.
- (2) In the list of Annexes, for “EC” each time it occurs, substitute “GB”.
  - (3) In Annex I (technical provisions for the testing of vehicles and protection systems), in paragraph 1.8, for the definition of “Windscreen” substitute “‘windscreen’ means the frontal glazing of the vehicle situated between the A-pillars;”.
  - (4) In Annex II (model information documents to be supplied by the manufacturer)—
    - (a) in the list of Parts, for “EC” each time it occurs, substitute “GB”.
    - (b) in Part 1, in the heading, for “EC” substitute “GB”;
    - (c) in Parts 2 and 3, for “EC type-approval” each time it occurs, substitute “GB type-approval”;
  - (5) In the notes following Part 3 of Annex II, in note (c), for the words “Section A of Annex II” to the end, substitute “Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(a).”.
  - (6) In Annex III (EC type-approval model certificates)—
    - (a) for “EC type-approval” each time it occurs, including in the heading and in the Appendix, substitute “GB type-approval”;
    - (b) in Parts 1, 2 and 3, in each case in the words before section 1, for “as implemented by ...” substitute “as it has effect in domestic law, as last amended by S.I. ..../....”;
    - (c) in Parts 1 and 2, in note 4 to point 0.4, in each case for the words “Section A of Annex II” to the end, substitute “Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”;
    - (d) in Part 3—
      - (i) at the end of the heading, insert “(SEPARATE TECHNICAL UNIT)”;
      - (ii) in paragraph 0.7 of Section 1, for “EC” substitute “GB”;
      - (iii) in paragraph 1.5.1 of Section II, in note (c) after the table, for “[implementing legislation]” substitute “Regulation (EU) 631/2020”;
    - (e) in the title of the Addenda to each of Part 1, 2 and 3 of Annex III, for “EC type-approval” substitute “GB type-approval”;
    - (f) in the notes to the Addendum to Part 1, in note 3, for “Commission [implementing legislation]” substitute “Commission Regulation (EU) 631/2010”.
  - (7) In Annex IV (EC type-approval mark)—
    - (a) in the heading, and each other time it occurs, including in the Appendix, for “EC type-approval” substitute “GB type-approval”;
    - (b) in point 1.1, for the words “‘e’” to the end of the point, substitute “‘g’ followed by the number 11.”;
    - (c) in point 1.2, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;

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(a) EUR 2018/858, as amended by S.I. 2019/648, 2020/818 and 2020/1393.

- (d) in the Appendix—
  - (i) for the image, substitute—
  - (ii) ;
  - (iii) in the note after the image, omit “in Germany (e1)”;

**Regulation (EC) No 79/2009**

**49.**—(1) Regulation (EC) No 79/2009 is amended as follows.

(2) In Article 2(1) (scope), for “Section A of Annex II to Directive 2007/46/EC”, substitute “Article 4 to Regulation (EU) 2018/858”.

(3) In Article 4 (obligations of manufacturers)—

- (a) in paragraph (1)—
  - (aa) [omit “within the Community”, both times it occurs;]
  - (ii) for “and its implementing measures” substitute “and Commission Regulation (EU) No 406/2010”;
- (b) in paragraphs (2) and (3), for “and its implementing measures” substitute “and Regulation (EU) 406/2010”;
- (c) in paragraph (4), for “authorities” substitute “authority”.

(4) In Article 11 (timetable for application)—

- (a) in paragraph 1—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) for “EC type-approval”, both times it occurs, substitute “GB type-approval”;
  - (iii) omit “or national type-approval”;
  - (iv) for “its implementing measures”, both times it occurs, substitute “Commission Regulation (EU) No 406/2010”;
- (b) in paragraph 2—
  - (i) for national authorities”, substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
  - (iii) for “its implementing measures”, both times it occurs, substitute “Commission Regulation (EU) No 406/2010”;
- (c) in paragraph 3—
  - (i) for “national authorities” substitute “the Secretary of State”;
  - (ii) for “EC type-approval” both times it occurs, substitute “GB type-approval”;
  - (iii) for “its implementing measures”, both times it occurs, substitute “Commission Regulation (EU) No 406/2010”;
  - (iv) in subparagraph (a), omit “or national type-approval”.

(5) In Article 12 (delegated powers)—

- (a) in the opening words, for “The Commission is empowered to adopt delegated acts in accordance with Article 12a in order to” substitute “The Secretary of State may by regulations”;
- (b) in point (e), omit “EC”.

(6) For Article 12a (exercise of the delegation), substitute—

*“Article 12a*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
  2. Such regulations may—
    - (a) make incidental, supplemental, consequential or transitional provision, and
    - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.
  3. Regulations to which paragraph 4 applies may not be made unless the Secretary of State has consulted with such representative organisations as they think fit.
  4. This paragraph applies to regulations made under Article 12, except those made under paragraphs (a), (b) and (f) of that Article.
  5. A statutory instrument containing regulations made under this Article is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (7) Omit Article 15 (penalties for non-compliance).
- (8) After Article 16 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.

**Regulation (EC) No 595/2009**

- 50.**—(1) Regulation (EC) No 595/2009 is amended as follows.
- (2) In Article 2 (scope), in the first subparagraph, for “Annex II of Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.
- (3) In Article 3 (definitions)—
- (a) in the first subparagraph, in points 1 and 10, for “point 25 of Article 3 of Directive 2007/46/EC”, substitute “point 20 of Article 3 of Regulation (EU) 2018/858”;
  - (b) in the second subparagraph—
    - (i) for “The Commission may” substitute “the Secretary of State may by regulations”,
    - (ii) omit the second sentence.
- (4) In Article 4 (obligations of the manufacturers)—
- (a) in paragraph 1, for “the Community” each time it occurs, substitute “Great Britain”;
  - (b) in paragraph 3—
    - (i) for “The Commission shall” substitute “The Secretary of State must, by regulations,”
    - (ii) omit the second sentence.
- (5) In Article 5(4) (requirements and tests)—
- (a) for the opening words, substitute “The Secretary of State may make regulations to implement this Article, including regulations in relation to the following”;
  - (b) omit the second subparagraph.
- (6) In Article 5b (specific requirements for Member States re the environmental performance of certain categories of vehicles)—
- (a) in the heading, omit “for Member States”;
  - (b) in paragraph 1—
    - (i) for “National authorities shall” substitute “The approval authority must”;
    - (ii) for “EC” substitute “GB”;
    - (iii) omit “or national type-approval”;

- (c) in paragraph 2, for “National authorities shall” substitute “The Secretary of State must”.
- (7) In Article 5c (measures for determining certain aspects of environmental performance of some categories of vehicles)—
- (a) in the first subparagraph, in the opening words—
    - (i) for “2021” substitute “2024”;
    - (ii) for the words from “the Commission” to the end, substitute “the Secretary of State must by regulations specify the following”;
  - (b) omit the second subparagraph.
- (8) In Article 8 (timetable for application of type-approval of vehicles and engines) —
- (a) in paragraph 1—
    - (i) in the first subparagraph—
      - (aa) for “national authorities shall” substitute “the approval authority must”;
      - (bb) for “EC type-approval or national type approval” substitute “GB type-approval”;
    - (ii) in the second subparagraph, for “on the Community market” substitute “on the market in Great Britain”;
  - (b) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) for “national authorities shall”, both times it occurs, substitute “the Secretary of State must”;
      - (bb) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
    - (ii) in the second subparagraph, for the words from “national authorities” to the end, substitute “the sale or use of new engines which do not comply with this Regulation and its implementing measures is prohibited”;
  - (c) in paragraph 3—
    - (i) for “national authorities” substitute “the Secretary of State”;
    - (ii) for “EC type-approval or national type approval” substitute “GB type-approval”;
- (9) In Article 9 (obligations of member states concerning type-approval of replacement parts)—
- (a) in the heading, omit “of Member States”;
  - (b) for “shall be prohibited” substitute “is prohibited”.
- (10) Omit Articles 10 (financial incentives) and 11 (penalties).
- (11) In Article 12 (redefinition of specifications)—
- (a) in paragraph 1—
    - (i) for “Commission shall” both times it occurs, substitute “Secretary of State must, by regulations”;
    - (ii) for “the Community” both times it occurs, substitute “Great Britain”;
    - (iii) omit the third subparagraph;
  - (b) omit paragraph 2;
  - (c) in paragraph 3—
    - (i) in the first subparagraph, for “The Commission shall” substitute “The Secretary of State must”;
    - (ii) in the second subparagraph—
      - (aa) in the first sentence, for “they shall be adapted so as to adequately reflect”, substitute “the Secretary of State must by regulations adapt them so that they adequately reflect”;



- (bb) omit the second sentence;
- (d) omit paragraph 4.
- (12) For Article 13 (committee procedure) substitute—

*“Article 13*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
2. Such regulations may—
  - (a) make incidental, supplemental, consequential or transitional provision, and
  - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.
3. Before making any Regulations under this Regulation the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.
4. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

(13) Omit Articles 13a (committee procedure) and 14 (implementation).

(14) After Article 18 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

**Commission Regulation (EC) No 631/2009**

**51.** In Commission Regulation (EC) No 631/2009, after Article 4, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

**Regulation (EC) No 661/2009**

**52.**—(1) Regulation (EC) No 661/2009 is amended as follows.

(2) In Article 2 (scope), for “Section A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation 2018/858”.

(3) In Article 3 (definitions), for “Directive 2007/46/EC”, substitute “Regulation (EU) 2018/858”.

(4) In Article 4 (general obligations)—

- (a) in paragraph 1, for “the Community” substitute “Great Britain”;
- (b) in paragraph 2, for “EC” substitute “GB”;
- (c) in paragraph 3, for “the Community” substitute “Great Britain”.

(5) In Article 12(2) (electronic stability control systems), in the opening words and in point (b), for “Section A of Annex II to Directive 2007/46/EC” substitute “Part A of Annex I of Regulation 2018/858”.

(6) Before Article 13 (type-approval of vehicles, components and separate technical units), in the heading to Chapter III, for “Member States” substitute “approval authority”.

(7) In Article 13—

- (a) in paragraph 1—
  - (i) for “national authorities” both times it occurs, substitute “the approval authority”;
  - (ii) for “EC-type-approval or national type-approval”, both times it occurs, substitute “GB type-approval”;
- (b) in paragraph 2—
  - (i) in the opening words, for “national authorities” substitute “the approval authority”;

- (ii) in point (a), for “EC-type-approval or national type-approval” substitute “GB type-approval”;
  - (iii) in point (b), for “EC” substitute “GB”;
- (c) in paragraph 3
  - (i) for “national authorities” both times it occurs, substitute “the approval authority”;
  - (ii) in the first sub-paragraph, for “EC” substitute “GB”;
  - (iii) in the second sub-paragraph, for “EC-type-approval or national type-approval” substitute “GB type-approval”;
- (d) in paragraph 4—
  - (i) for “national authorities”, substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (e) in paragraphs 5, 6, 8, 9, 10, 13, and 15, for “national authorities”, substitute “the Secretary of State”;
- (f) in paragraphs 5(a), 6(a), 9(a), 10(a) and 13, for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (g) in paragraph 7—
  - (i) for “national authorities” substitute “the approval authority”;
  - (ii) for “EC” substitute “GB”;
- (h) in paragraph 8, for “EC-type-approval or national type-approval” substitute “GB type-approval”;
- (i) in paragraph 12, for “EC-type-approval or national type-approval” substitute “GB type-approval”;
- (j) in paragraph 14—
  - (i) in the first subparagraph—
    - (aa) for “National authorities shall” substitute “The Secretary of State must”;
    - (bb) after “3 and” insert “the approval authority must”;
  - (ii) in the second sub-paragraph—
    - (aa) for “National authorities shall” substitute “The Secretary of State must”;
    - (bb) after “service of, and” insert “the approval authority must”;
    - (cc) for “EC type-approval” substitute “GB type-approval”;
- (k) in paragraph 15(a)—
  - (i) for “EC-type-approval or national type-approval” substitute “GB type-approval”;
  - (ii) for “EC component” substitute “GB component”.
- (8) In Article 14 (implementing measures)—
  - (a) in paragraph 1, in the opening words, for “Commission shall” substitute “Secretary of State may by regulations”;
  - (b) in point (b), omit “within or between Member States”;
  - (c) in point (f), for “that are mandatory under Article 4(4) of Decision 97/836/EC” substitute “which the United Kingdom has voted in favour of”;
  - (d) omit paragraph 2;
  - (e) in paragraph 3—
    - (i) in the opening words, for “Commission may” substitute “Secretary of State may by regulations”;
    - (ii) omit point (b);
  - (f) omit paragraph 4.

(9) For Article 15 (committee procedure), substitute—

*“Article 15*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.

2. Such regulations may—

- (a) make incidental, supplemental, consequential or transitional provision, and
- (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.

3. Before making any regulations in accordance with this Article, the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.

3. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

(10) Omit Articles 16 and 17.

(11) After Article 20, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.!”

(12) In Annex IV, in the notes to the table—

- (a) in the second paragraph, for “Articles 26 and 28 of Directive 2007/46” substitute “Articles 48 and 50 of Regulation (EU) 2018/858”;
- (b) in the final sentence of the third paragraph—
  - (i) for “national authorities” substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (c) in note (a). for “EC” substitute “GB”;
- (d) in note (f), in the opening words, for “point 2.11.5 of Annex I to Directive 2007/46/EC” substitute “point 1.9 of Annex I to Commission Implementing Regulation (EU) 2020/683”;
- (e) in note (h), for “an EC” substitute “a GB”.

**Commission Regulation (EU) No 406/2010**

**53.**—(1) Commission Regulation (EU) No 406/2010 is amended as follows.

(2) In Article 2 (administrative provisions for EC type-approval of a vehicle re hydrogen propulsion)—

- (a) in the heading and paragraph 1, for “EC type-approval” substitute “GB type-approval”;
- (b) in paragraphs 2 and 4, for “an EC type-approval” substitute “a GB type-approval”;
- (c) in paragraph 3—
  - (i) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (ii) for “A Member State” substitute “The approval authority”.

(3) In Article 3 (administrative provisions for EC component type-approval of hydrogen components)—

- (a) in the heading and paragraph 1, for “EC component type-approval” substitute “GB component type-approval”;
- (b) in paragraph 2—
  - (i) for “an EC component type-approval” substitute “a GB component type-approval”;

- (ii) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (iii) for “A Member State” substitute “The approval authority”;
  - (iv) in paragraphs 3, for “an EC type-approval” substitute “a GB type-approval”.
- (4) In Article 4 (regulatory provisions which do not apply) —
- (a) in the opening words—
    - (i) for “EC” substitute “GB”;
    - (ii) for “Articles 6 and 9 of Directive 2007/46/EC” substitute “Article 22(1) of Regulation (EU) 2018/858”;
  - (b) in point (1), for “Council Directive 80/1268/EEC” substitute “Regulation (EC) 715/2007 in respect of the determination of fuel consumption and CO<sub>2</sub> emissions”;
  - (c) in point (2), for “Council Directive 80/1269/EEC” substitute “Regulation (EC) 715/2007 or Regulation (EC) No 595/2007, both in respect of the determination of engine power”;
  - (d) in point (3), for “Annex I to Council Directive 70/2221/EEC” substitute “UN Regulation 34, as amended by the 03 series of amendments(a)”;
  - (e) in point (4), for “Section 3.3.5 of Annex II and Section 4.3.2 of Appendix 1 to Annex II to Directive 96/27/EC of the European Parliament and of the Council” substitute “paragraphs 5.3.6 and 4.3.2 of Annex 4 of UN Regulation 95, as amended by the 03 series of amendments(b)”;
  - (f) in point (5) for “Section 3.2.6 of Annex II and Section 1.4.2.2 of Appendix 1 to Annex II to Directive 96/79/EC of the European Parliament and of the Council” substitute “paragraphs 5.2.6 and 1.4.2.2 of Annex 3 of UN Regulation 94, as amended by the 03 series of amendments(c)”;
- (5) In Article 5 (EC component approval mark)—
- (a) for “EC” in the heading and the first time it occurs, substitute “GB”;
  - (b) for “an EC” substitute “a GB”.
- (6) After Article 6 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”
- (7) In the list of Annexes, for “EC” each time it occurs, substitute “GB”.
- (8) In Annex I (administrative documents for EC type-approval of vehicles re hydrogen propulsion)—
- (a) in the title of the Annex and in the heading of the information document in Part 1, for “EC” substitute “GB”;
  - (b) in Part 1 (information document)—
    - (i) in the explanatory notes following paragraph 3.9.2.6, in note (c), for “Part A of Annex II to Directive 2007/46/EC” substitute “Article 4 to Regulation (EU) 2018/858”;
    - (ii) in the Appendix to the information document, in the entry for “Container statement of service”, after “406/2010” insert “as it has effect in domestic law”;
  - (c) in Part 2 (EC type-approval)—
    - (i) for “EC” each time it occurs, substitute “GB”;
    - (ii) in the words before Section I, after “406/2010” insert “as it has effect in domestic law, as last amended by S.I. / ”;
    - (iii) in Section I, for paragraphs 0.1 to 0.9 substitute—
 

“(to be completed in accordance with Section 1 of the template of Model B in Annex III to Commission Implementing Regulation (EU) 2020/683)”;

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(a) OJ L231, 26.8.2016, p.41.  
 (b) OJ L183, 10.7.2015, p.91.  
 (c) OJ L35, 8.2.2018, p.1.

- (iv) in Section II, for paragraphs 1 to 8, and the list of attachments, substitute—  
“(to be completed in accordance with Section II of the template of Model B in Annex III to Commission Implementing Regulation (EU) 2020/683)”;
- (v) in the Addendum, for “EU” in the heading and both other times it occurs, substitute “GB”;
- (d) in Part 3 (information to be provided for inspection)—
  - (i) in paragraph 1(b), for “Council Directive 76/114/EEC” substitute “Commission Regulation (EU) No 19/2011”;
  - (ii) in paragraph 2—
    - (aa) for “approval authorities” substitute “the appropriate authority”;
    - (bb) omit “in the Member States”.
- (9) In Annex II (administrative documents for EC component type-approval of hydrogen components and systems)—
  - (a) in the title, and each other time it occurs, including in the Addendum to Part 2, for “EC” substitute “GB”;
  - (b) in Part 2 (EC type-approval certificate)—
    - (i) in the words before Section 1, after “406/2010” insert “, as last amended by S.I. / ”;
    - (ii) in Section 1, for paragraphs 0.1 to 0.9 substitute—  
“(to be completed in accordance with Section I of the template of Model C in Annex III to Commission Implementing Regulation (EU) 2020/683)”;
    - (iii) in Section II, for paragraphs 1 to 8 and the following list of attachments, substitute—  
“(to be completed in accordance with Section II of the template of Model C in Annex III to Commission Implementing Regulation (EU) 2020/683)”;
  - (c) in Part 3 (EC component type-approval mark)—
    - (i) for paragraph 1.1, substitute—  
“1.1.a rectangle surrounding the lower-case letter ‘g’ followed by the number 11;
    - (ii) in the Addendum to Appendix 1—
      - (aa) for the image, substitute—
      - (bb) ;
      - (cc) in the legend, for “by Belgium” substitute “by the United Kingdom”.
- (10) In Annex III (requirements for hydrogen components and systems designed to use liquid hydrogen)—
  - (a) in Part 1, in point 2.4, for “Directives 96/27/EC and 96/79/EC of the European Parliament and of the Council” substitute “UN Regulation No 94 and UN Regulation No 95”;
  - (b) in Part 2, in point 5.5.1, for “EC” substitute “GB”.
- (11) In Annex IV (requirements for hydrogen components and systems designed to use compressed hydrogen)—
  - (a) for “EC”, each time it occurs, substitute “GB”;
  - (b) in Part 1, in point 2.3, for “Directives 96/27/EC and 97/79/EC” substitute “UN Regulation No 94 and UN Regulation No 95”.

