

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 VI

CERTIFICATE OF CONFORMITY AND MARKINGS

Article 36

Certificate of conformity in paper format

1 [^{F1}Except as permitted in paragraph 1A, the] manufacturer shall issue a certificate of conformity in paper format to accompany each vehicle, whether complete, incomplete or completed, that is manufactured in conformity with the approved type of vehicle. For that purpose, the manufacturer shall use the template set out in the [^{F2}Commission Implementing Regulation (EU) 2020/683, or regulations made under paragraph 4 as it is now in force].

The certificate of conformity in paper format shall describe the main characteristics of the vehicle, as well as its technical performance in concrete terms. The certificate of conformity in paper format shall include the date of manufacture of the vehicle. The certificate of conformity in paper format shall be designed in such a way as to prevent forgery.

The certificate of conformity in paper format shall be delivered free of charge to the buyer, together with the vehicle. Its delivery may not be made dependent on an explicit request or on the submission of additional information to the manufacturer.

[^{F3}1A A manufacturer may use the template provided for in Commission Implementing Regulation (EU) 2020/683 as it has effect in EU law in the case of a vehicle which was manufactured before 6 July 2026 and to which a valid EU type-approval granted in accordance with the EU Type Approval Regulation also applies. A certificate of conformity so issued is to be treated as a GB certificate of conformity issued in accordance with this Article.]

2 From 5 July 2026, the manufacturer shall be exempted from the obligation in paragraph 1 of this Article to issue the certificate of conformity in paper format to accompany each vehicle, where the manufacturer makes the certificate of conformity available as structured data in electronic format in accordance with the Article 37(1).

3 For a period of 10 years after the date of manufacture of the vehicle, the manufacturer shall, at the request of the vehicle owner, issue a duplicate of the certificate of conformity in paper format in return for a payment that does not exceed the cost of issuing the duplicate certificate. The word ‘duplicate’ shall be clearly visible on the face of any duplicate certificate.

4 [^{F4}The Secretary of State may by regulations make provision in relation to] the certificate of conformity in paper format, setting out, in particular:

- a the template for the certificate of conformity;
- b the security elements to prevent forgery of the certificate of conformity; and
- c the specification concerning the manner of signing of the certificate of conformity.

Status: Point in time view as at 31/12/2022.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/858 of the European Parliament and of the Council, CHAPTER VI. (See end of Document for details)

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5 The certificate of conformity in paper format shall be drawn up in [^{F6}English].

6 The person or persons authorised to sign certificates of conformity in paper format shall be employed by the manufacturer, and shall be duly authorised to engage the legal responsibility of the manufacturer with respect to the design and the construction of the vehicle or to the conformity of its production.

7 The certificate of conformity in paper format shall be completed in its entirety and shall not contain restrictions as regards the use of the vehicle other than those provided for in this Regulation or in any of the regulatory acts listed in Annex II.

8 In the case of an incomplete base vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that are relevant in view of the state of completeness of the vehicle.

9 In the case of an incomplete or completed vehicle, the manufacturer shall only fill in those fields of the certificate of conformity in paper format that concern the additions or changes carried out at the current stage of approval and, where applicable, shall attach all certificates of conformity in paper format that were delivered at the previous stages.

Textual Amendments

- F1** Words in Art. 36(1) 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), **28(1)(a)(i)**
- F2** Words in Art. 36(1) 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), **28(1)(a)(ii)**
- F3** Art. 36(1A) 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), **28(1)(b)**
- F4** Words in Art. 36(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), **28(1)(c)(i)**
- F5** Words in Art. 36(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), **28(1)(c)(ii)**
- F6** Word in Art. 36(5) 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), **28(1)(d)**

Modifications etc. (not altering text)

- C1** Art. 36(3) applied (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), regs. 1(b), **16(9)** (with Sch. 4 paras. 16, 17)

Article 37

Certificate of conformity in electronic format

1 Without prejudice to Article 36(1), from 5 July 2026, the manufacturer shall, free of charge and without undue delay after the date of manufacture of the vehicle, make the certificate

of conformity available to the approval authority ^{F7}... as structured data in electronic format in accordance with [^{F8}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].

2 Without prejudice to Article 36(1), any manufacturer may make available certificates of conformity in accordance with paragraph 1 of this Article before 5 July 2026.

