

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, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (Text with EEA relevance)

CHAPTER II

GENERAL OBLIGATIONS

Article 16

Obligations of importers

1 Importers shall only place on the market vehicles, systems, components or separate technical units that comply with this Regulation [^{F1}or, where Article 5A applies to a vehicle, system, component or separate technical unit, with the EU Type Approval Regulation].

2 Before placing on the market a type-approved vehicle, system, component or separate technical unit, importers shall verify that it is covered by a valid [^{F2}GB] type-approval certificate [^{F3}or a type-approval certificate which is valid under the EU Type Approval Regulation, as appropriate,] and that the system, component or separate technical unit bears the required type-approval mark and complies with Article 13(8) [^{F4}of this Regulation or, where applicable, of the EU Type Approval Regulation].

In the case of a vehicle, the importer shall ensure that the vehicle is accompanied by the required certificate of conformity.

3 Where a vehicle, system, component or separate technical unit is not in conformity with the requirements of this Regulation [^{F5}or of the EU Type Approval Regulation, where applicable], and in particular where it does not correspond to its type-approval, importers shall not place on the market, allow to enter into service or register the vehicle, system, component or separate technical unit, until it has been brought into conformity.

4 Where a vehicle, system, component, separate technical unit, part or equipment presents a serious risk, importers shall inform the manufacturer and the [^{F6}market surveillance authority] thereof. For type-approved vehicles, systems, components and separate technical units, importers shall also inform the approval authority ^{F7}....

5 Importers shall indicate their name, registered trade name or registered trade mark, and their contact address on the vehicle, component, separate technical unit, part or equipment, or, where this is not possible, on its packaging or in a document accompanying the component, separate technical unit, part or equipment.

6 Importers shall ensure that the vehicle, system, component or separate technical unit is accompanied by instructions and information, as required by Article 59, [^{F8}of this Regulation or, where applicable, of the EU Type Approval Regulation] in [^{F9}English].

7 To protect the health and safety of consumers, importers shall keep a record of complaints and recalls relating to vehicles, systems, components, separate technical units, parts

Changes to legislation: Regulation (EU) 2018/858 of the European Parliament and of the Council, Article 16 is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

or equipment that they have placed on the market, and shall keep their distributors informed of such complaints and recalls.

8 Importers shall immediately inform the relevant manufacturer of any complaints they received regarding risks, suspected incidents or non-compliance issues relating to vehicles, systems, components, separate technical units, parts or equipment that they have placed on the market.

9 Importers shall ensure that, while a vehicle, system, component or separate technical unit is under their responsibility, storage or transport conditions do not jeopardise its compliance with the requirements laid down in this Regulation [^{F10}or, where applicable, in the EU Type Approval Regulation].

Textual Amendments

- F1** Words in Art. 16(1) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(a)**
- F2** Word in Art. 16(2) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(i)**
- F3** Words in Art. 16(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(ii)**
- F4** Words in Art. 16(2) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(b)(iii)**
- F5** Words in Art. 16(3) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(c)**
- F6** Words in Art. 16(4) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(d)(i)**
- F7** Words in Art. 16(4) omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(d)(ii)**
- F8** Words in Art. 16(6) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(e)(i)**
- F9** Word in Art. 16(6) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(e)(ii)**
- F10** Words in Art. 16(9) inserted (31.12.2022 at 11.00 p.m.) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), regs. 1(2), **24(11)(f)**

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Changes and effects yet to be applied to :

- Regulation power to amend conferred by [2024 c. 10 s. 91](#)