**Commission Regulation (EU) No 672/2010**

**54.**—(1) Commission Regulation (EU) No 672/2010 is amended as follows.

(2) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.

(3) In Article 3 (provisions for EC type-approval of a vehicle re windscreen defrosting and demisting systems)—

- (a) in paragraphs 1, and in the heading to the Article, for “EC type-approval” substitute “GB type-approval”;
- (b) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”;
- (c) in paragraph 3—
  - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC”, substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”.

(4) In Article 4—

- (a) omit “National authorities shall permit”;
- (b) for “661/2009” substitute “661/2009 is permitted, and the approval authority must”.

(5) Omit “This Regulation shall be binding in its entirety and directly applicable in all Member States” following Article 5.

(6) In Annex I (administrative documents for EC type-approval of motor vehicles re windscreen defrosting and demisting systems)—

- (a) for “EC type-approval” in the title and each other time it occurs, including in the heading to Annex I, substitute “GB type-approval”;
- (b) in point 9.1, for “Annex II of Directive 2007/46/EC” substitute “Annex I of Regulation (EU) 2018/858”;
- (c) in the notes following Part 1—
  - (i) in note (<sup>c</sup>), for “Directive 2007/46/EC Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (ii) in note (<sup>n</sup>), for “Council Directive 80/1269/EEC (OJ L 375, 31.12.1980, p. 46)” substitute “Regulation (EC) 715/2007 (OJ L 171, 29.6.2007, p.1)”;
- (d) in Part 2—
  - (i) in the words before Section I, for “as last amended by Regulation (EU) No ... / ...” substitute “as it has effect in domestic law, as last amended by S.I. .... /.....”;
  - (ii) in the notes following Section II of Part 2, in note (<sup>3</sup>), for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”.

### **Commission Regulation (EU) No 1003/2010**

**55.**—(1) Commission Regulation (EU) No 1003/2010 is amended as follows.

(2) In Article 2 (provisions for EC type-approval of a motor vehicle or a trailer re the space for rear registration plates)—

- (a) in the heading, and in paragraph 1, for “EC type-approval”, substitute “GB type-approval”;
- (b) in paragraph 3—
  - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”;
- (c) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”..

(3) In Article 3—

- (a) omit “National authorities shall permit”;
- (b) for “661/2009 and” substitute “661/2009 is permitted, and the approval authority must”.

(4) Omit “This Regulation shall be binding in its entirety and directly applicable in all Member States” following Article 4.

(5) In Annex I (administrative documents for EC type-approval of motor vehicles and their trailers re the space for rear registration plates)—

- (a) for “EC type-approval”, each time it occurs including in the heading, substitute “GB type-approval”;
- (b) in the explanatory notes at the end of Part 1, in note (c), for “Directive 2007/46/EC Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
- (c) in Part 2—
  - (i) for “as last amended by Regulation (EU) No ... / ...” substitute “as it has effect in domestic law, as last amended by S.I. .... /.....”;
  - (ii) in note (3) to point 0.4 of Section I, for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”.

(6) In Annex II (requirements for the space for mounting and fixing rear registration plates), in point 1.2.3—

- (a) for “point 2.11.5 of Annex I to Directive 2007/46/EC” substitute “point 1.9 of Annex I to Commission Implementing Regulation (EU) 2020/683”;
- (b) for “EC type-approval” substitute “GB type-approval”.

#### **Commission Regulation (EU) No 1005/2010**

**56.**—(1) Commission Regulation (EU) No 1005/2010 is amended as follows.

(2) For “EC type-approval”, each time it occurs, except in Article 3, paragraphs 3 and 4, substitute “GB type-approval”.

(3) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.

(4) In Article 3 (provisions for EC type-approval of a vehicle re towing devices)—

- (a) in paragraph 3—
  - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;
  - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”.
- (b) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”.

(5) In Article 4—

- (a) omit “National authorities shall permit”;
- (b) for “661/2009, and” substitute “661/2009 is permitted, and the approval authority must”.

(6) Omit “This Regulation shall be binding in its entirety and directly applicable in all Member States” following Article 5.

(7) In Annex I (administrative documents for vehicles re towing devices)—

- (a) after paragraph 1.1, insert—

“1.9. Specify if the towing vehicle is intended to tow semi-trailers or other trailers and if the trailer is—

  - (a) a semi-trailer,
  - (b) a drawbar-trailer,
  - (c) a centre-axle-trailer, or
  - (d) a rigid-drawbar trailer.”;
- (b) omit paragraph 2.11.5;

- (c) in the explanatory notes at the end of Part 1, in note (c), for “Directive 2007/46/EC Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (d) in Part 2—
    - (i) for “as last amended by Regulation (EU) No ... / ...” substitute “as it has effect in domestic law, as last amended by S.I. .... /.....;”;
    - (ii) in note (3) to point 0.4 of Section I, for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”.
- (8) In Annex II (requirements for towing devices), in point 1.1.2, for “Directive 2007/46/EC Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”.

**Commission Regulation (EU) No 1008/2010**

- 57.**—(1) Commission Regulation (EU) No 1008/2010 is amended as follows.
- (2) For—
- (a) “an EC type-approval”, in Article 3(3) and 3(4), and in Article 4(3), substitute “a GB type-approval”;
  - (b) in all other cases, for “EC type-approval”, each time it occurs, substitute “GB type-approval”.
- (3) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.
- (4) In Article 3(3) (EC type-approval of a vehicle re windscreen wiper and washer systems)—
- (a) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;
  - (b) in the second subparagraph, for “A Member State” substitute “The approval authority”.
- (5) In Article 4 (EC separate technical unit type-approval of windscreen washer systems)—
- (a) in the heading, and both other times it appears, for “EC separate” substitute “GB separate”;
  - (b) in paragraph 2—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”.
- (6) In Article 5 (EC separate technical unit type-approval mark),--
- (a) in the heading and both other times it appears, for “EC” substitute “GB”;
  - (b) at the end insert as a new subparagraph—
 

“This Article does not apply to a separate technical unit which was manufactured before 1 July 2025 and is of a type which has been approved by an approval authority of a Member State in accordance with Commission Regulation (EU) 1008/2010 or Annex IV to Commission Implementing Regulation (EU) 2021/535, in each case as they have effect in EU law.”.
- (7) In Article 6—
- (a) omit “National authorities shall permit”;
  - (b) for “661/2009, and” substitute “661/2009 is permitted, and the approval authority must”.
- (8) Omit “This Regulation shall be binding in its entirety and directly applicable in all Member States” following Article 7.
- (9) In Annex I (administrative documents for vehicles re their windscreen wiper and washer systems)—
- (a) in the explanatory notes at the end of Part 1—



- (i) in note (c), for “Directive 2007/46/EC Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (ii) in note (n), for “Directive 80/1269/EEC (OJ L 375, 31.12.1980, p. 46)” substitute “Regulation (EU) No 715/2007 (OJ L 171, 29.6.2007, p.1)”;
- (b) in Part 2—
- (i) for “as last amended by Regulation (EU) No ... / ...” substitute “as it has effect in domestic law, as last amended by S.I. .... /.....,”;
  - (ii) in note (3) to point 0.4 of Section I, for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”.
- (10) In Annex II (Administrative documents for windscreen washer systems as separate technical units)—
- (a) in Part 1, in point 0.7, for “EC” substitute “GB”;
  - (b) in Part 2—
    - (i) for “as last amended by Regulation (EU) No ... / ...” substitute “as it has effect in domestic law, as last amended by S.I. .... /.....,”;
    - (ii) in Section I, in point 0.7, for “EC” substitute “GB”;
  - (c) in Part 3—
    - (i) in the Heading and in point 1, for “EC” substitute “GB”;
    - (ii) for point 1.1, substitute—
 

“1.1. A rectangle surrounding the lower-case letter “g”, followed by the number “11”.”
    - (iii) in point 2, for “EC” substitute “GB”;
    - (iv) in point 3—
      - (aa) for “EC”, both times it occurs, substitute “GB”;
      - (bb) for figure 1, substitute the following image—
    - (v) in the explanatory note following point 3—
      - (aa) for “EC” substitute “GB”;
      - (bb) omit “by The Netherlands”.

### **Commission Regulation (EU) No 1009/2010**

- 58.**—(1) Commission Regulation (EU) No 1009/2010 is amended as follows.
- (2) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 to Regulation (EU) 2018/858.”
- (3) In Article 3 (provisions for EC type-approval of a vehicle re wheel guards)—
- (a) in the heading and in paragraphs 1, 3 and 4, for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State”, substitute “The approval authority”.
  - (c) in paragraphs 3 and 4, for “an EC” substitute “a GB”.
- (4) In Article 4—
- (a) omit “National authorities shall permit”;
  - (b) for “661/2009 and” substitute “661/2009 is permitted, and the approval authority must”.
- (5) Omit “This Regulation shall be binding in its entirety and directly applicable in all Member States” following Article 5.

- (6) In Annex I (administrative documents for vehicles for wheel guards)—
- (a) in the heading, for “EC type-approval” substitute “GB type-approval”;
  - (b) in Part 1—
    - (i) in the first point, for “EC type-approval” substitute “GB type-approval”;
    - (ii) in the notes to Part 1, in the note <sup>(c)</sup> to point 0.4, for “Directive 2007/46/EC, Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (c) in Part 2—
    - (i) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
    - (ii) in the opening section, for “as last amended by Regulation (EU) No .../...” substitute “as it forms part of domestic law, and as last amended by S.I. .../...”;
    - (iii) in the notes to Part 2, in note <sup>(3)</sup> to point 0.4, for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (d) in the Addendum to Part 2, in the heading “for “EC type-approval” substitute “GB type-approval”.

### **Commission Regulation (EU) No 19/2011**

- 59.**—(1) Commission Regulation (EU) No 19/2011 is amended as follows.
- (2) In Article 2(3) (definitions), for “Annex II, Part B to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.
- (3) In Article 3 (provisions for EC type-approval of a type of vehicle re the manufacturer’s statutory plate and vehicle identification number)—
- (a) in the heading and in paragraph 1, for “EC” substitute “GB”;
  - (b) in paragraph 4—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”;
  - (c) in paragraph 5, for “an EC” substitute “a GB”.
- (4) In Article 4—
- (a) omit “National authorities shall permit”;
  - (b) for “661/2009 and” substitute “661/2009 is permitted, and the approval authority must”.
- (5) After Article 5 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.
- (6) In Annex I (technical requirements), after point 2.3, insert—
- “2.4. By way of derogation from point 2.1(b)—
- (a) for vehicles manufactured prior to 30th June 2023 which are of a type approved by an approval authority of a member State under Regulation (EU) 2018/858 as it applies in EU law, the manufacturer may instead print the whole vehicle type approval number according to Annex IV of Commission Implementing Regulation (EU) 2020/683 as it applies in EU law;
  - (b) a vehicle which is of a type which has been approved by an approval authority of a member State in accordance with Regulation (EU) 2018/858 as it applies in EU law may be fitted with a statutory plate which is printed with the whole vehicle type approval number in accordance with Annex IV of Commission Implementing Regulation (EU) 2020/683 as it applies in EU law, instead of the GB whole vehicle type approval number. In this case, the whole vehicle type approval number (according to Annex IV of Regulation (EU) 2020/683) must be printed on the

statutory plate below or to the side of the “clearly marked rectangle” referred to in point 4.1.

2.5. By way of derogation from point 2.1, a vehicle which is of a type which has been approved by an approval authority of a member State in accordance with Regulation (EU) 2018/858 as it applies in EU law, may, as an alternative to point 2.4(b), be fitted with a statutory plate that does not contain the information required in sub-paragraph 2.1(d) to (f) if it is also fitted with a statutory plate complying with Commission Regulation (EU) 19/2011 or with Annex II to Regulation (EU) 2021/535, in each case as they apply in the EU.”.

(7) In the Appendix to Annex I—

- (a) in paragraph 1—
  - (i) for “e3\*2007/46\*0004” substitute “g11\*2007/46\*0004”;
  - (ii) for “Italy” substitute “Great Britain”;
- (b) in paragraph 2—
  - (i) for “e1\*2007/46\*0345” substitute “g11\*2007/46\*0345”;
  - (ii) for “Germany” substitute “Great Britain”;
- (c) in paragraph 3—
  - (i) for “e11\*2007/46\*0085” substitute “g11\*2007/46\*0085”;
  - (ii) for “the United Kingdom” substitute “Great Britain”;
- (d) in paragraph 4—
  - (i) for “e6\*2007/46\*0098” substitute “g11\*2007/46\*0098”;
  - (ii) for “Belgium” substitute “Great Britain”

(8) In Annex II, in paragraph 1.1, for “national authority” substitute “approval authority”

(9) In Annex III—

- (a) in Part A (information document)—
  - (i) in the first paragraph, for “EC” substitute “GB”;
  - (ii) in point 0.6, for “manufacturer’s statutory plate” substitute “statutory plates and location of vehicle identification number”;
  - (iii) omit points 0.7, 0.7.1 and 0.7.2;
- (b) in Part B (EC type-approval certificate)—
  - (i) in the heading, and each time it appears, for “EC” substitute “GB”;
  - (ii) for “Regulation (EU) No .../..., as last amended by Regulation (EU) No .../...” Substitute “Regulation (EU) No 19/2011 as it forms part of domestic law, as last amended by S.I. .../...”;
- (c) in the Addendum to Part B, for “EC” substitute “GB”;
- (d) in the explanatory notes following Part A of Annex III, in note (b), for “Directive 2007/46/EC Part A of Annex II”, substitute “Article 4 of Regulation (EU) 2018/858”;
- (e) in the explanatory notes following Part B of Annex III, in note (3), for “Annex II Section A” substitute “Article 4 of Regulation (EU) 2018/858”.

### **Commission Regulation (EU) No 109/2011**

**60.**—(1) Commission Regulation (EU) No 109/2011 is amended as follows.

(2) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.

(3) In Article 2 (definitions)—

- (a) in point (11), for the words from “point 2.15” to the end, substitute “point 35 of Article 2 of Commission Regulation (EU) 1230/2012”;

- (b) in point (12), for the words from “point 2.6” to the end, substitute “point 4 of Article 2 of Commission Regulation (EU) 1230/2012”;
  - (c) in point (13), for the words from “as defined” to the end, substitute “which comes into contact with the ground”;
  - (d) in point (15), for “as defined in point 2.1.1.2.2 of Annex I to Directive 97/27/EC” substitute “which is designed and constructed exclusively or principally to tow semi-trailers”;
  - (e) in point (16), for “point 2.8 of Annex I to Directive 2007/46/EC”, substitute “point 7 of Article 2 of Commission Regulation (EU) 1230/2012”;
- (4) In Article 3 (EC type-approval of a vehicle re spray suppression systems)—
- (a) in the heading, and in paragraph 1, for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “An approval” substitute “The approval”;
- (5) In Article 4 (EC separate technical unit type-approval of spray suppression systems)—
- (a) in the heading, and in paragraph 1 for “EC separate” substitute “GB separate”;
  - (b) in paragraph 2—
    - (i) in the first subparagraph—
      - (aa) for “an EC” substitute “a GB”;
      - (bb) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “An approval” substitute “The approval”;
  - (c) in paragraph 3, for “EC type-approval” substitute “GB type-approval”.
- (6) In Article 5 (EC separate technical unit type-approval mark)—
- (a) for “EC separate”, in the heading and the first other time it occurs, substitute “GB separate”;
  - (b) for “an EC” substitute “a GB”;
  - (c) at the end, insert as a new subparagraph—
 

“This Article does not apply to a separate technical unit which was manufactured before 1 July 2025 and is of a type which has been approved by an approval authority of a Member State in accordance with Commission Regulation (EU) 109/2011 or Annex VIII of Commission Implementing Regulation (EU) 2021/535, in each case as they have effect in EU law.”.
- (7) In Article 6—
- (a) omit “National authorities shall permit”;
  - (b) for “2012 and” substitute “is permitted, and the approval authority must”.
- (8) After Article 7 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”
- (9) In Annex I (administrative documents for type approval of vehicles re their spray suppression systems)—
- (a) in the heading and in the first paragraph of Part 1, for “EC type-approval” substitute “GB type-approval”;
  - (b) in Part 2—
    - (i) in the certificate heading, and each time it occurs, for “EC type-approval” substitute “GB type-approval”;

- (ii) in the opening section, for “Regulation (EU) ... / ..., as last amended by Regulation (EU) No .../...” substitute “Regulation (EU) No 109/2011, as it has effect in domestic law, and as last amended by S.I. ..../.....”;
  - (c) in note (3) after Part 2, for “Directive 2007/46/EC, Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (d) in the heading to the Addendum to Part 2, for “EC type-approval” substitute “GB type-approval”.
- (10) In Annex II (administrative documents for spray suppression systems as separate technical units)—
- (a) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”
  - (b) in Part 1—
    - (i) in point 0.7, for “EC approval” substitute “GB approval”;
    - (ii) in point 1.3, for “EC component” substitute “GB component”;
  - (c) in Part 2—
    - (i) in the opening section, for “Regulation (EU) No ... / ..., as last amended by Regulation (EU) No .../...” substitute “Regulation (EU) No 109/2011, as it has effect in domestic law, and as last amended by S.I. ..../.....”;
    - (ii) in point 0.7 of section I, for “EC approval” substitute “GB approval”;
  - (d) in Part 3—
    - (i) for point 1.1, substitute—
      - “1.1. A rectangle surrounding the lower-case letter “g” followed by the number “11”.”
    - (ii) in point 3, for the example of a separate technical unit type-approval mark, substitute—
    - (iii) in the legend following the example, omit “by The Netherlands”.
- (11) In Annex III (requirements and tests for spray suppression devices)—
- (a) in the heading to point 2, for “EC component” substitute “GB component”;
  - (b) in point 2.1—
    - (i) for “EC component” substitute “GB component”;
    - (ii) for “Article 7 of Directive 2007/46/EC” substitute “Article 23 of Regulation 2018/858”;
  - (c) in point 2.4.1, for “EC component” substitute “GB component”;
  - (d) in point 2.4.2, for “the Appendix of Annex VII to Directive 2007/46/EC” substitute “Annex V to Commission Implementing Regulation (EU) 2020/683”.
- (12) In Annex IV (requirements for type-approval of vehicles re their spray suppression systems), in point 0.1, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.
- (13) In Annex V (conformity of production and cessation of production)—
- (a) in point 1.1, 1.2 and 2, for “EC component” each time it occurs, substitute “GB component”;
  - (b) in point 1.1 for “EC type-approval” substitute “GB type-approval”.

