

Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ 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 (recast) (Text with EEA relevance)

Article 3

Definitions

- 1 For the purposes of this Regulation, the following definitions apply:
- a ‘average specific emissions of CO₂’ means, in relation to a manufacturer, the average of the specific emissions of CO₂ of all new passenger cars or of all new light commercial vehicles of which it is the manufacturer;
 - b ‘certificate of conformity’ means the certificate of conformity referred to in [^{F1}Articles 36 and 37 of Regulation (EU) 2018/858, as it has effect in domestic law, or as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
 - c ‘completed vehicle’ means a light commercial vehicle where type-approval is granted following completion of a process of multi-stage type-approval in accordance with [^{F2}Regulation (EU) 2018/858, as it has effect in domestic law, or as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
 - d ‘complete vehicle’ means any light commercial vehicle which does not need to be completed in order to meet the relevant technical requirements of [^{F3}Regulation (EU) 2018/858, as it has effect in domestic law, or as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
 - e ‘base vehicle’ means any light commercial vehicle which is used at the initial stage of a multi-stage type-approval process;
 - [^{F4}f ‘manufacturer’ means the person or body responsible to the relevant approval authority for all aspects of:
 - i the GB type-approval procedure, the UK (NI) type-approval procedure or the EU type-approval procedure; and
 - ii for ensuring conformity of production.]
 - g ‘mass in running order’ or ‘M’ means the mass of the passenger car or light commercial vehicle with bodywork in running order as stated in the certificate of conformity and defined ^{F5}...[^{F6} in point 2.6 of Annex 1 to Commission Implementing Regulation (EU) 2020/683 as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
 - h ‘specific emissions of CO₂’ means the CO₂ emissions of a passenger car or a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and its implementing Regulations [^{F7}, as that Regulation and its implementing Regulations have effect in domestic law or, as the case may be, as that Regulation and its implementing Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] and specified as the CO₂ mass emissions (combined) in the certificate of conformity of the vehicle. For passenger cars or light commercial vehicles which are not type-approved in accordance with Regulation (EC) No 715/2007 [^{F8}as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern

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- Ireland Protocol,] ‘specific emissions of CO₂’ means the CO₂ emissions measured pursuant to Regulation (EC) No 715/2007 [^{F9}as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] notably in accordance with the same measurement procedure as specified [^{F10}... in Regulation (EU) 2017/1151, [^{F11}as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] or in accordance with procedures adopted by the [^{F12}Secretary of State] to establish the CO₂ emissions for such vehicles;
- i ‘footprint’ means the average track width multiplied by the wheelbase as stated in the certificate of conformity and defined in [^{F13}... [^{F14}points 2.1 and 2.3 of Annex 1 to Commission Implementing Regulation (EU) 2020/683 as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
- j ‘specific emissions target’ means, in relation to a manufacturer, the annual target determined in accordance with Annex I or, if the manufacturer is granted a derogation in accordance with Article 10, the specific emissions target determined according to that derogation;
- k ‘[^{F15}Northern Ireland fleet-wide] target’ means the average CO₂ emissions of [^{F16}all new NI passenger cars or all new NI light commercial vehicles] to be achieved in a given period;
- l ‘test mass’ or ‘TM’ means the test mass of a passenger car or light commercial vehicle as stated in the certificate of conformity and as defined in [^{F17}... [^{F18}point 3.2.25 of Annex 11 to Regulation (EU) 2017/1151 as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
- m ‘zero- and low-emission vehicle’ means a passenger car or a light commercial vehicle with tailpipe emissions from zero up to 50 g CO₂/km, as determined in accordance with Regulation (EU) 2017/1151 [^{F19}, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol];
- n ‘payload’ means the difference between the technically permissible maximum laden mass pursuant to [^{F20}Article 2 of Commission Regulation (EU) 1230/2012 or, as the case may be, paragraph 1.6 of Section A of Part 2 of Annex 8 to Regulation (EU) 2021/535, as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] and the mass of the vehicle [^{F21};
- o ‘passenger cars’ and ‘new passenger cars’ have the meanings given in Article 2(1)(a);
- p ‘light commercial vehicles’ and ‘new light commercial vehicles’ have the meanings given in Article 2(1)(b)];
- [^{F22}pa) “NI passenger cars” and “new NI passenger cars” have the meanings given in Article 2(1A)(a);
- pb “NI light commercial vehicles” and “new NI light commercial vehicles” have the meanings given in Article 2(1A)(b)];
- [^{F23}q “GB type-approval” means the procedure whereby the approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements of Regulation (EU) 2018/858, and “GB type-approved” is to be construed accordingly;
- r “UK (NI) type-approval” means an EU type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with Regulation (EU) 2018/858, as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol, and “UK (NI) type-approved” is to be construed accordingly;
- s “EU type-approval” means the procedure whereby an approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant