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4 [^{F10}The approval authority] may exempt manufacturers from the obligation set out in paragraph 1 of this Article with respect to types of vehicles which have [^{F11}GB small series type-approval in accordance with Article 42], in accordance with Article 42.

5 [^{F12}Where the approval authority receives] the certificate of conformity as structured data in electronic format in accordance with [^{F13}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], [^{F14}it must] give read-only access to the certificate of conformity as laid down in Article 12(2). In the case of vehicles built in multiple stages such access shall be given to the manufacturer of the subsequent stage.

6 All data exchange in accordance with this Article shall be performed by means of secure data exchange protocols.

7 [^{F15}The Secretary of State must] establish the organisation and structure of their data network to enable data reception of the certificates of conformity as structured data in electronic format in accordance with [^{F16}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] as from 1 September 2025, preferably by making use of existing systems for the exchange of structured data.

8 Taking into account the data that are required to be provided on the certificate of conformity in paper format, the [^{F17}Secretary of State may make regulations] concerning certificates of conformity as structured data in electronic format setting out, in particular:

- a the basic format and structure of the data elements of the certificates of conformity in electronic format and the messages used in the exchange;
- b minimum requirements for secure data exchange, including the prevention of data corruption and data misuse, and measures to guarantee the authenticity of the electronic data, such as the use of digital signature;
- c the means of exchange of the data of the certificate of conformity in electronic format;
- d the minimum requirements for a vehicle-specific unique identifier and the form of information for the buyer in accordance with paragraph 5;
- e the read-only access referred to in paragraph 5;
- f exemptions for manufacturers of particular vehicle categories and types of vehicle that are produced in small series.

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10 From 5 July 2026, where, in exceptional cases, [^{F20}the Secretary of State] so requests, the manufacturer shall issue a duplicate of the certificate of conformity in paper format.

Status: Point in time view as at 31/12/2022.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2018/858 of the European Parliament and of the Council, CHAPTER VI. (See end of Document for details)

Textual Amendments

- F7** Words in Art. 37(1) 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), **28(2)(a)(i)**
- F8** Words in Art. 37(1) 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), **28(2)(a)(ii)**
- F9** Art. 37(3) 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), **28(2)(b)**
- F10** Words in Art. 37(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), **28(2)(c)(i)**
- F11** Words in Art. 37(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), **28(2)(c)(ii)**
- F12** Words in Art. 37(5) 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), **28(2)(d)(i)**
- F13** Words in Art. 37(5) 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), **28(2)(d)(iii)**
- F14** Words in Art. 37(5) 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), **28(2)(d)(ii)**
- F15** Words in Art. 37(7) 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), **28(2)(e)(i)**
- F16** Words in Art. 37(7) 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), **28(2)(e)(ii)**
- F17** Words in Art. 37(8) 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), **28(2)(f)(i)**
- F18** Words in Art. 37(8) 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), **28(2)(f)(ii)**
- F19** Art. 37(9) 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), **28(2)(g)**
- F20** Words in Art. 37(10) 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), **28(2)(h)**

Article 38

Manufacturer's statutory and additional plates, markings and type-approval mark of components and separate technical units

1 The manufacturer of a vehicle shall affix to every vehicle manufactured in conformity with the approved type a statutory plate, where relevant additional plates, and indications or symbols, with the markings required under this Regulation and the relevant regulatory acts listed in Annex II [^{F21}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].

2 The manufacturer of a component or separate technical unit shall affix to every component and separate technical unit manufactured in conformity with the approved type, whether or not it is part of a system, the type-approval mark required by the relevant regulatory acts listed in Annex II.

Where no such type-approval mark is required, the manufacturer shall affix at least the trade name or trade mark of the manufacturer, as well as the type number or an identification number, to the component or separate technical unit.

[^{F22}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.]

4 Economic operators shall only place on the market or make available on the market vehicles, components and separate technical units which are marked in compliance with this Regulation [^{F23}or, where Article 5A applies to the vehicle, component or separate technical unit, with the EU Type Approval Regulation].

Textual Amendments

- F21** Words in Art. 38(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), **28(3)(a)**
- F22** Art. 38(3) 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), **28(3)(b)**
- F23** Words in Art. 38(4) 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), **28(3)(c)**

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Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2018/858 of the European Parliament and of the Council, CHAPTER VI.