### **Commission Regulation (EU) No 458/2011**

- 61.**—(1) Commission Regulation (EU) No 458/2011 is amended as follows.
- (2) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.
  - (3) In Article 3 (EC type-approval of a vehicle re the installation of its tyres)—

- (a) in the heading, and in paragraph 1, for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”;
  - (c) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”.
- (4) After Article 4 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”
- (5) In Annex I (administrative provisions for the type-approval of vehicles re the installation of their tyres)—
- (a) in Part 1—
    - (i) in the first paragraph, for “EC type-approval” substitute “GB type-approval”;
    - (ii) in the explanatory notes following Part 1, in note (c) to point 0.4, for “for “Directive 2007/46/EC Part A of Annex II”, substitute “Article 4 of Regulation (EU) 2018/858”;
  - (b) in Part 2—
    - (i) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
    - (ii) in the opening section, for “Regulation (EU) No .../2011” substitute “Commission Regulation (EU) No 458/2011 as it has effect in domestic law, and as last amended by S.I. ..../...”;
    - (iii) in the explanatory notes following Part 2, in note (3) to point 0.4, for “Directive 2007/46/EC, Annex II, Section A”, substitute “Article 4 of Regulation (EU) 2018/858”;
  - (c) in the Addendum to Part 2—
    - (i) in the heading “for EC type-approval” substitute “GB type-approval”;
    - (ii) in point 4, for “Regulation No 64” substitute “Regulation No 64 or UNECE Regulation No 141”.

### **Commission Regulation (EU) No 582/2011: Articles**

- 62.**—(1) Commission Regulation (EU) No 582/2011 is amended as follows.
- (2) In Article 2 (definitions), omit point (44).
  - (3) Omit Articles 2a (access to vehicle OBD and vehicle repair and maintenance information) to 2h (forum on access to vehicle information).
  - (4) In Article 3 (requirements for type-approval)—
    - (a) in paragraph 1—
      - (i) for “EC type-approval”, the second time it occurs, substitute “GB type approval”;
      - (ii) omit “and vehicle repair and maintenance information” each time it occurs;
      - (iii) in the second subparagraph, for “in the Union” substitute “in Great Britain”;
    - (b) in paragraphs 1, 2, 4, 6, 7 and 8, for “an EC type-approval” each time it occurs, substitute “a GB type-approval”;
    - (c) omit paragraphs 1a to 1c;
    - (d) in paragraphs 2 and 3, omit “and vehicle repair and maintenance information” each time it occurs;
    - (e) in paragraph 3, for “the EC type-approval” substitute “the GB type-approval”;
    - (f) in paragraph 6, omit “and vehicle repair and maintenance information”;
    - (g) in paragraph 14, after “the Union” insert “or the United Kingdom”.

- (5) In Article 4 (on board diagnostics)—
- (a) in paragraph 3, after “the Union” insert “or the United Kingdom”;
  - (b) omit paragraph 8.
- (6) In Article 5 (application for EC type-approval of an engine system or family as a separate technical unit re emissions etc)—
- (a) in the heading—
    - (i) for “EC” substitute “GB”;
    - (ii) omit “and access to repair and maintenance information”;
  - (b) in paragraph 1, for “EC” substitute “GB”;
  - (c) in paragraph 4, omit points (d) and (g).
- (7) In Article 6 (administrative provisions for EC type-approval of an engine system or family as a separate technical unit re emissions etc)—
- (a) in the heading—
    - (i) for “EC type-approval” substitute “GB type-approval”;
    - (ii) omit “and access to repair and maintenance information”;
  - (b) in paragraph 1—
    - (i) in the first sub-paragraph, for “an EC type-approval” substitute “a GB type-approval”;
    - (ii) for “Annex VII to Directive 2007/46/EC” both times it occurs, substitute “Annex IV to Commission Implementing Regulation 2020/683”;
  - (c) in paragraph 1a—
    - (i) in the opening words, “an EC type-approval” substitute “a GB type-approval”;
    - (ii) in point (a), “EC type-approval” substitute “GB type-approval”;
    - (iii) omit point (b);
  - (d) in paragraph 2, for “an EC type-approval”, substitute “a GB type-approval”.
- (8) In Article 7 (application for EC type-approval of a vehicle with an approved engine system re emissions etc)—
- (a) in the heading, and in paragraph 1a(a), for “EC type-approval” substitute “GB type-approval”;
  - (b) in the heading, omit “and access to vehicle repair and maintenance information”;
  - (c) in paragraph 4, omit points (c) and (d).
- (9) In Article 8 (administrative provisions for EC type-approval of a vehicle with an approved engine system re emissions etc)—
- (a) in the heading—
    - (i) for “EC type-approval” substitute “GB type-approval”;
    - (ii) omit “and access to vehicle repair and maintenance information”;
  - (b) in paragraphs 1, 1a and 2, for “an EC type-approval”, each time it occurs, substitute “a GB type-approval”;
  - (c) in paragraph 1, in the opening words, omit “and access to vehicle repair and maintenance information”;
    - (i) for “Annex VII to Directive 2007/46/EC”, both times it occurs, substitute “Annex IV to Commission Implementing Regulation 2020/683”;
  - (d) in paragraph 1a—
    - (i) omit point (b);
    - (ii) in point (e), for “the Union” substitute “Great Britain”.
- (10) In Article 9 (application for EC type-approval of a vehicle re emissions)—

- (a) in the heading and in paragraph 1—
  - (i) for “EC” substitute “GB”;
  - (ii) omit “and access to vehicle repair and maintenance information”.
- (11) In Article 10 (administrative provisions for EC type-approval of a vehicle re emissions)—
  - (a) in the heading, and in paragraph 1a(a), for “EC” substitute “GB”;
  - (b) in the heading, in the first sub-paragraph of paragraph 1, and paragraph 1a, omit “and access to vehicle repair and maintenance information”;
  - (c) in paragraph 1—
    - (i) for “an EU type-approval” substitute “a GB type-approval”;
    - (ii) for “Annex VII to Directive 2007/46/EC”, both times it occurs, substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (d) in paragraph 1a—
    - (i) in the opening words, for “an EU type-approval” substitute “a GB type-approval”;
    - (ii) omit point (b);
    - (iii) in point (e), for “the Union” substitute “Great Britain”;
  - (e) in paragraph 2, for “an EU type-approval” substitute “a GB type-approval”.
- (12) In Article 11 (conformity of production), in paragraph 1, for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”.
- (13) In Article 12 (in-service conformity)—
  - (a) in paragraph 1, for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”;
  - (b) in paragraph 5, omit “or based on in-service testing conducted by a Member State,”;
  - (c) in paragraph 6—
    - (i) for “Any Member State” substitute “The Secretary of State”;
    - (ii) omit the last sentence;
  - (d) omit paragraphs 7 to 10.
- (14) In Article 13 (remedial measures)—
  - (a) in paragraph 3, for “Article 30(1) and 30(5) of Directive 2007/46/EC” substitute “Article 52 of Regulation (EU) 2018/858”;
  - (b) in paragraph 4, omit “and all Member States”.
- (15) In Article 15 (pollution control devices), in paragraph 1, for “EC type-approved”, both times it occurs, substitute “GB type-approved”.
- (16) In Article 16 (application for replacement pollution control devices as separate technical units)—
  - (a) in the heading, and in paragraph 1, for “EC” substitute “GB”;
  - (b) omit paragraph 3.
- (17) In Article 17 (administrative provisions for replacement pollution control devices as separate technical units)—
  - (a) in the heading, for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraphs 1 and 2, for “an EC type-approval” substitute “a GB type-approval”;
  - (c) in paragraph 1, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”.
- (18) In Article 17a (transitional provisions)—
  - (a) in paragraph 1—
    - (i) for “national authorities” substitute “the approval authority”;



- (ii) for “EC” substitute “GB”;
- (iii) omit “or national type-approval”;
- (b) in paragraph 2—
  - (i) for “national authorities” both times it occurs, substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”.

(19) After Article 20 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

(20) [In the list of Annexes, for “EC type-approval”, each time it occurs, substitute “GB type-approval”.]

**Commission Regulation (EU) No 582/2011: Annexes**

- 63.**—(1) The Annexes to Commission Regulation (EU) No 582/2011 are amended as follows.
- (2) In Annex I (administrative provisions for EC type-approval)—
- (a) in the heading and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;
  - (b) in point 1.1.2—
    - (i) in the opening words, for “Directive 98/70/EC of the European Parliament and of the Council” substitute “the Motor Fuel (Composition and Content) Regulations 1999(a);
    - (ii) in point (c), for “Directive 98/70/EC” substitute “the Motor Fuel (Composition and Content) Regulations 1999”;
  - (c) in point 3.1, omit “access to vehicle repair and maintenance information”;
  - (d) for point 3.2.1 substitute—
 

“3.2.1.A rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;
  - (e) in point 3.2.2, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2002/683”;
  - (f) in point 3.2.3 and 3.2.4, for “EC approval mark” substitute “GB approval mark”;
  - (g) in point 3.4—
    - (i) for “an” the third time it occurs, substitute “a”;
    - (ii) omit “and access to vehicle repair and maintenance information”;
  - (h) in point 7.1—
    - (i) for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”;
    - (ii) for “Annex X to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2018/858”;
  - (i) in point 7.2.2.2, for “Annex X to Directive 2007/46/EC” both times it appears, substitute “Annex IV to Regulation (EU) 2018/858”;
- (3) In Appendix 4 to Annex I—
- (a) for “EC type-approval”, each time it occurs, substitute “GB type-approval”;
  - (b) in the first paragraph, in the second and third subparagraphs, omit “and access to vehicle repair and maintenance information”;
  - (c) in the Explanatory notes (regarding filling in the table)—
    - (i) in the fourth paragraph, for “Parts 1 and 3”, substitute “Part 1”;
    - (ii) in the fifth paragraph—

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(a) S.I. 1999/1307.

- (aa) for “of vehicle” substitute “of a vehicle”;
- (bb) omit “and access to vehicle repair and maintenance information”;
- (iii) in the sixth paragraph—
  - (aa) omit “and access to vehicle repair and maintenance information”;
  - (bb) for “1, 2 and 3” substitute “1 and 2”;
- (d) in the table in following the explanatory notes—
  - (i) in entry 0.2.0.3, omit “and access to vehicle repair and maintenance information” both times it occurs;
  - (ii) in entry 0.7, for “EC approval” substitute “GB approval”;
  - (iii) in the words following the table, omit “Part 3 access to vehicle repair and maintenance information”;
- (e) in the table in Part 1, in entry 3.2.12.2.8.2.1—
  - (i) after “vehicles specified in” insert “point (d) of Article 2(2) or”;
  - (ii) for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
- (f) in the table in Part 2, in entry 3.2.12.2.8.2.1—
  - (i) after “vehicles specified in” insert “point (d) of Article 2(2) or”;
  - (ii) for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
- (g) omit Part 3 (access to vehicle repair and maintenance information).
- (4) In Appendix 5 to Annex I—
  - (a) in the heading and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;
  - (b) in Section I, in point 0.5, for “EC approval” substitute “GB approval”.
- (5) In Appendix 6 to Annex I—
  - (a) in the heading, for “ECT type-approval” substitute “GB type-approval”;
  - (b) for “EC type-approval”, each time it occurs, substitute “GB type-approval”;
  - (c) in Section I, in point 0.5, for “EC approval” substitute “GB approval”.
- (6) In Appendix 7 to Annex I, in the heading and each other time it appears, for “EC type-approval” substitute “GB type-approval”.
- (7) In Appendix 8 to Annex I—
  - (a) in the heading, for “EC type-approval” substitute “GB type-approval”;
  - (b) for the image, substitute—
  - (c) in the text below the image, omit “in Belgium (e6)”.
- (8) In Appendix 9 to Annex I, in the heading and each other time it appears, for “EC type-approval” substitute “GB type-approval”.
- (9) In Appendix 10 to Annex I, in note (b), for “Section A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.
- (10) In Annex II (conformity of in-service engines or vehicles)—
  - (a) in point 3.2, at the end of the first sentence, insert “or the United Kingdom”;
  - (b) in point 4.1, in the second subparagraph, for “Annex I to Directive 2007/46/EC”, substitute “Annex I to Commission Implementing Regulation (EU) 2020/683”;
  - (c) in point 4.4.2, for “Directive 98/70/EC” substitute “The Motor Fuels (Composition and Content) Regulations 1999(a)”;
  - (d) in point 9.1, omit “of the Member State where the engines or vehicles subject to remedial action are registered or used”;

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(a) S.I. 1999/1307.

- (e) in Appendix 1, in point 2.2, omit “and the Commission”.
- (11) In Annex VIII (CO<sub>2</sub> emissions and fuel consumption)—
- (a) in points 5, and 5.1.1, for “an EC type-approval” substitute “a GB type-approval”;
  - (b) in point 5.1.2—
    - (i) for “an EU type-approval”, substitute “a GB type-approval”;
    - (ii) for “existing EU type-approvals” substitute “existing GB type approvals”.
- (12) In Annex X (on-board diagnostics)—
- (a) omit point 2.2;
  - (b) in point 2.4.1, for “Annex 1 to Directive 2001/85/EC” substitute “Section 2 (Definitions) of UN Regulation 107, as amended by the 07 series of amendments(a)”;
  - (c) in point 2.4.2, for “EC type-approval”, both times it occurs, substitute “GB type-approval”;
  - (d) omit point 2.4.4;
  - (e) in point 2.5, in the first subparagraph, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (f) in Appendix 5—
    - (i) in point 2.4.1, in the opening words, omit “and the Commission”;
    - (ii) in point 5.2.4, for “in the Union” substitute “in Great Britain”;
    - (iii) in point 6, and in the heading before that point, omit “and the Commission”.
- (13) In Annex XI (EC type-approval of replacement pollution control devices as separate units)—
- (a) in the heading, for “EC” substitute “GB”;
  - (b) each time it occurs (including in the Appendices)—
    - (i) for “an EC type-approval” substitute “a GB type-approval”;
    - (ii) for “the EC type-approval” substitute “the GB type-approval”;
  - (c) in point 3, for “EC” substitute “GB”;
  - (d) for point 3.2—
    - (i) for the first subparagraph, substitute—
 

“3.2.A rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;
    - (ii) in the second subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (e) in point 4.1.4—
    - (i) omit “that granted original type-approval of the engine system”;
    - (ii) at the end, insert “Equivalent information in relation to a UNECE Regulation 49 approval for the engine system may be provided instead. When the approval authority did not grant the original type-approval of the engine system, it may request the information from the engine manufacturer under Article 60 of Regulation (EU) 2018/858.”;
  - (f) in point 4.5.4—
    - (i) omit “that granted original type-approval of an engine of a vehicle”;
    - (ii) omit “Appendix on test conditions to Appendix 4 to Annex I”;
    - (iii) at the end, insert “Equivalent information in relation to a UNECE Regulation 49 approval for the engine system may be provided instead. When the approval authority did not grant the original type-approval of the engine, it may request the information from the engine manufacturer under Article 60 of Regulation (EU) 2018/858.”;
  - (g) in point 4.6.4—

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(a) OJ L52, 23.2.2018.

- (i) omit “which granted original type-approval of an engine of a vehicle”;
- (ii) at the end, insert “Equivalent information in relation to a UNECE Regulation 49 approval for the engine system may be provided instead. When the approval authority did not grant the original type-approval of the engine, it may request the information from the engine manufacturer under Article 60 of Regulation (EU) 2018/858.”;
- (h) in point 5.1, for “Article 12 of Directive 2007/46/EC”, substitute “Article 31 of Regulation (EU) 2018/858”;
- (i) in point 5.2.1, for “Section 2.2 of Annex X to Directive 2007/46/EC” substitute “Section 3.2 of Annex IV to Regulation (EU) 2018/858”;
- (j) in point 5.2.2, for “Article 12(2) of Directive 2007/46/EC” substitute “Article 31(3) of Regulation (EU) 2018/858”;
- (k) in Appendix 1—
  - (i) in point 0.7, for “EC approval” substitute “GB approval”;
  - (ii) omit points 2 to 2.3;
- (l) in Appendix 2—
  - (i) for “EC type-approval” each time it occurs, substitute “GB type approval”;
  - (ii) in the opening Section, after “last amended by” insert “S.I. ..../....”;
  - (iii) in Section I, in point 0.7, for “EC approval” substitute “GB approval”;
- (m) in Appendix 3—
  - (i) in point 2.4.2.11, for “Article 3(25) of Directive 2007/46/EC” substitute “Article 2(20) of Regulation (EU) 2018/858”;
  - (ii) in point 2.4.6.5, for “Directive 98/70/EC” substitute “the Motor Fuel (Composition and Content) Regulations 1999”.
- (14) In Annex XIII (requirements to ensure the correct operation of NOx control measures) —
  - (a) in point 2.1.1, for “Annex I to Directive 2001/85/EC” substitute “Section 2 (Definitions) in UN Regulation 107, as amended by the 07 series of amendments”;
  - (b) in point 2.1.2.2.5—
    - (i) after “specified in” insert “Article 2(2)(d) or”;
    - (ii) for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (c) in point 2.1.5, after “the Union” insert “or the United Kingdom”;
  - (d) in point 4.1.1 and 5.1.1, in the modified text, for “point (b) of Article 2(3) of Directive 2007/46/EC” substitute “Article 2(2)(d) or 2(3)(b) of Regulation (EU) 2018/858”;
  - (e) in point 12, in the second subparagraph—
    - (i) for “EC type-approval” substitute “GB type-approval”;
    - (ii) omit “and access to vehicle repair and maintenance information”.
- (15) Omit Annex XVII (access to vehicle OBD and vehicle repair and maintenance information).
- (16) In Annex XVIII (specific technical requirements for dual-fuel engines and vehicles), in point 7.2, for “an EC” substitute “a GB”.

#### **Commission Regulation (EU) No 65/2012**

**64.**—(1) Commission Regulation (EU) No 65/2012 is amended as follows.

- (2) In Article 4 (EC type-approval)—
  - (a) in the heading, for “EC type-approval” substitute “GB type-approval”;
  - (b) in the opening words of paragraph 2 and in the second sub-paragraph of paragraph 3, for “an EC type-approval” substitute “a GB type-approval”.
- (3) Omit Article 5 (monitoring the effects of legislation).

(4) After Article 7 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

(5) In Annex II—

(a) in Part 1 (information document)—

- (i) in the first paragraph, for “EC type-approval” substitute “GB type-approval”;
- (ii) in the fourth paragraph, for “Regulation (EC) No 692/2008;” substitute “Regulation (EU) No 2017/1151;”;

(b) in Part 3 (EC type-approval certificate)—

- (i) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
- (ii) for “Regulation (EU) No 65/2012 as last amended by Regulation (EU) No .../...” substitute “Regulation (EU) No 65/2012, as it has effect in domestic law, and as last amended by S.I. ..../.....”.