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administrative provisions and technical requirements of Regulation (EU) 2018/858, as it has effect in EU law as amended from time to time, and “EU type-approved” is to be construed accordingly;

- t “approval authority” means the authority or authorities with competence for all aspects of the type-approval of a vehicle, system, component or separate technical unit, or of the individual vehicle approval, for the authorisation process for parts and equipment, for issuing and, if appropriate, for withdrawing or refusing type-approval certificates, for designating the technical services, and for ensuring that the manufacturer meets its obligations regarding the conformity of production;
- u “type-approval certificate” means the document whereby the approval authority officially certifies that a type of vehicle, system, component or separate technical unit is type-approved;
- v “the Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.]

2 For the purposes of this Regulation, ‘a group of connected manufacturers’ means a manufacturer and its connected undertakings. In relation to a manufacturer, ‘connected undertakings’ means:

- a undertakings in which the manufacturer has, directly or indirectly:
 - (i) the power to exercise more than half the voting rights; or
 - (ii) the power to appoint more than half the members of the supervisory board, board of management or bodies legally representing the undertaking; or
 - (iii) the right to manage the undertaking's affairs;
- b undertakings which directly or indirectly have, over the manufacturer, the rights or powers referred to in point (a);
- c undertakings in which an undertaking referred to in point (b) has, directly or indirectly, the rights or powers referred to in point (a);
- d undertakings in which the manufacturer together with one or more of the undertakings referred to in point (a), (b) or (c), or in which two or more of the latter undertakings, jointly have the rights or powers referred to in point (a);
- e undertakings in which the rights or the powers referred to in point (a) are jointly held by the manufacturer or one or more of its connected undertakings referred to in points (a) to (d) and one or more third parties.

Textual Amendments

- F1** Words in Art. 3(1)(b) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars, Vans and Heavy Duty Vehicles\) \(Amendment\) Regulations 2022 \(S.I. 2022/1361\)](#), regs. 1(2), **3(4)(a)**
- F2** Words in Art. 3(1)(c) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars, Vans and Heavy Duty Vehicles\) \(Amendment\) Regulations 2022 \(S.I. 2022/1361\)](#), regs. 1(2), **3(4)(b)**
- F3** Words in Art. 3(1)(d) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars, Vans and Heavy Duty Vehicles\) \(Amendment\) Regulations 2022 \(S.I. 2022/1361\)](#), regs. 1(2), **3(4)(b)**
- F4** Art. 3(1)(f) substituted (31.12.2022 at 11.00 p.m.) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars, Vans and Heavy Duty Vehicles\) \(Amendment\) Regulations 2022 \(S.I. 2022/1361\)](#), regs. 1(2), **3(4)(c)**
- F5** Words in Art. 3(1)(g) omitted (3.1.2024) by virtue of [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(5)(a)** (with art. 117)

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- F6** Words in Art. 3(1)(g) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(d)**
- F7** Words in Art. 3(1)(h) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(e)(i)**
- F8** Words in Art. 3(1)(h) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(e)(ii)**
- F9** Words in Art. 3(1)(h) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(e)(iii)**
- F10** Words in Art. 3(1)(h) omitted (31.12.2020) by virtue of The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(4)(a)(i)(aa)**
- F11** Words in Art. 3(1)(h) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(e)(iv)**
- F12** Words in Art. 3(1)(h) substituted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(4)(a)(i)(bb)**
- F13** Words in Art. 3(1)(i) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(5)(b)** (with art. 117)
- F14** Words in Art. 3(1)(i) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(f)**
- F15** Words in Art. 3(1)(k) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(5)(c)(i)** (with art. 117)
- F16** Words in Art. 3(1)(k) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(5)(c)(ii)** (with art. 117)
- F17** Words in Art. 3(1)(l) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(5)(d)** (with art. 117)
- F18** Words in Art. 3(1)(l) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(g)**
- F19** Words in Art. 3(1)(m) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(h)**
- F20** Words in Art. 3(1)(n) substituted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(i)**
- F21** Art. 3(1)(o)(p) inserted (31.12.2020) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1418), regs. 1(3), **3(4)(a)(iii)**
- F22** Art. 3(1)(pa)(pb) inserted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(5)(e)** (with art. 117)
- F23** Art. 3(1)(q)-(v) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars, Vans and Heavy Duty Vehicles) (Amendment) Regulations 2022 (S.I. 2022/1361), regs. 1(2), **3(4)(j)**

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