### **Commission Regulation (EU) No 130/2012**

**65.**—(1) Commission Regulation (EU) No 130/2012 is amended as follows.

(2) In Article 1 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.

(3) In Article 2(2) (definitions), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.

(4) In Article 3 (EC type-approval of vehicles re vehicle access and manoeuvrability) —

(a) in the heading, and in paragraph 1, for “EC type-approval” substitute “GB type-approval”;

(b) in paragraph 3—

- (i) for “an EC type-approval” substitute “a GB type-approval”;
- (ii) for “A Member State” substitute “The approval authority”;
- (iii) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;

(c) in paragraph 4, for “EC type-approval” substitute “GB type-approval”.

(5) In Article 4—

(a) omit “National authorities shall permit”;

(b) for “661/2009 and” substitute “661/2009 is permitted, and the approval authority must”

(6) After Article 5 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

(7) In Annex I (administrative provisions for type approval of vehicles re vehicle access and manoeuvrability)—

(a) in Part 1—

- (i) in the first paragraph, for “EC type-approval” substitute “GB type-approval”;
- (ii) in the explanatory notes following Part 1, in note (c) to point 0.4, for “for “Part A of Annex II to Directive 2007/46/EC”, substitute “Article 4 of Regulation (EU) 2018/858”;

(b) in Part 2—

- (i) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
- (ii) in the opening section, for “as last amended by Regulation (EU) No .../...” substitute “as it has effect in domestic law, and as last amended by S.I. ..../...”;

- (iii) in the explanatory notes following Part 2, in note <sup>(3)</sup> to point 0.4, for “Directive 2007/46/EC, Annex II, Section A”, substitute “Article 4 of Regulation (EU) 2018/858”.
- (c) in the heading to the addendum to Part 2, for “EC” substitute “GB”

**Commission Regulation (EU) No 347/2012**

**66.**—(1) Commission Regulation (EU) No 347/2012 is amended as follows.

- (2) In Article 1 (scope)—
  - (a) in the opening words, for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (b) in points (4) and (5), for “Part A of Annex II to Directive 2007/46/EC” substitute “Part A of Annex I to Regulation (EU) 2018/858”.
- (3) In Article 2 (definitions)—
  - (a) in the first paragraph, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (b) in the second paragraph, in point (3), for “point 1 of Section C of Annex II to Directive 2007/46/EC”, substitute “point 2.1 of Part C of Annex I to Regulation (EU) 2018/858”.
- (4) In Article 3 (obligations of member states)—
  - (a) in the heading, for “Member States” substitute “Secretary of State”;
  - (b) omit paragraphs 1 and 2;
  - (c) in paragraph 3—
    - (i) for “national authorities” substitute “the approval authority”;
    - (ii) for “EC” substitute “GB”;
    - (iii) omit “or national type approval”;
  - (d) in paragraph 4—
    - (i) for “national authorities” substitute “the Secretary of State”;
    - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
  - (e) in paragraph 5—
    - (i) in the opening words, for “national authorities” substitute “the Secretary of State”;
    - (ii) in points (a) and (c)—
      - (aa) for “EC” substitute “GB”;
      - (bb) omit “or national type approval”.
- (5) In Article 4 (EC type-approval of a vehicle re AEBS)—
  - (a) in the heading, and in paragraph 1, for “EC” substitute “GB”;
  - (b) in paragraph 3—
    - (i) for “an EC” substitute “a GB”;
    - (ii) for Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;
    - (iii) for “An approval authority” substitute “the approval authority”.
  - (c) in paragraph 4, for “an EC” substitute “a GB”.
- (6) Omit Article 5 (amendment to Appendix 2 of Annex II).
- (7) After Article 6 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.
- (8) In Annex I (standard information document and EC type-approval certificate re AEBS)—
  - (a) in the heading, for “EC” substitute “GB”;

- (b) in Part 1—
  - (i) in the first paragraph, for “EC” substitute “GB”;
  - (ii) in point 8.1, for “point 1.6 of Annex I to the Council Directive 71/320/EEC” substitute “point 2.6 of UNECE Regulation No 13”;
  - (iii) in point 8.2, for “point “1.2 of Annex I to Directive 71/320/EEC” substitute “point 2.3 of UNECE Regulation No 13”;
  - (iv) in point 8.6, for “the Appendix to point 1.1.4.2 of the Appendix to Annex II to Directive 71/320/EEC or to the Appendix to Annex XI thereof” substitute “Annex 10 to UNECE Regulation No 13 or to Annex 14 to that Regulation”;
- (c) in the explanatory notes following Part 1—
  - (i) in note (c), for “Part A of Annex II to Directive 2007/46/EC of the European Parliament and of the Council (OJ L 263, 9.10.2007, p.1)” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (ii) in footnote (e<sup>5</sup>), for “point 2.4.1 of Annex I to Directive 97/27/EC of the European Parliament and of the Council (OJ L 233, 25.8.1997, p.1)” substitute “point 22 of Article 2 of Commission Regulation (EU) 1230/2012, taking into account Appendix 1 to Annex I thereto”;
  - (iii) in footnote (e<sup>7</sup>), for “point 2.4.2 of Annex I to Directive 97/27/EC”, substitute “point 23 of Article 2 of Commission Regulation 1230/2012, taking into account Appendix 1 to Annex I thereto”;
- (d) in Part 2—
  - (i) in the certificate heading, for “EC type-approval” substitute “GB type-approval”;
  - (ii) in words preceding Section I—
    - (aa) for “EC type-approval” each time it occurs, substitute “GB type-approval”;
    - (bb) for “as amended and complying with approval level 1 / approval level 2” substitute “as it forms part of domestic law and as lasted amended by S.I. .... / ... with approval level 2”;
  - (e) in the explanatory notes following Part 2, in note (3), for “Section A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (f) in the Addendum to Part 2, in the heading for “EC” substitute “GB”.
- (9) In Annex II (requirements and tests for the type approval of vehicles re AEBS)—
  - (a) in point 2.4.2.1, omit subparagraph (a);
  - (b) in point 2.4.2.2, omit the words “for approval level 1” to “Appendix 1”;
  - (c) in point 2.4.5, omit “For approval level 1: Column D of the table in Appendix 1”;
  - (d) in point 2.5.1, omit “For approval level 1: Column H of the table in Appendix 1”;
  - (e) in point 2.5.2.1, omit “For approval level 1: Column E of the table in Appendix 1”;
  - (f) in point 2.5.2.2, omit “For approval level 1: Column F of the table in Appendix 1”;
  - (g) omit Appendix 1 to Annex II;
  - (h) in the footnotes to Appendix 2, omit footnote e.]]

### **Commission Regulation (EU) No 351/2012**

- 67.**—(1) Commission Regulation (EU) No 351/2012 is amended as follows—
- (2) In Article 1 (scope)—
    - (a) in the opening words, for “Annex II to Directive 2007/46/EC of the European Parliament and of the Council”, substitute “Article 4 of Regulation (EU) 2018/858”;
    - (b) in point 4, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;

- (c) in point 5, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.
- (3) In Article 3 (EC type-approval of a type of vehicle re LDWS)—
- (a) in the heading, and in paragraph 1, for “EC” substitute “GB”;
  - (b) in paragraph 3—
    - (i) in the first subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”;
  - (c) in paragraphs 3 and 4, for “an EC” substitute “a GB”;
  - (d) after paragraph 4, insert—
 

“5. Where an application for approval is made before 31st December 2026 under paragraph 1 in respect of a vehicle type which has been approved by the approval authority of a member State under Regulation 351/2012, as that Regulation applies in EU law, by way of derogation to point 2.2.3.1 of Annex II to this Regulation, the visible lane markings used in the lane departure tests of point 2.6 may be any one of those identified in the Appendix to Annex II, provided that compliance with UK lane markings specified in table 1 in the Appendix to Annex II is demonstrated by documentary evidence in accordance with point 2.2.3.2 of Annex II.”.
- (4) After Article 4 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.
- (5) In Annex I (standard models for the information document and EC type-approval certificate)—
- (a) in the heading and each time it appears, for “EC” substitute “GB”;
  - (b) in the explanatory notes following Part 1—
    - (i) in note (c), for “Part A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
    - (ii) in note (e<sup>5</sup>), for “point 2.4.1 of Annex I to Directive 97/27/EC of the European Parliament and of the Council” substitute “point 22 of Article 2 of Commission Regulation (EU) 1230/2012, taking into account Appendix 1 to Annex I”;
    - (iii) in note (e<sup>7</sup>), for “2.4.2 of Annex I to Directive 97/27/EC” substitute “point 23 of Article 2 of Commission Regulation 1230/2012, taking into account Appendix 1 to Annex I”;
  - (c) in Part 2, for “as amended” substitute “as it forms part of domestic law, and as last amended by S.I. ..../....”;
  - (d) in the explanatory notes following Part 2, in note (3), for “Section A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
  - (e) in the heading to the Addendum to Annex I, for “EC substitute “GB”
- (6) In Annex II (requirements and tests for the type-approval of motor vehicles re lane departure warnings systems)—
- (a) in point 2.2.3.1—
    - (i) after “to this Annex” insert “as being used in the United Kingdom”;
    - (ii) for “Member State concerned” substitute “United Kingdom”;
  - (b) in point 2.2.3.2, after “to this Annex” insert “as being used in the United Kingdom”.

#### **Commission Regulation (EU) No 1230/2012: Articles**

- 68.**—(1) Commission Regulation (EU) No 1230/2012 is amended as follows.
- (2) In Article 1 (subject matter and scope), in paragraph 1, for “EC type-approval” substitute “GB type-approval”.



- (3) In Article 2 (definitions)—
- (a) in the opening words, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (b) in point (1), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (c) in point (2) for “Annex IV and Annex XI to Directive 2007/46/EC” substitute “Annex II to Regulation (EU) 2018/858/EC”;
  - (d) in point (11), for the words “a number of axles” to the end, substitute “a tandem axle, or a triaxle, as defined in each case in regulation 2 of the Road Vehicles (Authorised Weight) Regulations 1998(a)”;
  - (e) in point (40), for “applicable in a Member State” substitute “set out in the Road Vehicles (Construction and Use) Regulations 1986(b) (read for these purposes as if it did not include regulation 7(3A)(a)), and the Road Vehicles (Authorised Weight) Regulations 1998(c)”.
- (4) In Article 4 (EC type-approval of a type of vehicle re masses and dimensions)—
- (a) in the heading, and in paragraphs 1 and 8 for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraph 9—
    - (i) in the first subparagraph—
      - (aa) after “grant a” insert “GB”;
      - (bb) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;
    - (ii) in the second subparagraph, for “A Member State” substitute “The approval authority”;
  - (c) in paragraph 10, for “an EC type-approval” substitute “a GB type-approval”;
  - (d) in paragraph 11, for “Article 12(2) of Directive 2007/46/EC” substitute “Article 31(3) and (4) of Regulation (EU) 2018/858”.
- (5) In Article 4a (EC separate technical unit type approval of aerodynamic devices and equipment)—
- (a) in the heading, for “EC” substitute “GB”;
  - (b) in paragraph 1, for “EC type-approval” substitute “GB type-approval”;
  - (c) in paragraph 2—
    - (i) for “an EC” substitute “a GB”;
    - (ii) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (iii) for “A Member State” substitute “The approval authority”;
  - (d) in paragraph 3, for “an EC” substitute “a GB”;
- (6) In Article 4b (EC separate technical unit type-approval mark)—
- (a) in the heading, and the first time it occurs, for “EC” substitute “GB”;
  - (b) for “an EC” substitute “a GB”.
- (7) Omit Article 5 (registration/in-service maximum permissible masses).
- (8) In Article 6 (derogations)—
- (a) for paragraph 1, substitute—

“1. Without prejudice to Article 9 of the Road Vehicles (Authorisation of Special Types) (General) Order 2003(d), a GB type-approval may be granted for—

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(a) S.I. 1998/3111.  
(b) S.I. 1986/1078.  
(c) S.I. 1998/3111/  
(d) S.I. 2003/1998.

- (a) motor vehicles, the width of which exceeds the requirements of this Regulation, or
- (b) trailers, the length or width of which exceeds the requirements of this Regulation,

where the vehicle or trailer is intended for the transport of indivisible loads.

1a. Where paragraph 1 applies, the type approval certificate and the certificate of conformity must indicate clearly that the vehicle, or trailer, as appropriate, is intended only for the transport of indivisible loads.”;

- (b) in paragraph 2—
  - (i) for “Member States” substitute “The approval authority”;
  - (ii) for “Articles 23 and 24 of Directive 2007/46/EC” substitute “Articles 42 and 45 of Regulation (EU) 2018/858”;
  - (iii) omit the second subparagraph.

(9) In Article 7 (transitional provisions), omit paragraph 2, and the second subparagraph of paragraph 3.

(10) After Article 9 (entry into force), omit the words “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

### **Commission Regulation (EU) No 1230/2012: Annexes**

**69.**—(1) The Annexes to Commission Regulation (EU) No 1230/2012 are amended as follows.

(2) In Annex 1 (technical requirements)—

- (a) in Part A—
  - (i) in point 1.1.2(c), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (ii) omit point 1.1.3;
  - (iii) in points 1.2 and 1.3, for “length, width and height”, each time these words occur, substitute “length and width”;
  - (iv) omit point 2.7.2.2;
  - (v) in point 3.1.1.1(c), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
- (b) in Part B—
  - (i) in point 1.1.3, for “4,00 metres” substitute “4.57 metres”;
  - (ii) in point 2.1.3.1, for “The additional weight required for alternative fuel or zero-emission technology in accordance with points 2.3. and 2.4. of Annex I to Directive 96/53/EC shall be defined” substitute “Any increase in the maximum authorised weight of a vehicle that is permitted for alternative fuel or zero-emission technology in accordance with regulation 4 of the Road vehicles (Authorised Weight) Regulations 1998(a) must be determined”;
  - (iii) in point 2.1.3.2—
    - (aa) for “the following additional symbol” substitute “one or both of the following additional symbols”;
    - (bb) for “additional weight” both times it occurs, substitute “increase in weight”;
    - (cc) at the end of the second subparagraph, insert “, or”;
    - (dd) after the second subparagraph, insert—
 

“AWR REGULATION 4 COMPLIANT – XXXX KG”;
  - (iv) in point 7.4, for “Annex XVI to Directive 2007/46/EC” substitute “Annex VIII to Regulation (EU) 2018/858”;

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(a) S.I. 1998/3111.

- (v) in point 8.3, for “Annex XVI to Directive 2007/46/EC” substitute “Annex VIII to Regulation (EU) 2018/858”;
- (c) in Part C—
  - (i) in point 1.1.2(b), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (ii) omit point 1.1.3;
  - (iii) in points 1.2 and 1.3. for “length, width and height” each time those words occur, substitute “length and width”;
  - (iv) in point 1.4.2—
    - (aa) for “the following additional symbol” substitute “one or both of the following additional symbols”;
    - (bb) at the end of the second subparagraph, insert “, or”;
    - (cc) after the second subparagraph, insert—  
 “C&U REGULATION 7(3D) COMPLIANT”;
    - (dd) for “text ‘96/53/EC ARTICLE 9A COMPLIANT’” substitute “symbols above”;
  - (v) in point 2.1.4.1, for “The additional weight required for alternative fuel or zero-emission technology in accordance with point 2.3. of Annex I to Directive 96/53/EC shall be defined” substitute “Any increase in the maximum authorised weight of a vehicle that is permitted for alternative fuel or zero-emission technology in accordance with regulation 4 of the Road vehicles (Authorised Weight) Regulations 1998 must be determined”;
  - (vi) in point 2.1.4.2—
    - (aa) for “the following additional symbol” substitute “one or both of the following additional symbols”;
    - (bb) for “additional weight”, both times it occurs, substitute “increase in weight”;
    - (cc) after “XXXX KG”, on a new line insert—  
 “or  
 ‘AWR REGULATION 4 COMPLIANT – XXXX KG’”;
  - (vii) in point 4.2.1, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (viii) in point 6.4, for “Annex XVI to Directive 2007/46/EC” substitute “Annex VIII to Regulation (EU) 2018/858”;
  - (ix) in point 7.3, for “Annex XVI to Directive 2007/46/EC” substitute “Annex VIII to Regulation (EU) 2018/858”;
- (d) in Part D—
  - (i) in point 1.1.2, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (ii) omit point 1.1.3;
  - (iii) in points 1.2 and 1.4, for “length, width and height”, in each place those words occur, substitute “length and width”;
  - (iv) in point 1.3, omit “, height”;
- (e) in Appendix 2 to Annex I—
  - (i) in point 2.1, for “Directive 2009/23/EC of the European Parliament and of the Council” substitute “the Non-automatic Weighing Instruments Regulations 2016(a)”;
  - (ii) in point 2.2—

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(a) S.I. 2016/1152.

- (aa) in the opening words, for “Annex III to Directive 2007/46/EC” substitute “Annex II to Regulation (EU) 2020/683”;
  - (bb) in subparagraph (c) for “Article 12(2) of Directive 2007/46/EC” substitute “Article 31(3) and (4) of Regulation (EU) 2018/858”;
  - (f) in Appendix 4 to Annex I, in point 1.3, for “Annex XVI to Directive 2007/46/EC” substitute “Annex VIII to Regulation (EU) 2018/858”.
- (3) In Annex II (gradeability of off-road vehicles)—
- (a) in point 1.1 for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (b) in point 1.2 for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
  - (c) in point 2.1.1 for “Annex I to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2020/683”;
  - (d) in point 3.3, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.
- (4) In Annex V—
- (a) in the heading to Part A, for “EC” substitute “GB”;
  - (b) in Part A (information document: vehicles and their trailers: masses and dimensions)—
    - (i) in the opening paragraph, for “EC type-approval” substitute “GB type-approval”;
    - (ii) in point 2.4.2.1.3, for “Article 9a of Directive 96/53/EC” substitute “point 1.4 of Part C of Annex I to Commission Regulation (EU) No 2012/1230”;
    - (iii) in point 2.4.2.6, for “points 3.1.1 and 3.2.1 of Appendix 1 to Annex II to Directive 2007/46/EC” substitute “points 4.1 and 4.2 of Part A of Annex I to Regulation (EU) 2018/858”;
    - (iv) in point 2.6.4, for “Additional weight” substitute “Increase in mass”;
    - (v) renumber point 2.11.4.1 as point 2.11.3.1, and move that point to follow point 2.11.3;
    - (vi) renumber point 2.11.4.2 as point 2.11.3.2, and move that point to follow point 2.11.3.1;
    - (vii) in point 9.1, for “Annex II” substitute “Annex I to Regulation (EU) 2018/858”;
    - (viii) in point 9.25, for “Article 9a of Directive 96/53/EC” substitute “point 1.4 of Part C of Annex I to Commission Regulation 2012/1230”;
    - (ix) in the Explanatory notes to the information document—
      - (aa) in note (c), for “Part A of Annex II” substitute “Article 4 of Regulation (EU) 2018/858”;
      - (bb) for note (e) substitute—
 

“(e) ‘Forward control’ means a configuration in which more than half of the engine length is rearward of the foremost point of the windshield base and the steering wheel hub in the forward quarter of the vehicle length as defined in the explanatory note (z) of Appendix 1 of Part 1 of Annex 1 to UN Regulation No 107, as amended by the 07 series of amendments(a).”;
      - (cc) in note (n) for “Council Directive 80/1269/EEC” substitute “Regulation (EC) No 715/2007 or Regulation (EC) No 595/2009 as applicable”;
      - (dd) in note (o), for “Council Directive 80/1269/EEC” substitute “Regulation (EC) No 715/2007”;
      - (ee) in note (29), for “Annex II to Directive 77/649/EEC” substitute “Annex III to UN Regulation No 17, as amended by the 08 series of amendments(b)”;
  - (c) in Part B (EC type-approval certificates: vehicles and trailers, masses and dimensions)—

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(a) OJ L 52, 23.2.2018, p.1.

(b) OJ L 230, 31.8.2010, p. 81.

- (i) in the heading, and each time it appears, for “EC type-approval” substitute “GB type-approval”;
- (ii) for the words from “Communication concerning” to “reason for extension” substitute—

“Communication concerning granting / extension / refusal / withdrawal (7) of type-approval of a type of vehicle with regard to its masses and dimensions in accordance with the requirements laid down in Commission Regulation (EU) 2012/1230 as it has effect in domestic law, as last amended by SI\_\_\_\_\_/\_\_\_\_\_.

Number of the GB type-approval certificate:

Reason for extension / refusal / withdrawal (1):”

- (iii) in Section I, for points 0.1 to 0.9, substitute—

“(to be completed in accordance with Section I of the template of Model B in Annex III to Commission Implementing Regulation (EU) 2020/683)”;

- (iv) in Section II, for points 1 to 8 and the following list of attachments, substitute—

“(to be completed in accordance with Section II of the template of Model B in Annex III to Commission Implementing Regulation (EU) 2020/683)”;

- (v) in the Addendum—

- (aa) in the heading, for “EC type-approval” substitute “GB type-approval”;
- (bb) in point 1, for “Derogations” substitute “Additional information”;
- (cc) in point 1.1, after “6(1)” insert “or 6(2)”;
- (dd) after point 1.1, insert—

“1.1.1. Vehicle intended for transport of indivisible loads only: yes / no”;

- (ee) in points 1.2 and 1.3, substitute—

“1.2. The vehicle has been type-approved in accordance with paragraphs 1.3.1.1 or 1.3.1.2 of Part C of Annex I to Commission Regulation (EU) 2012/1230 (i.e. aerodynamic devices or equipment at the rear of the vehicle): yes / no:

1.3. The vehicle has been type-approved in accordance with paragraphs 1.3.1.3 or 1.4 of Part C of Annex I to Commission Regulation (EU) 2012/1230 (i.e. a cab fitted with aerodynamic devices or equipment or an elongated cab): yes / no”;

- (ff) in point 1.4, for “for the purposes of Article 10b of Directive 96/53/EC” substitute “in accordance with Regulation 4 of the Road Vehicles (Authorised Weight) Regulations 1998;
- (gg) in points 1.4.1 and 1.4.2, for “Additional weight” substitute “increase in weight”;

- (d) in Part C (information document: aerodynamic device or equipment as separate technical unit), in the heading, and each time it occurs, for “EC type-approval” substitute “GB type-approval”;

- (e) in Part D (EC type-approval certificate: aerodynamic device or equipment)—

- (i) for “EC type-approval certificate”, in the heading and other time it occurs (including in the Addendum), substitute “GB type-approval certificate”;
- (ii) for the words from “Communication concerning” to “reason for extension” substitute—

“Communication concerning granting / extension / refusal / withdrawal of type-approval of a type of an aerodynamic device or equipment as a separate technical unit in accordance with the requirements laid down in Commission Regulation (EU) 2012/1230 as it has effect in domestic law, as last amended by SI.../.....

Number of the GB type-approval certificate:

Reason for extension / refusal / withdrawal (1):”

- (iii) in Section I, for points 0.1 to 0.9, substitute—  
“(to be completed in accordance with Section I of the template of Model C in Annex III to Commission Implementing Regulation (EU) 2020/683)”;
- (iv) in Section II, for points 1 to 8 and the following list of attachments, substitute—  
“(to be completed in accordance with Section II of the template of Model C in Annex III to Commission Implementing Regulation (EU) 2020/683)”;
- (v) in Section II, in point 1, after “information” insert “(where applicable)”;
- (f) in Part E (EC separate technical unit type-approval mark)—
  - (i) in the heading, and each other time it occurs, for “EC separate” substitute “GB separate”;
  - (ii) in the heading, at the end, insert “for an aerodynamic device or equipment”;
  - (iii) for point 1.1, substitute—  
“1.1. A rectangle surrounding the lower-case letter ‘g’ followed by the distinguishing number 11.”;
  - (iv) in point 1.3, after ““96/53/EC ARTICLE 9A COMPLIANT””, insert “or the symbol REG 1230/2012, PARA 1.3.1.3 of PART C of ANNEX I COMPLIANT”;
  - (v) in point 1.4, after ““96/53/EC ARTICLE 8B COMPLIANT””, insert “or either of the symbols “REG 1230/2012, PARA 1.3.1.1 of PART C of ANNEX I COMPLIANT” or REG 1230/2012, PARA 1.3.1.2 of PART C of ANNEX I COMPLIANT” as appropriate;
  - (vi) for figure 1, substitute—
  - (vii) in point 3, for “an EC” substitute “a GB”;
  - (viii) in the explanatory note—
    - (aa) omit the words “(for the purposes of compliance with Article 8b of Directive 96/53/EC)”;
    - (bb) omit “by Romania”.

### **Regulation (EU) 167/2013**

- 70.**—(1) Regulation (EU) 167/2013 is amended as follows.
- (2) In Article 40 (making available on the market or entry into service: components and separate technical units)—
- (a) in paragraph 1, for the words after “service” to the end, substitute “if paragraph 1A applies to the components or separate technical units”;
  - (b) for paragraph 1A, substitute—  
“1A. This paragraph applies to components or separate technical units if they—
    - (a) comply with the requirements of the relevant regulatory acts listed in Annex 1 and are properly marked in accordance with Article 34;
    - (b) comply with the requirements of the relevant regulatory acts listed in Annex 1 to Regulation (EU) No 167/2013 as it has effect in EU law, provided that the component or separate technical unit—
      - (i) has approval under section 55(1A) of the Road Traffic Act 1988(a),
      - (ii) was in the United Kingdom before 1st January 2023, or
      - (iii) is a qualifying Northern Ireland good; or

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(a) 1988 (c. 52). Subsection (1 S.I. 2020/1393A) was inserted, with (1B) and (1C), into section 55 by S.I. 2019/648, as amended by S.I. 2020/818 and 1393.

- (c) comply with the requirements of the relevant regulatory acts listed in Annex 1 to Regulation (EU) No 167/2013 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU Withdrawal Agreement, provided that—
  - (i) they are properly marked in accordance with Article 34 of that Regulation, and
  - (ii) they have approval under that Regulation from the Secretary of State.”.

### **Regulation (EU) 168/2013**

**71.**—(1) Regulation (EU) 168/2013 is amended as follows.

(2) In Article 45 (making available on the market or entry into service: components and separate technical units)—

- (a) in paragraph 1, for the words after “service” to the end, substitute “if paragraph 1A applies to the components or separate technical units”;
- (b) for paragraph 1A, substitute—

“1A. This paragraph applies to components or separate technical units if they—

- (a) comply with the requirements of the relevant regulatory acts listed in Annex 2 and are properly marked in accordance with Article 39;
- (b) comply with the requirements of the relevant regulatory acts listed in Annex 2 to Regulation (EU) No 168/2013 as it has effect in EU law, provided that the component or separate technical unit—
  - (i) has approval under section 55(1A) of the Road Traffic Act 1988(a),
  - (ii) was in the United Kingdom before 1st January 2023, or
  - (iii) is a qualifying Northern Ireland good; or
- (c) comply with the requirements of the relevant regulatory acts listed in Annex 2 to Regulation (EU) No 168/2013 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU Withdrawal Agreement, provided that—
  - (i) they are properly marked in accordance with Article 39 of that Regulation, and
  - (ii) have approval under that Regulation from the Secretary of State.”.

### **Regulation (EU) No 540/2014: Articles**

**72.**—(1) Regulation (EU) No 540/2014 is amended as follows.

(2) In Article 1 (subject matter)—

- (a) for “EU” substitute “GB”;
- (b) for “Union” substitute “Great Britain”.

(3) In Article 2 (scope), for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”.

(4) In Article 3 (definitions)—

- (a) in the opening words, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
- (b) in point (1), for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
- (c) in point (5), for “Annex IV or Annex XI to Directive 2007/46/EC” substitute “Annex II to Regulation (EU) 2018/858”;
- (d) in point (21), for “EU” substitute “GB”;

(5) In Article 4 (general obligations of member states)—

- (a) in the heading, for “Member States” substitute “the Secretary of State”;
- (b) for “EU type-approval” each time it appears, substitute “GB type-approval”;

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(a) 1988 (c. 52). Subsection (1A) was inserted, with (1B) and (1C), into section 55 by S.I. 2019/648, as amended by S.I. 2020/818 and 1393.

- (c) in paragraph 1—
  - (i) for “Article 23 of Directive 2007/4/EC” substitute “Article 42 of Regulation (EU) 2018/858”;
  - (ii) for “Member States” substitute “the approval authority”;
- (d) in paragraph 2—
  - (i) in the first sub-paragraph, for “Member States”, substitute “the approval authority”;
  - (ii) for the second sub-paragraph, substitute—
 

“The approval authority may grant GB type-approval, under the terms and test procedures of Annex II of Directive 70/157/EEC, to a replacement silencing system, or components thereof, as a separate technical unit intended for vehicles type-approved before the dates of phases of application set out in Annex III to this Regulation.”;
- (e) in paragraph 3—
  - (i) for “Member States” substitute “the Secretary of State”;
  - (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
- (f) in paragraph 4—
  - (i) for “Member States” both times it occurs, substitute “the Secretary of State”;
  - (ii) in the second sub-paragraph, for the words from “holding” to the end, substitute—
 

“holding an EU type-approval as a separate technical unit under the terms of Annex II to Directive 70/157/EEC issued by—

    - (a) the Secretary of State before IP completion day, or
    - (b) an approval authority of a member State before 1 January 2023.”
- (6) In Article 7 (consumer information and labelling), for the second subparagraph, substitute—
 

“The Secretary of State may, in the light of the experience gained in the application of this Regulation, make regulations imposing requirements on—

  - (a) labels on air and noise pollution levels to be displayed in vehicles, and
  - (b) the information to be given to consumers in relation to air and noise pollution levels.
- (7) In Article 8 (acoustic vehicle alerting system), for the second subparagraph, substitute—
 

“The Secretary of State may by regulations amend Annex VIII to include more detailed requirements on the performance of AVAS or of active safety systems, taking into account the UNECE work on that issue.”
- (8) For Articles 9 (amendment of the annexes) and 10 (exercise of the delegation), substitute—

*“Article 9*

**Amendment of the annexes**

The Secretary of State may by regulations amend Annexes I, IV, VIII and X to take account of technical developments.

*Article 10*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
2. Such regulations may—
  - (a) make incidental, supplemental, consequential or transitional provision, and
  - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.



3. Before making any Regulations under this Regulation the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.

4. A statutory instrument containing regulations under Article 7 may not be made unless a draft of the instrument containing them has been laid before Parliament and approved by a resolution of each House.

5. A statutory instrument containing regulations made under any other provision of this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

(9) Omit Article 11 (revision clause).

(10) After Article 15 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

#### **Regulation (EU) No 540/2014: Annexes**

**73.**—(1) The Annexes to Regulation (EU) No 540/2014 are amended as follows.

(2) In Annex I (EU type-approval: sound level of a vehicle type)—

- (a) in the heading, and each other time it occurs, for “EU type-approval” substitute “GB type-approval”;
- (b) in point 1.1, for “Article 7(1) and (2) of Directive 2007/46/EC” substitute “Article 23 of Regulation (EU) 2018/858”;
- (c) in point 3.1, for “Article 9(3) and, if applicable, Article 10(4) of Directive 2007/46/EC” substitute “Article 28(4) and, if applicable Article 29(3) of Regulation (EU) 2018/858”;
- (d) in point 3.3—
  - (i) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2018/858”;
  - (ii) for “The same Member State” substitute “The approval authority”;
- (e) in point 4, for “Articles 13, 14, 15, 16 and Article 17(4) of Directive 2007/46/EC” substitute “Articles 33, 34 and 35 of Regulation (EU) 2018/858”;
- (f) in point 5.1, for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”;
- (g) in point 5.2.1, for “point 2.3.5 of Annex X to Directive 2007/46/EC” substitute “point 3.3.5 of Annex IV of Regulation (EU) 2018/858”;
- (h) in point 5.2.2, for “point 3 of Annex X to Directive 2007/46/EC” substitute “point 4 of Annex IV to Regulation (EU) 2018/858”;
- (i) in Appendix 1—
  - (i) in the heading—
    - (aa) for “Annex I of Directive 2007/46/EC” with “Annex 1 to Commission Implementing Regulation (EU) 2020/683”;
    - (bb) for “EU type-approval” substitute “GB type-approval”;
  - (ii) in point 9(1), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;
- (j) in Appendix 2—
  - (i) in the heading for “EU” substitute “GB”;
  - (ii) in the words before Section 1, after “540/2014” insert “as it has effect in domestic law”;
- (k) in the notes following Appendix 2—
  - (i) in note 1, for “point 4 of Part A of Annex II to Directive 2007/46/EC” substitute “point 2.1 of Part A of Annex I to Regulation (EU) 2018/858”;

- (ii) in note 3, for “Annex IIA to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
- (1) in the Addendum following Appendix 2, in the heading, for “EU” substitute “GB”.
- (3) In Annex II (methods and instruments for measuring noise made by motor vehicles), for “EU type-approval” each time it occurs, substitute “GB type-approval”.
- (4) In Annex III (limit values)—
  - (a) in the first note after the table, for “point 4 of Part A of Annex II to Directive 2007/46/EC” substitute “point 2.1 of Part A of Annex I to Regulation (EU) 2018/858”;
  - (b) in the final note after the table, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.
- (5) In Annex IV (silencing systems containing acoustically absorbing fibrous materials), in section 1, in point (b) of the first paragraph, for “EU type-approval” substitute “a GB type approval”.
- (6) In Annex VI (checks on conformity of production for vehicles), in section 3, for “Annex X to Directive 2007/46/EC” each time it occurs, substitute “Annex IV to Regulation (EU) 2018/858”.
- (7) In Annex VII (measuring method to evaluate compliance with additional sound emission provisions), in the second paragraph of section 1, for “EU type-approval” substitute “GB type-approval”.
- (8) In Annex VIII (measures concerning the acoustic vehicle alerting system), in section III.5, for “EU type-approval” substitute “GB type-approval”.
- (9) In Annex IX (EU type-approval: sound level of silencing systems as separate technical units)—
  - (a) in the heading and each other time it occurs, including in the Appendices to Annex IX, for “EU type-approval” substitute “GB type-approval”;
  - (b) in point 1.1 for “Article 7(1) and (2) of Directive 2007/46/EC” substitute “Article 23 of Regulation (EU) 2018/858”;
  - (c) in point 3.1, for “Article 9(3) and, if applicable, Article 10(4) of Directive 2007/46/EC” substitute “Article 28(4) and, if applicable, Article 29(3) of Regulation (EU) 2018/858”;
  - (d) in point 3.3—
    - (i) in the first sentence, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”,
    - (ii) in the last sentence, for “same Member State” substitute “approval authority”;
  - (e) in point 4.2—
    - (i) for the first subparagraph, substitute—
 

“4.2. The GB type-approval mark consists of a rectangle surrounding the lower-case letter “g” followed by number “11”.”;
    - (ii) in the second subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV of Commission Implementing Regulation (EU) 2020/683”;
  - (f) in section 6, in the second subparagraph, omit the second sentence.
  - (g) in section 7, for “Articles 13 to 16 and Article 17(4) of Directive 2007/46/EC” substitute “Articles 33, 34 and 35(5) of Regulation (EU) 2018/858”;
  - (h) in point 8.1, for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”;
  - (i) in point 8.2.1, for “point 2.3.5 of Annex X to Directive 2007/46/EC” substitute “point 3.3.5 of Annex IV of Regulation (EU) 2018/858”;
  - (j) in point 8.2.2, for “point 3 of Annex X to Directive 2007/46/EC” substitute “point 4 of Annex IV to Regulation (EU) 2018/858”;
  - (k) in Appendix 1, in point 1.5, for “EU” substitute “GB”;

- (l) in the Addendum following Appendix 2 to Annex IX, in point 1.1.5 for “EU” substitute “GB”;
- (m) in the notes following Appendix 2, in note (3) for “Annex IIA to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
- (n) in Appendix 3—
  - (i) for the image, substitute—
  - (ii) in the text following the image, omit “in Spain (e 9)”.

**Regulation (EU) 2015/758**

**74.**—(1) Regulation (EU) 2015/758 is amended as follows.

- (2) In Article 1, for “EC” substitute “GB”.
- (3) In Article 2 (scope)—
  - (a) in paragraph 1—
    - (i) in the opening words, for “points 1.1.1 and 1.2.1 of Part A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
    - (ii) in the second subparagraph, in point (a)—
      - (aa) after “produced in” insert “medium and”;
      - (bb) for “Article 22 and 23 of Directive 2007/46/EC” substitute “Article 41 and 42 of Regulation (EU) 2018/858”;
    - (iii) in the second subparagraph, in point (b), for “Article 24 of Directive 2007/46/EC” substitute “Article 45 of Regulation (EU) 2018/858”;
  - (b) in paragraph 2—
    - (i) for “The Commission shall be empowered to adopt delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”;
    - (ii) omit “which is carried out or mandated by the Commission”;
    - (iii) omit the second subparagraph.
  - (c) after paragraph 3, insert—
 

“3. A type of vehicle which was subject to an approval under section 55(1A) of the Road Traffic Act 1988<sup>(a)</sup> is not required to be approved in accordance with this Regulation.”.
- (4) In Article 3 (definitions)—
  - (a) in the opening words, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (b) in point (3), for “Member State” substitute “Secretary of State”;
  - (c) in point (9), for the words “Directives” to the end, substitute “the Communications Act 2003<sup>(b)</sup>”.
- (5) In Article 5 (specific obligations of manufacturers)—
  - (a) in paragraph 2—
    - (i) in the first subparagraph, for “Union” substitute “the United Kingdom”;
    - (ii) omit “single European” both times it occurs;
  - (b) in paragraph 5, for “EC” substitute “GB”;
  - (c) in paragraph 7, for “Regulation (EC) No 715/2007” substitute “Chapter XIV of Regulation (EU) 2018/858”;
  - (d) in paragraph 8—
    - (i) in the first subparagraph—

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(a) 1988 c. 52. Subsection (1A) was inserted by S.I. 2019/648.

(b) 2003 c. 21.

- (aa) for the words from the beginning to “Article 8” substitute “the Secretary of State may make regulations”;
  - (bb) for “EC type-approval” both times it occurs, substitute “GB type-approval”;
  - (ii) in point (f)—
    - (aa) omit “European” the first time it occurs;
    - (bb) for “adopted in conformity with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council(17)” substitute “specified in regulations made by the Secretary of State”;
    - (cc) for “Union” substitute “United Kingdom”;
  - (iii) omit the final sentence;
  - (e) in paragraph 9, for “The Commission shall be empowered to adopt delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”.
- (6) In Article 6 (rules on privacy and data protection)—
- (a) in paragraph 1—
    - (i) for “Directives 95/46/EC and 2002/58/EC” substitute “the Data Protection Act 2018(a), Regulation (EU) 2016/679 and the Privacy and Electronic Communications (EC Directive) Regulations 2003(b);
    - (ii) for “those Directives” substitute “those enactments”;
  - (b) in paragraph 9(i), for “Directive 95/46/EC” substitute “Regulation (EU) 2016/679 and the Data Protection Act 2018”;
  - (c) in paragraph 12—
    - (i) in the first subparagraph, for “The Commission shall be empowered to adopted delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”;
    - (ii) omit the second subparagraph;
  - (d) in paragraph 13—
    - (i) in the first subparagraph, for “The Commission shall, by means of implementing acts”, substitute “The Secretary of State must, by regulations”
    - (ii) omit the second and third subparagraphs.
- (7) In Article 7 (obligations of the Member States)—
- (a) in the heading, for “Member States” substitute “approval authority”;
  - (b) for “national authorities shall” substitute “The approval authority may”;
  - (c) for “EC” substitute “GB”.
- (8) For Article 8 (exercise of the delegation), substitute—

*“Article 8*

**Regulations**

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.
2. Such regulations may—
  - (a) make incidental, supplemental, consequential or transitional provision, and
  - (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.
3. Before making any Regulations to which paragraph 4 applies the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.

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(a) 2018 c. 12.  
 (b) S.I. 2003/2426.

4. This paragraph applies to regulations made under Articles 2(2), 5(8), and (9), and 6(12).

5. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

(9) In Article 9 (implementing acts)—

(a) in the opening paragraph—

(i) for “The Commission shall adopt implementing acts” substitute “The Secretary of State may make regulations”;

(ii) for “EC”, each time it occurs, substitute “GB”;

(b) omit the second and third subparagraphs.

(10) Omit Articles 10 (committee procedure), 11 (penalties) and 12 (reporting and review).

(11) After Article 14 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

### **Commission Implementing Regulation (EU) 2017/78**

**75.**—(1) Commission Implementing Regulation (EU) 2017/78 is amended as follows.

(2) In Article 2 (EC type-approval: 112-based eCall in-vehicle systems)—

(a) in the heading, and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;

(b) in paragraph 1, for “Article 3(29) of Directive 2007/46/EC” substitute “Article 3(36) of Regulation (EU) 2018/858”;

(c) in paragraph 3—

(i) in the first subparagraph—

(aa) for “grant an” substitute “grant a”;

(bb) for “issue an” substitute “issue a”;

(cc) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”;

(ii) in the second subparagraph, for “A Member State” substitute “The approval authority”.

(3) In Article 3 (EC type-approval: 112-based eCall in-vehicle STUs etc)—

(a) in the heading, and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;

(b) in paragraph 1, for “Article 3(29) of Directive 2007/46/EC” substitute “Article 3(36) of Regulation (EU) 2018/858”;

(c) in paragraph 3—

(i) for “grant an” substitute “grant a”;

(ii) after “issue” insert “a”;

(iii) for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”.

(iv) for “A Member State” substitute “The approval authority”.

(4) In Article 4 (EC type-approval mark)—

(a) in the heading, for “EC” substitute “GB”;

(b) for “an EC” each time it occurs, substitute “a GB”.

(5) After Article 6 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

(6) In Annex I (Administrative documents for EC type-approval: installation of 112-based eCall in-vehicle systems)—

- (a) in the heading, and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
- (b) in the explanatory notes to Part 1—
  - (i) in note (2), for “Part A of Annex II to Directive 2007/46/EC”, substitute “Article 4 of Regulation (EU) 2018/858”
  - (ii) in note (4), for “Annex II of Directive 2007/46/EC” substitute “Annex I of Regulation (EU) 2018/858”;
- (c) in Part 2—
  - (i) after “2015/758” insert “as it has effect in domestic law”;
  - (ii) for “by Regulation .../...” substitute “by S.I. ..../....”
  - (iii) in the explanatory notes to Part 2, in note (3), for “Part A of Annex II to Directive 2007/46/EC”, substitute “Article 4 of Regulation (EU) 2018/858”;
  - (iv) in the heading to the Addendum to Part 2, for “EC” substitute “GB”.
- (d) in Part 3—
  - (i) in point 2.1—
    - (aa) for “Directives 95/46/EC and 2002/58/EC of the European Parliament and of the Council”, substitute “Regulation (EU) 2016/679, the Data Protection Act 2018(a) and the Privacy and Electronic Communications (EC Directive) Regulations 2003(b)”;
    - (bb) for “Article 7(d) of Directive 95/46/EC” substitute “Article 6(1)(d) of Regulation (EU) 2016/679(c)”;
  - (ii) in point 2.3.2—
    - (aa) for “respective public authorities of the country on which territory they are located” substitute “Secretary of State”;
    - (bb) omit “single European”;
  - (iii) in point 2.5.1—
    - (aa) for “Directive 95/46/EC” substitute “Regulation (EU) 2016/679, the Data Protection Act 2018”;
    - (bb) for “this Directive” substitute “That Regulation and that Act”;
  - (iv) in point 3.2, for “Directives 95/46/EC and 2002/58/EC” substitute “Regulation (EU) 2016/679, the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003”.

(7) In Annex II (administrative documents for EC type-approval: 112 based eCall in-vehicle STU etc)—

- (a) in the heading, and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;
- (b) in Part 1, in point 0.7, for “EC” substitute “GB”;
- (c) in the explanatory notes to Part 1, in note (2), for “Section A of Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”;
- (d) in Part 2—
  - (i) after “2015/758” insert “as it has effect in domestic law”;
  - (ii) for “by Regulation .../...” substitute “by S.I. ..../....”;
  - (iii) in Section 1, in point 0.7, for “EC” substitute “GB”;

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(a) 2018 c. 12.  
(b) S.I. 2013/2426.  
(c) EUR 2016/679.

- (e) in Part 3—
  - (i) in point 1, for “EC” substitute “GB”;
  - (ii) for point 1.1, substitute—
 

“1.1. A rectangle surrounding the lower-case letter “g” followed by the number 11.”
  - (iii) in point 3—
    - (aa) in figure 1, for the image, substitute—
    - (bb)
    - (cc) in the explanatory note following “figure 1”, for “EC” substitute “GB”, and omit “by Bulgaria”;
    - (dd) in figure 2, for the image, substitute—
    - (ee)
    - (ff) in the explanatory note following figure 2, for “EC” substitute “GB”, and omit “by Germany”.

**Commission Delegated Regulation (EU) 2017/79**

- 76.**—(1) Commission Delegated Regulation (EU) 2017/79 is amended as follows.
- (2) For “EC type-approval” each time it occurs, substitute “GB type-approval”.
  - (3) In Article 3 (multi-stage approval of special purpose vehicles), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.
  - (4) In the heading, for “Member States” substitute “the approval authority”.
  - (5) In Article 8, for “Member States” substitute “The approval authority”.
  - (6) After Article 10 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”
  - (7) In Annex I (technical requirements add procedures for testing the resistance of eCall in-vehicle systems to severe crashes), in point 2.2.4, for “Article 3(31) of Directive 2007/46/EC” substitute “Article 3(38) of Regulation (EU) 2018/858”.
  - (8) In Annex IX (classes of vehicles referred to in Article 2), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”.

**Commission Regulation (EU) No 2017/1151: Articles**

- 77.**—(1) Commission Regulation (EU) No 2017/1151 is amended as follows.
- (2) In Article 2 (definitions)—
    - (a) in point (2)—
      - (i) for “EC type-approval”, the first time it occurs, substitute “GB type-approval”;
      - (ii) for “an EC type-approval” substitute “a GB type-approval”;
    - (b) in point (32c), for “the Community”, substitute “Great Britain”;
  - (3) In Article 3 (requirements for type-approval)—
    - (a) in paragraph 1, for “an EC type-approval” substitute “a GB type-approval”;
    - (b) in paragraph 3—
      - (i) for “EC type-approval”, each time it comes, substitute “GB type-approval”;
      - (ii) for “a third country” substitute “a country other than the United Kingdom”;
      - (iii) omit the third subparagraph;
    - (c) in paragraph 10, omit the final subparagraph.
  - (4) In Article 4, paragraph 6, for “national authorities” substitute “the approval authority”.

(5) In Article 5 (application for EC type-approval: emissions and access to vehicle repair and maintenance information)—

- (a) in the heading and in paragraph 1, for “EC type-approval” substitute “GB type-approval”;
- (b) omit paragraph 5;
- (c) in paragraph 6—
  - (i) in the first subparagraph, for “approval authorities” substitute “the approval authority”;
  - (ii) in the third subparagraph, for “authorities” substitute “authority”;
- (d) in paragraph 11—
  - (i) in the first subparagraph, for “authorities” substitute “authority”;
  - (ii) for the sixth subparagraph, substitute—

“Each year, the approval authority must make available to the public a list of the AES which it has decided are not acceptable for the purposes of this paragraph.”;
- (e) in paragraph 12, omit “which granted the emission type-approval under this Regulation (‘granting approval authority’)”.

(6) In Article 6 (administrative provisions for EC type-approval: emissions and access to vehicle repair and maintenance information)—

- (a) in the heading, for “EC type-approval”, substitute “GB type-approval”;
- (b) in paragraph 1 and 3, for “an EC type-approval” substitute “a GB type-approval”;
- (c) in paragraph 1—
  - (i) for “Annex VII to Directive 2007/46/EC”, both times it occurs, substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (ii) in the third subparagraph, for “An approval” substitute “The approval”;
- (d) in paragraph 2, omit the second subparagraph;
- (e) in paragraph 3, for “an EC type approval” substitute “a GB type-approval”.

(7) In Article 7 (amendments to type-approvals), for “Articles 13, 14 and 16 of Directive 2007/46/EC” substitute “Articles 33 and 34 of Regulation (EU) 2018/858”.

(8) In Article 8 (conformity of production), in paragraph 1, for “Article 12 of Directive 2007/46/EC”, substitute “Article 31 of Regulation (EU) 2018/858”.

(9) In Article 9 (in service conformity)—

- (a) in paragraph 1, for “Annex X to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2018/858”;
- (b) in paragraph 4, for “the Union” substitute “Great Britain”;
- (c) in paragraph 5, omit “granting type”;
- (d) in paragraph 6, omit “granting”;
- (e) in paragraph 7—
  - (i) for the first and second subparagraphs, substitute—

“7. If the approval authority has established that an in-service conformity family fails the in-service conformity check, it must inform the manufacturer that an in-service conformity family fails the in-service conformity checks and that the procedures described in points 6 and 7 of Annex II must be followed.”;

- (ii) omit the third subparagraph;
- (f) in paragraph 8—
  - (i) in point (a), for “Article 3(7) of Directive 2007/46/EC” substitute “Article 3(8) of Regulation (EU) 2018/858”;
  - (ii) in point (b)—



- (aa) for “points 5.2 and 5.5 of Part A of Annex II to Directive 2007/46/EC”, substitute “points 5.2, 5.4 and 5.5 of Part A of Annex I to Regulation (EU) 2018/858”;
  - (bb) for “Annex II to Directive 2007/46/EC”, the second time it occurs, substitute “Annex I to Regulation (EU) 2018/858”;
- (10) In Article 10 (pollution control devices), in paragraph 1—
- (a) for “EC type-approved”, both times it occurs, substitute “GB type-approved”;
  - (b) for “Article 10(2) of Directive 2007/46/EC” substitute “Article 29(1) of Regulation (EU) 2018/858”.
- (11) In Article 11 (application for EC type-approval: replacement pollution device as a separate technical unit), in the heading and in paragraph 1, for “EC type-approval” substitute “GB type-approval”.
- (12) In Article 12 (administrative provisions for EC type-approval: replacement pollution device as a separate technical unit)—
- (a) in the heading for “EC type-approval” substitute “GB type-approval”;
  - (b) in paragraphs 1 and 2, for “an EC type-approval” substitute “a GB type-approval”;
  - (c) in paragraph 1, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2020/683”.
- (13) In Article 13 (access to vehicle OBD etc), omit paragraph 9.
- (14) In Article 14 (compliance with obligation, in paragraph 1, for “An approval” substitute “The approval”.
- (15) In Article 15 (transitional provisions)—
- (a) omit paragraph 1;
  - (b) in paragraph 2—
    - (i) for “national authorities”, each time it occurs, substitute “the approval authority”;
    - (ii) for “EC type approval or national type approval”, both times it occurs, substitute “GB type-approval”;
  - (c) in paragraph 3—
    - (i) in the first subparagraph—
      - (aa) for “national authorities” substitute “the Secretary of State”;
      - (bb) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;
    - (ii) in the third subparagraph, for the words “national authorities” to the end, substitute “the registration, sale or entry into service of new vehicles that do not comply with Annex VI to this Regulation is prohibited.”;
  - (d) in paragraph 4, in the second subparagraph, for “EC type-approval” substitute “GB type-approval”;
  - (e) in paragraph 5, in point (c) for “authorities” substitute “authority”;
  - (f) omit paragraph 6;
  - (g) in paragraph 9—
    - (i) in the first subparagraph—
      - (aa) for “national authorities” substitute “the approval authority”;
      - (bb) for “EC type approval or national type approval” substitute “GB type approval”;
    - (ii) in the second subparagraph, for the words “national authorities” to the end, substitute “the registration, sale or entry into service of new vehicles that do not comply with that Article is prohibited.”;

- (h) in paragraph 10, in the first subparagraph, for the words from “national authorities” to the end, substitute “the registration, sale or entry into service of new vehicles that do not comply with the requirements set out in Annex VIII of Regulation (EU) 2020/683 is prohibited.”.

(16) After Article 20 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

### **Commission Regulation (EU) 2017/1151: Annexes**

**78.**—(1) The Annexes to Commission Regulation (EU) 2017/1151 are amended as follows.

(2) In Annex I (administrative provisions for EC type-approval)—

- (a) in the heading, and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;
- (b) in point 4.1.1, for “Annex X of Directive 2007/46/EC”, substitute “Annex IV of Regulation (EU) 2018/858”;
- (c) in the second subparagraph of point 4.1.2, omit the words “and shall make it” to the end;
- (d) in point 4.1.7, omit the second sentence;
- (e) in point 4.1.8, for “Article 30 of Directive 2007/46/EC” substitute “Article 54 of Regulation (EU) 2018/858”;
- (f) in point 4.2.6.1, for “Article 12 of Regulation (EC) No 443/2009 for M1 vehicles or Article 12 of Regulation (EU) No 510/2011 for N1 vehicles” substitute “Article 11 of Regulation (EU) No 2019/631”;
- (g) in Appendix 3—
  - (i) in the heading and in point 3.2.18.1, for “EC type-approval” substitute “GB type-approval”;
  - (ii) in point 3.5.8, for “Article 12 of Regulation (EC) No 443/2009 for M1 vehicles or Article 12 of Regulation (EU) No 510/2011 for N1 vehicles” substitute “Article 11 of Regulation (EU) 2018/858”;
  - (iii) in point 9.1, for “Annex II of Directive 2007/46” substitute “Annex I of Regulation (EU) 2018/858”;
- (h) in the explanatory notes following point 16.3—
  - (i) in note (o), for “Council Directive 80/1268/EC (OJ L 375, 31.12.1980, p. 36)” substitute “UN Regulation 101, as amended by the 01 series of amendments”;
  - (ii) in note (w2) and (w4), omit “the Commission Decision approving”;
- (i) in Appendix 4—
  - (i) in the heading, and each other time it occurs, for “EC type-approval” substitute “GB type-approval”;
  - (ii) in the opening section, after “2017/1151” insert “as they have effect in domestic law”;
  - (iii) in the note of attachments after point 8 in Section II, after “information package” omit the reference to note <sup>(6)</sup>;
- (j) in the Addendum to EC type-approval certificate after Appendix 4, in the heading, for “EC” substitute “GB”;
- (k) in the explanatory notes following the Addendum—
  - (i) in note <sup>(5a)</sup>, for “point 18 of Directive 2007/46/EC” substitute “point 24 of Regulation (EU) 2018/858”;
  - (ii) omit note <sup>(6)</sup>;
  - (iii) for the words in note <sup>(26)</sup> substitute “The general code of the eco-innovation(s) is to consist of the two-digit codes for each individual eco-innovation, separated by spaces (e.g. 10 15 16);”

- (l) in Appendix 6—
    - (i) in the heading and in point 1, each time it occurs, for “EC” substitute “GB”;
    - (ii) in point 2.1—
      - (aa) omit “issued by Luxembourg, identified by the code e3”;
      - (bb) in the formula following the point, for “e13” substitute “g11”;
    - (iii) in point 2.2—
      - (aa) omit “issued by Romania, identified by the code e19”;
      - (bb) in the formula following the point, for “e19” substitute “g11”;
  - (m) in Appendix 7, in the certificate of compliance, after “2017/1151” insert “as it applies in domestic law”.
- (3) In Annex II—
- (a) in Part A (in-service conformity)--
    - (i) in point 2.1, for “Article 12(1) and (2) of Directive 2007/46/EC and in points 1 and 2 of Annex X to that Directive” substitute “Article 31(1), (3) and (4) of Regulation (EU) 2018/858 and in points 2 and 3 of Annex IV to that Regulation”;
    - (ii) in point 2.3, after ““Member States””, insert “and to ‘the United Kingdom’”;
    - (iii) in point 2.4—
      - (aa) after “Directive 2007/46/EC” insert “or with Regulation (EU) 2018/858”;
      - (bb) after “Union” insert “or in the United Kingdom”;
    - (iv) in point 2.5, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
    - (v) in point 2.6, for “Directive 2009/30/EC of the European Parliament and of the Council(1)” substitute “the Motor Fuel (Composition and Content) Regulations 1999(a)”;
  - (b) in Part B (new in-service conformity methodology)—
    - (i) in point 5—
      - (aa) in the first subparagraph, omit the words from “using the Electronic” to the end;
      - (bb) in the second subparagraph, omit the second sentence;
      - (cc) in the third subparagraph, omit the words from “using the Electronic” to the end;
    - (ii) in point 5.1, in the first subparagraph, for “Article 41 of Directive 2007/46/EC” substitute “Article 68 of Regulation (EU) 2018/858”;
    - (iii) in point 5.7.1—
      - (aa) in the first subparagraph, after “Union” both times it occurs, insert “or the United Kingdom”;
      - (bb) in the second subparagraph, for “Directive 98/70/EC of the European Parliament and of the Council (2)” substitute “the Motor Fuel (Composition and Content) Regulations 1999(b)”;
    - (iv) in point 5.8—
      - (aa) in the first subparagraph, for “the Union” substitute “Great Britain”;
      - (bb) in Table B.1, in the heading to the first column, for “EU” substitute “GB”;
    - (v) in point 5.9—
      - (aa) in the heading, omit “Use of the Electronic Platform for in-service conformity and”;
      - (bb) omit the first and third subparagraphs;

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(a) S.I. 1999/1307.

(b) S.I. 1999/1307.

- (vi) in point 5.10.1, in the fourth subparagraph, for “Annex IX of Directive 2007/46/EC” substitute “Annex VIII to Commission Implementing Regulation (EU) 2020/683”;
- (vii) in point 7.6, for “Article 30 of Directive 2007/46/EC” substitute “Article 54 of Regulation (EU) 2018/858”;
- (viii) omit point 7.7;
- (ix) in point 7.9, omit “in all Member States”;
- (x) in point 7.10—
  - (aa) for “per Member State”, both times it occurs, substitute “in Great Britain”;
  - (bb) for the words from “the granting type approval” to “the Commission”, substitute “the approval authority”;
- (xi) in point 7.11—
  - (aa) for “Member States” substitute “The Secretary of State”;
  - (bb) for “in their territory” substitute “in Great Britain”;
- (c) in Appendix 1, in the table—
  - (i) in the fourth row (country of registration), omit “(in EU only)”;
  - (ii) in the eleventh row (country of registration), for “in the EU” substitute “in the UK or the EU”;
  - (iii) in the thirty-ninth row (has the car been used with wrong fuel type), for “non-commercially available EU quality fuel” substitute “fuel that is neither commercially available nor UK-quality fuel”;
  - (iv) in the forty-eighth row (driving in non-EU Member States), for “a non EU Member State” substitute “outside the United Kingdom in a country which is not an EU Member State”;
  - (v) in the forty-ninth row (country in which vehicle refuelled) for “outside a country applying the EU Fuel Standards” substitute “in a country outside the UK which does not apply the EU Fuel Standards”.
- (4) In Annex IIIA (verifying real driving emissions)—
  - (a) omit point 2.3;
  - (b) in point 2.4, for “Article 7(1) of Regulation (EC) No 715/2007” substitute “Article 63 of Regulation (EU) 2018/858”;
  - (c) in point 3.1.3.2, for “the Commission and the Type Approval Authorities” substitute “the approval authority”;
  - (d) in point 3.1.3.2.1, for “Annex IX to Directive 2007/46/EC”, in both places it occurs, substitute “Annex VIII to Commission Implementing Regulation (EU) 2020/683”;
  - (e) in point 6.4, for “Directive 92/6/EEC” substitute “Regulation 36B of the Road Vehicles (Construction and Use) Regulations 1986(a)”;
  - (f) in point 6.5, for “Directive 92/6/EEC” substitute “Regulation 36B of the Road Vehicles (Construction and Use) Regulations 1986”;
  - (g) in point 6.9—
    - (i) in the second subparagraph, for “Directive 92/6/EEC” substitute “Regulation 36A of the Road Vehicles (Construction and Use) Regulations 1986”;
    - (ii) in the third subparagraph, for “Directive 92/6/EEC” substitute “Regulation 36B of the Road Vehicles (Construction and Use) Regulations 1986”;
  - (h) in point 7.4, omit “for the Union”;
  - (i) in Appendix 5 to Annex IIIA—

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(a) S.I. 1986/1078.

- (i) in point 4.4.2 and 4.4.3, in the second subparagraph in each case, for “Directive 92/6/EEC” substitute “Regulation 36B of the Road Vehicles (Construction and Use) Regulations 1986”;
- (ii) after point 4.4.3, in the titles to Figure 5 and Figure 6, for “Directive 92/6/EEC” substitute “Regulation 36B of the Road Vehicles (Construction and Use) Regulations 1986”;
- (j) in Appendix 6 to Annex IIIA—
  - (i) in point 2.1 in the final subparagraph—
    - (aa) for “Commission” substitute “Secretary of State”;
    - (bb) for “mathetical” substitute “mathematical”;
  - (ii) in point 2.3, in the first subparagraph, in the final sentence, for “Commission” substitute “Secretary of State”;
- (k) in Appendix 7—
  - (i) in point 1, for “Annex IX to Directive 2007/46/EC” substitute “Annex VIII to Commission Implementing Regulation (EU) 2020/683”;
  - (ii) in point 5.2—
    - (aa) for “MS-OEM-X-Y” substitute “GB-OEM-X-Y”;
    - (bb) omit the words from “MS is the distinguishing” to “type-approval<sup>(1)</sup>”;
  - (iii) in point 5.3, for “EC” substitute “GB”.
- (5) In Annex XI (on-board diagnostics for motor vehicles)—
  - (a) for point 4.4, substitute—
 

“4.4. Paragraph 5.2.1(c) of Annex 11 to UNECE Regulation 83 shall be read as if “The Type Approval Authority shall transmit this information to the Type Approval Authorities of the Contracting Parties and” were omitted.”;
  - (b) in point 4.6, for “EC” substitute “GB”;
  - (c) in Appendix 1, in point 3.1.2—
    - (i) in the first subparagraph—
      - (aa) omit “and, upon request, to the Commission”;
      - (bb) for “in the Union” substitute “in Great Britain”;
    - (ii) in the second subparagraph—
      - (aa) in the penultimate sentence, omit “by Member States”;
      - (bb) omit the final sentence.
- (6) In Annex XII (type-approval of vehicles fitted with eco-innovations etc)—
  - (a) in point 1.1, for “an EC type-approval” substitute “a GB type-approval”;
  - (b) in point 1.2, after “Commission Decision” inset “or the decision of the Secretary of State”;
  - (c) in point 1.3, for “Directive 2007/46/EC” substitute “Regulation (EU) 2018/858”;
  - (d) in point 2.1, for “Article 3(7) of Directive 2007/46/EC”, substitute “Article 3(8) of Regulation (EU) 2018/858”;
  - (e) in point 2.6, for “Annex IX to Directive 2007/46/EC” substitute “Annex VIII to Commission Implementing Regulation (EU) 2020/6838”.
- (7) In Annex XIII (EC type-approval of replacement pollution control devices as separate technical units)—
  - (a) in the heading, and the heading at point 3, for “EC” substitute “GB”;
  - (b) in point 3.1, for “an EC” substitute “a GB”;
  - (c) in point 3.2—
    - (i) for “EC type-approval”, each time it occurs, substitute “GB type-approval”;

- (ii) in the first subparagraph, for the words from “letter” to the end, substitute “letter ‘g’ followed by the number 11”;
- (iii) in the second subparagraph, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
- (d) in points 3.3 and 3.4, for “EC” substitute “GB”;
- (e) in point 4.1.5, for “EC -type-approval” substitute “GB type-approval”;
- (f) in point 6.1, for “Article 12 of Directive 2007/46/EC”;
- (g) in point 6.2.1, for “Annex X to Directive 2007/46/EC”, substitute “IV to Regulation (EU) 2018/858”;
- (h) in point 6.2.2, for Article 12(2) of Directive 2007/46/EC” substitute “Article 31(3) of Regulation (EU) 2018/858”;
- (i) in Appendix 1, in the heading, and in point 0.7, for “EC” substitute “GB”;
- (j) in Appendix 2—
  - (i) for “EC type-approval”, in the headings and each other time it occurs, substitute “GB type-approval”;
  - (ii) in point 0.7, for “EC” substitute “GB”;
- (k) in Appendix 3—
  - (i) in the heading, for “EC” substitute “GB”;
  - (ii) for the image, substitute—
  - (iii)
  - (iv) in the text following the image, omit “in France (e 2),”.
- (8) In Annex XIV (Access to vehicle OBD and vehicle repair and maintenance information)—
  - (a) in point 2.2—
    - (i) in the second subparagraph, for the words from the beginning to “Article 13 will” substitute “The Secretary of State may by regulations”;
    - (ii) after the second subparagraph, insert—

“Article 15 of Regulation (EC) No 715/2007 applies to regulations made by the Secretary of State under this paragraph as it applies to regulations made under Regulation (EC) No 715/2007.”
  - (b) in Appendix 1, after “the provisions of” insert “the following Regulations, as they apply in domestic law”.
- (9) In Annex XXI (Type 1 emissions test procedures), in point 3.2.18, for “Annex IV and Annex XI of Directive 2007/46/EC”, substitute “Annex II of Regulation (EU) 2018/858”.

#### **Commission Regulation (EU) 2017/2400: Articles**

- 79.**—(1) Commission Regulation (EU) 2017/2400 is amended as follows.
- (2) In Article 1 (subject matter), for “in the Union” substitute “in Great Britain”.
  - (3) In Article 2 (scope)—
    - (a) in paragraph 1, for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”
    - (b) in paragraph 3, for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”
  - (4) In Article 3 (definitions)—
    - (a) omit point (5);
    - (b) in point (16), for “Annex II to Directive 2007/46/EC” substitute “Annex I to Regulation (EU) 2018/858”;

- (c) in point (20), for “as defined in Article 3(15) of Directive 2007/46/EC” substitute—  
 “a hybrid vehicle that, for the purpose of mechanical propulsion, draws energy from both of the following on-vehicle sources of stored energy or power—
- (a) a consumable fuel;
  - (b) a electrical energy or power storage device, such as, for example, a battery, capacitor, flywheel or generator;”.
- (5) In Article 5 (electronic tools)—
- (a) in paragraph 1—
    - (i) in the opening words, for “The Commission shall provide free of charge the following tools in the form of downloadable and executable software”, substitute “The approval authority must use the following electronic tools, as provided by the Commission under Article 5 of this Regulation as it has effect under EU law”;
    - (ii) in the closing words, omit the words from “The Commission” to the end. for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858”
  - (b) omit paragraph 2.
- (6) In Article 6(4) (application for a licence to operate the simulation tool etc.)—
- (a) for “an EC type-approval”, both times it occurs, substitute “a GB type-approval”;
  - (b) omit “and access to vehicle repair and maintenance information” both times it occurs;
  - (c) in the final sentence, for “EC type-approval” substitute “GB type-approval”.
- (7) In Article 9 (obligation to determine and declare CO<sup>2</sup> emissions and fuel consumption)—
- (a) in paragraph 1, for “in the Union” both times it occurs, substitute “in Great Britain”;
  - (b) in paragraph 5, for “Article 24 of Directive 2007/46/EC” substitute “Article 45 of Regulation (EU) 2018/858”.
- (8) In Article 10 (modifications, updates and malfunctions of electronic tools)—
- (a) in paragraph 1, after “made available” insert “by the Commission in accordance with paragraph 1 of Article 5 of this Regulation as it applies in European law”;
  - (b) after paragraph 1, insert—
    - “1a. The approval authority must notify approval holders as soon as practicable on each occasion that the simulation tool is updated by the Commission.”;
  - (c) in paragraph 2, for the words from “the Commission” to the end” substitute “the approval authority without delay”.
- (9) In Article 11 (accessibility of the simulation tool inputs and output information)—
- (a) in paragraph 1, omit “and the Commission”;
  - (b) omit paragraphs 2 and 3.
- (10) In Article 12 (components, separate technical units and systems relevant to determine CO<sup>2</sup> emissions and fuel consumption), after paragraph 7, insert—
- “8. A manufacturer may choose to comply with paragraphs 2, 3 and 4 by submitting values determined in accordance with Articles 13 and 14, and certified in accordance with Article 17, of Regulation (EU) 2017/2400 as it applies in EU law, provided that the components, separate technical units concerned were certified before 31st December 2026.”.
- (11) In Article 16(3) (application for certification of CO<sup>2</sup> emissions and fuel consumption related properties), in the second subparagraph—
- (a) for “an approval” substitute “the approval”;
  - (b) for “point 1 of Annex X of Directive 2007/46/EC” substitute “point 2 of Annex IV of Regulation (EU) 2018/858”.
- (12) In Article 19(1) (subsequent changes relevant to the certification of CO<sup>2</sup> emissions etc), after “pursuant to” insert “Article 12(8) or”.

- (13) In Article 20 (responsibilities re conformity of simulation tool operation)—
- (a) in paragraph 1, in the second subparagraph, omit the words from “and shall make them available” to the end;
  - (b) in paragraph 2—
    - (i) in the second subparagraph, omit the second sentence;
    - (ii) omit the fourth subparagraph.
- (14) In Article 21 (remedial measures for the conformity of simulation tool operation), in paragraph 3, omit “and all the other Member States”.
- (15) In Article 22 (responsibilities re conformity of CO<sup>2</sup> emissions etc)—
- (a) in paragraph 1—
    - (i) for “Annex X to Directive 2007/46/EC” substitute “Annex IV to Regulation (EU) 2018/858”;
    - (ii) after “Article 17”, insert “or with Article 12(8), where such components, separate technical units and systems are fitted to the vehicle.”;
  - (b) in paragraph 2, for the second sentence, substitute “In the case of components, separate technical units or systems approved under Article 12(8), the manufacturer must provide the approval authority with the test reports that were sent to the certifying approval authority in the relevant member State.”;
  - (c) omit paragraph 3
  - (d) in paragraph 4, for “Any approval authority” substitute “The approval authority”.
- (16) In Article 23 (remedial measures for the conformity of CO<sup>2</sup> emissions etc)—
- (a) in paragraph 1, after “Article 17” insert “or Article 12(8)”;
  - (b) in paragraph 3, in the first sub-paragraph, omit “and all the other Member States”.
- (17) In Article 24(1) (transitional provisions), in the opening words, for “Member States shall prohibit the registration, sale or entry into service of” substitute “the registration, sale or entry into service of the following vehicles is prohibited”.
- (18) After Article 27 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

### **Commission Regulation (EU) 2017/2400: Annexes**

- 80.**—(1) The Annexes to Commission Regulation (EU) 2017/2400 are amended as follows.
- (2) In Annex II (requirements and procedures: operation of simulation tool)—
- (a) in point 1.1.3, omit the words from “consulting” to “as well as”;
  - (b) in Appendix 2—
    - (i) after “Regulation (EU) 2017/2400” insert “both as they have effect in domestic law”;
    - (ii) in Section II, omit point 2.
- (3) In Annex III (input information: characteristics of the vehicle), in the second subparagraph of point 4.1, for “Annex IV and Annex XI to Directive 2007/46/EC” substitute “Annex II to Regulation (EU) 2018/858”.
- (4) In Annex V (verifying engine data)—
- (a) in appendix 4, in point 7.4, for “EC” substitute “GB”;
  - (b) in appendix 6—
    - (i) for point 1.3, substitute—
 

“1.3. The certification mark as a rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;



- (ii) in point 1.4, for “Annex VII to Directive 2007/46/EC” substitute “point 2.4 of Annex IV to Commission Implementing Regulation (EU) 2020/683”;
  - (iii) in point 1.4.1—
    - (aa) for the image, substitute—
    - (bb) in the words following the image, omit “in Poland (e20),”;
  - (iv) in point 1.5.1—
    - (aa) for the image, substitute—
    - (bb) in the words following the image, omit “in Poland (e20),”;
  - (v) in point 2.1, in the example certification number, at the beginning, for “eX” substitute “g11”;
  - (vi) in the table following point 2.1, in the column headed “Section 3” for “Latest amending Regulation (ZZZZ/ZZZZ)” substitute “Latest amending Statutory Instrument (S.I. ZZZZ/ZZZZ)”.
- (5) In Annex VI (verifying transmission, torque convertor and other data)—
- (a) in point 3.4.7, for “an approval” substitute “the approval”;
  - (b) in point 8, for “an approval” substitute “the approval”;
  - (c) in Appendix 1, in the second paragraph, omit “Regulation (EC) No XXXXX and”
  - (d) in Appendices 2, 3, 4 and 5, in point 0.8 in each case, for “EC approval” substitute “GB approval”;
  - (e) in Appendix 7—
    - (i) for point 1.3, substitute—
 

“1.3. The certification mark as a rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;
    - (ii) in point 1.4, for “Annex VII to Directive 2007/46/EC” substitute “point 2.4 of Annex IV to Commission Implementing Regulation (EU) 2020/683”;
    - (iii) in point 1.5—
      - (aa) for the image, substitute—
      - (bb) in the words following the image, omit “in Poland (e20),”;
    - (iv) in point 2.1, in the example certification number, at the beginning, for “eX” substitute “g11”;
    - (v) in the table following point 2.1, in the column headed “Section 3”, for “Latest amending Regulation (ZZZZ/ZZZZ)” substitute “Latest amending Statutory Instrument (S.I. ZZZZ/ZZZZ)”.
- (6) In Annex VII (verifying axle data)—
- (i) in point 5.1, for “Article 12 of Directive 2007/46/EC” substitute “Article 31 of Regulation (EU) 2018/858”;
  - (b) in Appendix 1--
    - (i) in the opening section—
      - (aa) after “2017/2400” the first time it appears, insert “as it has effect in domestic law, as last amended by S.I. .../...”;
      - (bb) omit the following words “Commission Regulation (EU) 2017/2400 as last amended by ...”;
    - (ii) in Section I, in point 0.5, for “EC” substitute “GB”;
  - (c) in Appendix 5—
    - (i) for point 1.3, substitute—

“1.3. The certification mark as a rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;

- (ii) in point 1.4, for “Annex VII to Directive 2007/46/EC” substitute “point 2.4 of Annex IV to Commission Implementing Regulation (EU) 2020/683”;
- (iii) in point 1.4.1—
  - (aa) for the image, substitute—
  - (bb) in the words following the image, omit “in Poland (e20),”;
- (iv) in point 2.1, in the example certification number, at the beginning, for “eX” substitute “g11”;
- (v) in the table following point 2.1, in the column headed “Section 3”, for “Latest amending Regulation (ZZZZ/ZZZZ)” substitute “Latest amending Statutory Instrument (S.I. ZZZZ/ZZZZ)”.

(7) In Annex VIII (verifying air drag data)—

- (a) in point 2(12), for the definition ‘EMS’ substitute “‘EMS’ means the European Modular System, denoting a vehicle combination consisting of a vehicle of category N, towing both a semi-trailer and either a trailer or a dolly, whether or not coupled together in that order”;
- (b) in Appendix 1—
  - (i) in the opening section—
    - (aa) after “2017/2400” the first time it appears, insert “as last amended by S.I. .../...”;
    - (bb) omit the following words “Commission Regulation (EU) 2017/2400 as last amended by ...”;
  - (ii) in Section I, in point 0.6, for “EC” substitute “GB”;
- (c) in Appendix 4—
  - (i) in tables 11 and 13, in the second row (width), omit “(96/53/EC)”;
  - (ii) in table 15—
    - (aa) omit “(96/53/EC)” each time it occurs;
    - (bb) in the eighth row (front overhang), and the tenth row (corner front/side panel), omit “, 96/53/EC”;

(d) in Appendix 8—

- (i) for point 1.3, substitute—

“1.3. The certification mark as a rectangle surrounding the lower-case letter ‘g’ followed by the number 11.”;

- (ii) in point 1.4, for “Annex VII to Directive 2007/46/EC” substitute “point 2.4 of Annex IV to Regulation (EU) 2020/683”;
- (iii) in point 1.4.1—
  - (aa) for the image, substitute—
  - (bb) in the words following the image, omit “in Poland (e20),”;
- (iv) in point 2.1, in the example certification number, at the beginning, for “eX” substitute “g11”;
- (v) in the table following point 2.1, in the column headed “Section 3”, for “Latest amending Regulation (ZZZZ/ZZZZ)” substitute “Latest amending Statutory Instrument (S.I. ZZZZ/ZZZZ)”.

(8) In Annex X (certification procedure for pneumatic tyres)—

- (a) in point 3.3—
  - (i) in the opening words, for “Article 41 of Directive 2007/46/EC” substitute “Article 68 of Regulation (EU) 2018/858”;

- (ii) in point (i), for “an approval” substitute “the approval”;
- (iii) in point (ii), for “Directive 2007/46/EC, Article 41” substitute “Article 68(1)(a) of Regulation (EU) 2018/858,”;
- (b) in point 3.4.4, for “Article 19(2) of Directive 2007/46/EC” substitute “Article 38 of Regulation (EU) 2018/858;
- (c) in Appendix 1, in the opening words, for “as amended by Commission Regulation (EU) 2019/318” substitute “as last amended by S.I. .... / ....”;
- (d) in Appendix 4—
  - (i) in point 1.1, in the example certification number, at the beginning, for “eX” substitute “g11”;
  - (ii) in the table following point 1.1, in the column headed “Section 3”, for “Latest amending Regulation (ZZZZ/ZZZZ)” substitute “Latest amending Statutory Instrument (S.I. ZZZZ/ZZZZ)”.
- (9) In Annex Xa (conformity of simulation tool operation and of CO<sup>2</sup> emissions and fuel consumption related properties etc)—
  - (a) in paragraph 3(f), after “manufacturer” insert “in Great Britain”;
  - (b) in the table following paragraph 3(f), for the heading to the second column, substitute “Verification testing procedure relevant vehicles sold in GB/year”.

#### **Regulation (EU) 2019/2144**

**81.** Regulation (EU) 2019/2144 of the European Parliament and of the Council on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as regards their general safety and the protection of vehicle occupants and vulnerable road users, is revoked.

#### **Commission Implementing Regulation (EU) 2020/683: Articles**

- 82.**—(1) Commission Implementing Regulation (EU) 2020/683 is amended as follows.
- (2) In Article 1 (templates for the information document)—
    - (a) in paragraph 1, in the opening words, for “EU type-approval” substitute “GB type-approval”;
    - (b) in paragraph 2, for “EU whole-vehicle” substitute “GB whole-vehicle”.
  - (3) In Article 2 (templates for EU type-approval certificates)—
    - (a) in the heading—
      - (i) for “EU” the first two times it occurs, substitute “GB”;
      - (ii) for small substitute “medium”;
      - (iii) omit “and EU individual vehicle approval certificates”;
    - (b) for “an EU” each time it occurs, substitute “a GB”;
    - (c) omit paragraph 4.
  - (4) In Article 3—
    - (a) in the heading, omit “national” both times it occurs;
    - (b) for “small” substitute “medium”.
  - (5) In Article 4, omit “44(4)”.
  - (6) In Article 5 (model for the EU type-approval mark for components and separate technical units), including in the heading, for “EU type-approval” both times it appears, substitute “GB type-approval”.
  - (7) In Article 8, at the end, insert as a new subparagraph—

“This Article does not apply where a vehicle is manufactured before 1 July 2023 and is of a type that was approved as a whole vehicle by an approval authority of a Member State in accordance with Regulation (EU) 2018/858 at it has effect in EU law.”

### **Commission Implementing Regulation (EU) 2020/683: Annexes**

**83.**—(1) The Annexes to Commission Implementing Regulation (EU) 2020/683 are amended as follows.

(2) In Annex I—

(a) in the explanatory notes—

- (i) for the words in note <sup>(8)</sup>, substitute “According to section 1 of the Automated and Electric Vehicles Act 2018 (c.18).”;
  - (ii) for the words in note <sup>(29)</sup>, substitute “Commission Regulation (EU) No 1230/2012 of 12 December 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers and amending Directive 2007/46/EC of the European Parliament and of the Council EUR 2012/1230.”;
  - (iii) for the words in note <sup>(60)</sup>, substitute “Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (EUR 2019/631).”;
  - (iv) omit note <sup>(61)</sup>;
  - (v) in notes <sup>(65)</sup> and <sup>(66)</sup>, for “Commission Decision” substitute “document”;
  - (vi) in note <sup>(106)</sup>, for “EU” substitute “GB”;
  - (vii) in notes <sup>(144)</sup>—
    - (aa) for “Commission Decision” substitute “Document”;
    - (bb) in the second sentence, for “Regulation (EC) No 443/2009 of the European Parliament and of the Council (OJ L 140. 5.6.2009, p.1)” substitute “Regulation (EU) 2019/631”;
  - (viii) in note <sup>(145)</sup>, for “Commission Decision” substitute “document”;
  - (ix) in note <sup>(147)</sup>, for “Commission Implementing Regulation CC/XXX of ....” substitute “this Regulation”;
  - (x) in note <sup>(151)</sup>, for the words after “consist of” to the end, substitute “the two-digit codes for each individual eco-innovation, each separated by a blank space”;
  - (xi) in note <sup>(155)</sup>, for the existing text substitute “The speedometer must be capable of showing both imperial and metric measures, at the choice of the driver, if they are not displayed simultaneously”;
  - (xii) in note <sup>(156)</sup>—
    - (aa) for “Member States” substitute “Secretary of State”;
    - (bb) for the words from “in a Member State” to the end, substitute “intended for use in right hand traffic”;
  - (xiii) in note <sup>(166)</sup>, for the words from “the directive number” to the end, substitute “the code 466-1 denoting compliance with paragraph 1 of Article 466 of the Trade and Cooperation Agreement between the EU and the UK must be mentioned”.
- (b) in the Template for an information document for the EU type-approval of vehicle, systems, components or separate technical units—
- (i) in the heading, for “EU” substitute “GB”;
  - (ii) in the opening paragraph, and on each other time it occurs, for “EU type-approval” substitute “GB type-approval”;
  - (iii) for point 1.11, substitute—

- “1.11. Vehicle is designed to be capable, in at least some circumstances or situations, of safely driving itself: yes/no.”;
- (iv) in point 2.4.2.1.3, for “Article 9a of Council Directive 96/53/EC <sup>(29)</sup>” substitute “Appendix 5 of Annex I to Commission Regulation (EU) 1230/2019 <sup>(29)</sup>”;
  - (v) in point 2.6.4, for “Additional mass” substitute “Increase in mass”;
  - (vi) in point 3.5.6, for the words from “Article 12” to “N<sub>1</sub> vehicles”, substitute “Article 11 of Regulation (EU) No 2019/631 of the European Parliament and of the Council <sup>(60)</sup>”;
  - (vii) in the table at point 3.5.6.3, in the heading of the first column, for “Decision” substitute “Document”;
  - (viii) in point 3.5.8, for the words from “Article 12” to “N<sub>1</sub> vehicles”, substitute “Article 11 of Regulation (EU) No 2019/631 of the European Parliament and of the Council <sup>(60)</sup>”.
- (3) In Annex II (template for an information document for whole vehicle step-by-step approval)—
- (a) in the heading, for “EU” substitute “GB”;
  - (b) in the opening paragraph, for “EU type-approval” substitute “GB type-approval”;
  - (c) in Part III, in the fourth column of the table, omit “Member State or”.
- (4) In Annex III (templates for approval certificates)—
- (a) in point 1.2, omit the words from “(for approval” to “Greek characters)”;
  - (b) in point 1.3, in the second subparagraph—
    - (i) omit “national”, the first time it occurs;
    - (ii) for “National” substitute “GB” ;
  - (c) in points 1.4 and 1.5, for “EU” substitute “GB”;
  - (d) omit point 1.6;
  - (e) in point 1.7, omit “national”;
  - (f) in the template for Model A—
    - (i) in the heading and in the opening section—
      - (aa) for “EU vehicle” substitute “GB vehicle”;
      - (bb) for “EU whole” each time it occurs, substitute “GB whole”;
      - (cc) for “EU type-approval” each time it occurs, substitute “GB type-approval”;
    - (ii) after “Communication concerning granting/extension/refusal/withdrawal”—
      - (aa) in the second indent, for “Commission” substitute “approval authority”, and omit “in accordance with Article 39(3) thereof”
      - (bb) omit the third indent;
      - (cc) in the fourth indent, for “small” substitute “medium”;
      - (dd) in the fifth indent, for “national” substitute “GB”;
    - (iii) in Section II—
      - (aa) for “EU type-approval”, each time it occurs, substitute “GB type-approval”;
      - (bb) in the heading before Part 2, for “EU VEHICLE” substitute “GB VEHICLE”;
    - (iv) in Part 2, for “EU type-approval”, each time it occurs, substitute “GB type-approval”;
  - (g) in the template for Model B—
    - (i) in the heading, and in the opening section, for “EU type-approval” substitute “GB type-approval”;
    - (ii) in the opening section, for “EU system”, each time it occurs, substitute “GB system”;
    - (iii) after “Communication concerning granting/extension/refusal/withdrawal”—
      - (aa) in the second indent, for “Commission” substitute “approval authority”, and omit “in accordance with Article 39(3) thereof”;

- (bb) omit the third indent;
- (iv) in the Addendum following Section II, for “EU type-approval” in the heading and in point 2, substitute “GB type-approval”;
- (h) in the template for Model C—
  - (i) in the heading, for “EU” substitute “GB”;
  - (ii) in the opening section, for “EU component” each time it occurs, substitute “GB component”;
  - (iii) after “Communication concerning granting/extension/refusal/withdrawal”—
    - (aa) in the second indent, for “Commission” substitute “approval authority” and omit “in accordance with Article 39(3) thereof”;
    - (bb) omit the third indent;
  - (iv) in the following subparagraph, for “EU” substitute “GB”;
  - (v) in Section I, in point 0.7, for “EU” substitute “GB”;
  - (vi) in the Addendum following Section II, in the heading, for “EU” substitute “GB”;
- (i) omit the template for Model D;
- (j) in the template for Model E—
  - (i) in the heading, omit “national” both times it occurs;
  - (ii) in the row following the heading, for “e(4)” substitute “g11”;
  - (iii) in the text before Section I, omit “national” both times it occurs;
  - (iv) in Section I, in the text after point 0.10—
    - (aa) in the second paragraph, for “issuing Member State” substitute “approval authority”;
    - (bb) in the third paragraph, for “(name of the Member State)” substitute “Great Britain”;
- (k) in Appendix 1—
  - (i) in the heading, omit “EU individual vehicle approval certificate and of the national”;
  - (ii) in the section relating to Category N2, in point 5.2, for “Article 9a of Directive 96/53/EC” substitute “Appendix 5 of Annex I to Commission Regulation (EU) 1230/2012”;
  - (iii) in the section relating to Category N3, in point 5.2, for “Article 9a of Directive 96/53/EC” substitute “Appendix 5 of Annex I to Commission Regulation (EU) 1230/2012”.
- (5) In Annex IV (approval certificate numbering system)—
  - (a) for point 2.1, substitute—
 

“The lower-case letter ‘g’ is followed by the number 11.”;
  - (b) in point 2.2—
    - (i) for “EU type-approval” both times it occurs, substitute “GB type-approval”;
    - (ii) for “or Commission Implementing Regulation” substitute “, Commission Implementing Regulation or Statutory Instrument”;
    - (iii) after point (c), insert—
 

“(d) the number of the Statutory Instrument laying down the applicable requirements.”;
  - (c) in point 2.3—
    - (i) in the opening words—
      - (aa) for “or Commission Implementing Regulation” substitute “, Commission Implementing Regulation or Statutory Instrument”;

- (bb) after “Regulation/Directive” both times it occurs, insert “/Statutory Instrument”;
- (ii) in the second paragraph—
  - (aa) in the opening words and in point (a), for “an EU type-approval”, substitute “a GB type-approval”;
  - (bb) in point (a), for “small” substitute “medium”;
  - (cc) in point (b), omit “national”;
  - (dd) omit point (c);
  - (ee) in point (d), for “a national” substitute “an”;
- (iii) in the third paragraph, for “Directive or Regulation” both times it occurs, substitute “Directive, Regulation or Statutory Instrument”;
- (d) in point 2.4—
  - (i) for “an EU” both times it occurs, substitute “a GB”;
  - (ii) for “EU type-approval” substitute “GB type-approval”;
  - (iii) for “small series”, the first time it occurs, substitute “medium series”;
  - (iv) for “national” substitute “GB”;
  - (v) omit “EU individual vehicle approval or a national”;
  - (vi) for “Member States” substitute “Secretary of State”;
- (e) in point 2.5, omit “EU individual vehicle approval and national”;
- (f) in point 3.1—
  - (i) in the opening words, omit “granted by France”;
  - (ii) in points (a) to (d), at the beginning of the example approval certificate numbers, for “e2” substitute “g11”;
- (g) in point 3.2—
  - (i) for “EU whole” substitute “GB whole”;
  - (ii) omit “by Ireland”;
  - (iii) at the beginning of the example number, for “e24” substitute “g11”;
- (h) in point 3.3—
  - (i) for “an EU type-approval” substitute “a GB type-approval”;
  - (ii) for “small” substitute “medium”;
  - (iii) omit “by Luxembourg”;
  - (iv) at the beginning of the example number, for “e13” substitute “g11”;
- (i) in point 3.4—
  - (i) omit “national”;
  - (ii) omit “by the Netherlands”;
  - (iii) at the beginning of the example number, for “e4” substitute “g11”;
- (j) omit point 3.5;
- (k) in point 3.6—
  - (i) “a national” substitute “an”;
  - (ii) omit “by Austria”;
  - (iii) at the beginning of the example number, for “e12” substitute “g11”.
- (l) in point 4, in the second subparagraph, for “EU type-approval” substitute “GB type-approval”;
- (m) in point 4.6.1—

- (i) omit “by Germany”;
  - (ii) at the beginning of the example number, for “e1” substitute “g11”;
- (n) in point 4.6.2—
  - (i) omit “by Croatia”;
  - (ii) at the beginning of the example number, for “e25” substitute “g11”.
- (6) In Annex V (EU type-approval mark of components and separate technical units)—
  - (a) in the heading, and each other occasion it occurs, for “EU type-approval” substitute “GB type-approval”;
  - (b) for point 1.1, substitute—
 

“1.1. A rectangle surrounding the lower-case letter ‘g’, followed by the number 11.”;
  - (c) in point 3—
    - (i) omit “by Belgium”;
    - (ii) for the image, substitute—
  - (d) in point 4—
    - (i) in the second subparagraph, in the final sentence in point (b), for the words after “lower-case letter ‘e’” to the end, substitute “the lower-case letter ‘g’ shall be used, followed by the number 11”;
    - (ii) in the third subparagraph, omit “by Germany”;
    - (iii) for the diagram following the third subparagraph, substitute—
- (7) In Annex VI (template for the test result sheet)—
  - (a) in the opening sentence, for “EU type-approval” substitute “GB type-approval”;
  - (b) in each table in point 4, in the heading of the first column, for “Decision” substitute “Document”.
- (8) In Annex VII (format of test reports for type-approval), in paragraph 2, for the words from “one of the official languages” to the end, substitute “English”.
- (9) In Annex VIII (certificate of conformity in paper format)—
  - (a) in point 1.4, omit the words in brackets;
  - (b) in Part 1 of the Appendix—
    - (i) in the Section relating to Model A1, in the text below point 0.11—
      - (aa) for “can be permanently registered in Member States having” substitute “is suitable for”;
      - (bb) omit “<sup>(155)</sup>” both times it occurs;
    - (ii) in the Section relating to Model A2, in the text below point 0.11—
      - (aa) for “Member States”, substitute “countries”;
      - (bb) omit “<sup>(155)</sup>” both times it occurs;
    - (iii) in the Section relating to Model B, Part 1, in point 0.11(c)—
      - (aa) for “Member States”, substitute “countries”;
      - (bb) omit “<sup>(155)</sup>” both times it occurs;
  - (c) in Part 2 of the Appendix—
    - (i) in Vehicle Categories M2, M3, N2, and N3, in each case in point 5.2, for “complying with Article 9a of Directive 96/533/EC” substitute “complying with Appendix 5 of Annex I to Commission Regulation (EU) 1230/2012”;
    - (ii) in Vehicle Category O3 and O4, in point 17—
      - (aa) for the second sentence, substitute—
 

“Only for national traffic, the lower-case letter ‘g’ followed by the number 11”.



- (bb) omit the third sentence.

### **Commission Implementing Regulation (EU) 2020/1812**

**84.**—(1) Commission Implementing Regulation (EU) 2020/1812 of 1 December 2020 laying down rules on the online data exchange and the notification of EU type-approvals under Regulation (EU) 2018/858 of the European Parliament and of the Council is amended as follows.

(2) Omit Articles 1 (common secure electronic exchange system), 2 (security measures) and 3 (procedure for the exchange of type-approval information).

(3) In Article 4 (list of EU type-approvals)—

(a) in paragraph 1—

(i) for “Member States make” substitute “the Secretary of State makes”;

(ii) for “lists of EU type-approvals” substitute “list of GB type-approvals”;

(iii) omit “using ETAES”;

(iv) for “they shall” substitute “the Secretary of State must”;

(v) for “Member States shall” substitute “The Secretary of State must”;

(b) in paragraph 2—

(i) omit point (a);

(ii) for “EU type-approval”, each time it occurs, substitute “GB type-approval”;

(c) omit paragraph 3.

(4) After Article 5, omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”

Date

*Name*  
Secretary of State  
Department for Transport

### **EXPLANATORY NOTE**

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

These Regulations are made in the exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under paragraphs (a), (b), (c), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to legislation in the field of type-approval for road vehicles and non-road mobile machinery, replacing the amendments made by the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/648) which expire on 31st December 2022.

They also amend a number of Commission Regulations made under Regulation (EU) 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor. The Commission Regulations amended set out the type-approval requirements in relation to windscreen defrosting and demisting systems; rear registration plates; towing devices; windscreen wiper and washer systems; wheel guards; spray suppression systems; tyres; gear shift indicators and vehicle access and manoeuvrability.

[The net costs imposed on business, the voluntary sector and the public sector by these Regulations have been assessed as being less than £5m in any year and therefore a full impact assessment has not been prepared.]

An Explanatory Memorandum has been prepared and is available alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk)