

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 (recast) (Text with EEA relevance)

*Article 1*

**Subject matter and objectives**

1 This Regulation establishes CO<sub>2</sub> emissions performance requirements for new passenger cars and for new light commercial vehicles [<sup>F1</sup>registered in Northern Ireland] in order to contribute to achieving the [<sup>F2</sup>United Kingdom's target of achieving net zero greenhouse gas emissions by 2050], and the objectives of the Paris Agreement <sup>F3</sup>....

2 [<sup>F4</sup>This] Regulation sets [<sup>F5</sup>a [<sup>F6</sup>Northern Ireland fleet-wide]] target of 95 g CO<sub>2</sub>/km for the average emissions of new passenger cars and [<sup>F5</sup>a [<sup>F6</sup>Northern Ireland fleet-wide]] target of 147 g CO<sub>2</sub>/km for the average emissions of new light commercial vehicles registered [<sup>F7</sup>in Northern Ireland], as measured <sup>F8</sup>... in accordance with Regulation (EU) 2017/1151 [<sup>F9</sup>as it has effect <sup>F10</sup>... in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].

<sup>F11</sup>3 .....

4 From 1 January 2025, the following [<sup>F12</sup>Northern Ireland fleet-wide] targets shall apply:

- a for the average emissions of the new passenger car fleet, [<sup>F13</sup>a [<sup>F12</sup>Northern Ireland fleet-wide]] target equal to a 15 % reduction of the target in 2021 determined in accordance with point 6.1.1 of Part A of Annex I;
- b for the average emissions of the new light commercial vehicles fleet, [<sup>F14</sup>a [<sup>F12</sup>Northern Ireland fleet-wide]] target equal to a 15 % reduction of the target in 2021 determined in accordance with point 6.1.1 of Part B of Annex I.

5 From 1 January 2030, the following [<sup>F15</sup>Northern Ireland fleet-wide] targets shall apply:

- a for the average emissions of the new passenger car fleet, [<sup>F16</sup>a [<sup>F15</sup>Northern Ireland fleet-wide]] target equal to a 37,5 % reduction of the target in 2021 determined in accordance with point 6.1.2 of Part A of Annex I;
- b for the average emissions of the new light commercial vehicles fleet, [<sup>F17</sup>a [<sup>F15</sup>Northern Ireland fleet-wide]] target equal to a 31 % reduction of the target in 2021 determined in accordance with point 6.1.2 of Part B of Annex I.

6 From 1 January 2025, a zero- and low-emission vehicles' benchmark equal to a 15 % share of the respective fleets of new passenger cars and new light commercial vehicles shall apply in accordance with points 6.3 of Parts A and B of Annex I, respectively.

7 From 1 January 2030, the following zero- and low-emission vehicles' benchmarks shall apply in accordance with points 6.3 of Parts A and B of Annex I, respectively:

- a a benchmark equal to a 35 % share of the fleet of new passenger cars; and
- b a benchmark equal to a 30 % share of the fleet of new light commercial vehicles.

[<sup>F18</sup>(8) This Regulation establishes an application process for the approval of CO<sub>2</sub> savings to be achieved through the use of innovative technologies, or a combination of innovative

technologies, fitted to new passenger cars or new light commercial vehicles registered in the United Kingdom.]

### Textual Amendments

- F1** Words in Art. 1(1) inserted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(a)** (with art. 117)
- F2** Words in Art. 1(1) 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(2)(a)(i)**
- F3** Words in Art. 1(1) 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(2)(a)(ii)**
- F4** Word in Art. 1(2) 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(2)(b)(i)**
- F5** Word in Art. 1(2) 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(2)(b)(ii)**
- F6** Words in Art. 1(2) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(b)(i)** (with art. 117)
- F7** Words in Art. 1(2) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(b)(ii)** (with art. 117)
- F8** Words in Art. 1(2) 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(2)(b)(iv)**
- F9** Words in Art. 1(2) 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(2)**
- F10** Words in Art. 1(2) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(b)(iii)** (with art. 117)
- F11** Art. 1(3) 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(2)(c)**
- F12** Words in Art. 1(4) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(c)** (with art. 117)
- F13** Words in Art. 1(4)(a) 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(2)(d)(ii)**
- F14** Words in Art. 1(4)(b) 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(2)(d)(ii)**
- F15** Words in Art. 1(5) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(c)** (with art. 117)
- F16** Words in Art. 1(5)(a) 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(2)(e)(ii)**
- F17** Words in Art. 1(5)(b) 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(2)(e)(ii)**
- F18** Art. 1(8) inserted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(3)(d)** (with art. 117)

## Article 2

### Scope

[<sup>F19</sup>1 This paragraph and paragraphs 2, 3 and 5 of this Article, and Articles 1, 3, 11, 12, 13, 15, 17, 18 and 19 of this Regulation apply to the whole of the United Kingdom. Those paragraphs and Articles apply to the following vehicles—

- a category M1 as defined in Article 4 of [Regulation \(EU\) 2018/858](#), as it has effect in domestic law (in respect of vehicles with GB type-approval), or, where relevant, Article 4 of [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 (in respect of vehicles with UK (NI) type-approval or EU type-approval) (“passenger cars”), which are registered in the United Kingdom for the first time and which have not previously been registered outside the United Kingdom (“new passenger cars”);
- b category N1 as defined in Article 4 of [Regulation \(EU\) 2018/858](#), as it has effect in domestic law (in respect of vehicles with GB type-approval), or, where relevant, Article 4 of [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 (in respect of vehicles with UK (NI) type-approval or EU type-approval), with a reference mass not exceeding 2 610 kg, and vehicles of category N1 to which type-approval is extended in accordance with Article 2(2) of [Regulation \(EC\) No 715/2007](#) (“light commercial vehicles”), as it has effect in domestic law (in respect of vehicles with GB type-approval) or, where relevant, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol (in respect of vehicles with UK (NI) type-approval or EU type-approval), which are registered in the United Kingdom for the first time and which have not previously been registered outside the United Kingdom (“new light commercial vehicles”). In the case of zero-emission vehicles of category N with a reference mass exceeding 2 610 kg or 2 840 kg, as the case may be, they shall, from 1 January 2025, for the purposes of this Regulation and without prejudice to [Regulation \(EU\) 2018/858](#) and [Regulation \(EC\) No 715/2007](#), as those Regulations have effect in domestic law (in respect of vehicles with GB type-approval) and, where relevant, as those Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol (in respect of vehicles with UK (NI) type-approval or EU type-approval), be counted as UK light commercial vehicles falling within the scope of this Regulation if the excess reference mass is due only to the mass of the energy storage system.]

[<sup>F20</sup>(1A) This paragraph and paragraphs 2A, 4 and 5A of this Article, and Articles 4, 5, 6, 7, 7a, 8, 9, 10 and 14 of, and Annexes 1 to 5 to, this Regulation apply in relation to Northern Ireland only. Those paragraphs, Articles and Annexes apply to the following vehicles—

- a category M1 as defined in Article 4 of [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 (“NI passenger cars”) which are registered in Northern Ireland for the first time and which have not previously been registered outside Northern Ireland (“new NI passenger cars”);
- b category N1 as defined in Article 4 of [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, with a reference mass not exceeding 2 610 kg, and vehicles of category N1 to which type-approval is extended in accordance with Article 2(2) of [Regulation \(EC\) No 715/2007](#) (“NI light commercial vehicles”), which are registered in Northern Ireland for the first time and which have not previously been registered outside Northern Ireland (“new

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NI light commercial vehicles”). In the case of zero-emission vehicles of category N with a reference mass exceeding 2 610 kg or 2 840 kg, as the case may be, they shall, from 1 January 2025, for the purposes of this Regulation and without prejudice to Regulation (EU) 2018/858 and Regulation (EC) No 715/2007, as those Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol, be counted as NI light commercial vehicles falling within the scope of this Regulation if the excess reference mass is due only to the mass of the energy storage system.]

2 [F21For the purposes of paragraph 1, a] previous registration outside [F22the United Kingdom] made less than three months before registration in [F22the United Kingdom] shall not be taken into account.

[F23(2A) For the purposes of paragraph 1A, a previous registration outside Northern Ireland made less than three months before registration in Northern Ireland shall not be taken into account.]

[F243 This Regulation does not apply to special purpose vehicles as defined in:

- a point 5 of Part A of Annex 1 to Regulation (EU) 2018/858, as that Regulation has effect in domestic law, in the case of vehicles with GB type-approval; or
- b point 5 of Part A of Annex 1 to Regulation (EU) 2018/858, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol, in the case of vehicles with UK (NI) type-approval or EU type-approval.]

[F254 Article 4, points (b) and (c) of Article 7(4), Article 8 and points (a) and (c) of Article 9(1) shall not apply to a manufacturer which, together with all of its connected undertakings, is responsible for fewer than 1 000 new passenger cars or for fewer than 1 000 new light commercial vehicles registered in [F26the United Kingdom] in the previous calendar year, unless that manufacturer applies for and is granted a derogation in accordance with Article 10.]

[F275 [F28Paragraph 1] shall not apply to any vehicle registered in [F29the United Kingdom] which is permanently removed from [F29the United Kingdom] within three months after that registration.]

[F30(5A) Paragraph 1A shall not apply to any vehicle registered in Northern Ireland which is permanently removed from Northern Ireland within three months after that registration.]

F316 .....

#### Textual Amendments

- F19 Art. 2(1) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(4)(a)** (with art. 117)
- F20 Art. 2(1A) inserted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(4)(b)** (with art. 117)
- F21 Words in Art. 2(2) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(4)(c)** (with art. 117)
- F22 Words in Art. 2(2) substituted (1.9.2021) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars and Vans\) \(Amendment\) \(EU Exit\) Regulations 2021 \(S.I. 2021/898\)](#), regs. 1(2), **2(3)(a)**
- F23 Art. 2(2A) inserted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(4)(d)** (with art. 117)
- F24 Art. 2(3) 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(3)(b)**

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- F25** Art. 2(4) revoked (E.W.S.) (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F26** Words in Art. 2(4) substituted (1.9.2021) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/898), regs. 1(2), **2(3)(a)**
- F27** Art. 2(5) 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(3)(d)**
- F28** Words in Art. 2(5) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(4)(e)** (with art. 117)
- F29** Words in Art. 2(5) substituted (1.9.2021) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/898), regs. 1(2), **2(3)(a)**
- F30** Art. 2(5A) inserted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(4)(f)** (with art. 117)
- F31** Art. 2(6) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(4)(g)** (with art. 117)

### Article 3

#### Definitions

- 1 For the purposes of this Regulation, the following definitions apply:
- a ‘average specific emissions of CO<sub>2</sub>’ means, in relation to a manufacturer, the average of the specific emissions of CO<sub>2</sub> 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 <sup>F32</sup>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 <sup>F33</sup>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 <sup>F34</sup>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;
  - <sup>F35</sup>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 <sup>F36</sup>...<sup>F37</sup> 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];

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- h ‘specific emissions of CO<sub>2</sub>’ means the CO<sub>2</sub> emissions of a passenger car or a light commercial vehicle measured in accordance with Regulation (EC) No 715/2007 and its implementing Regulations [<sup>F38</sup>, 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 CO<sub>2</sub> 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 [<sup>F39</sup> 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,] ‘specific emissions of CO<sub>2</sub>’ means the CO<sub>2</sub> emissions measured pursuant to Regulation (EC) No 715/2007 [<sup>F40</sup> 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 [<sup>F41</sup>... in Regulation (EU) 2017/1151, [<sup>F42</sup> 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 [<sup>F43</sup>Secretary of State] to establish the CO<sub>2</sub> 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 [<sup>F44</sup>... [<sup>F45</sup>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 ‘[<sup>F46</sup>Northern Ireland fleet-wide] target’ means the average CO<sub>2</sub> emissions of [<sup>F47</sup>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 [<sup>F48</sup>... [<sup>F49</sup>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 CO<sub>2</sub>/km, as determined in accordance with Regulation (EU) 2017/1151 [<sup>F50</sup>, 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 [<sup>F51</sup>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 [<sup>F52</sup>;
- 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)];
- [<sup>F53</sup>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);]

- [<sup>F54</sup>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 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

- F32** 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)**

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

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- F33** 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)**
- F34** 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)**
- F35** 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)**
- F36** 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)
- F37** 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)**
- F38** 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)**
- F39** 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)**
- F40** 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)**
- F41** 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)**
- F42** 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)**
- F43** 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)**
- F44** 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)
- F45** 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)**
- F46** 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)
- F47** 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)
- F48** 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)
- F49** 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)**
- F50** 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)**
- F51** 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)**



**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

- F52** 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)**
- F53** 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)
- F54** 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)**

#### <sup>F55</sup> Article 4

### Specific emissions targets

1 The manufacturer shall ensure that its average specific emissions of CO<sub>2</sub> do not exceed the following specific emissions targets:

- <sup>F56</sup>a .....
- b for each calendar year from 2021 until 2024, the specific emissions targets determined in accordance with points 3 and 4 of Part A or B of Annex I, as appropriate, or, where a manufacturer is granted a derogation under Article 10, in accordance with that derogation and point 5 of Part A or B of Annex I;
- c for each calendar year, starting from 2025, the specific emissions targets determined in accordance with point 6.3 of Part A or B of Annex I, or, where a manufacturer is granted a derogation under Article 10, in accordance with that derogation.

2 In the case of light commercial vehicles, where the specific emissions of CO<sub>2</sub> of the completed vehicle are not available, the manufacturer of the base vehicle shall use the specific emissions of CO<sub>2</sub> of the base vehicle for determining its average specific emissions of CO<sub>2</sub>.

3 For the purposes of determining each manufacturer's average specific emissions of CO<sub>2</sub>, [<sup>F57</sup>100%] of each manufacturer's new passenger cars registered in the relevant year shall be taken into account:

- <sup>F58</sup> ...
- <sup>F58</sup> ...]

#### Textual Amendments

- F55** Art. 4 revoked (E.W.S.) (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F56** Art. 4(1)(a) 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(5)(a)**
- F57** Word in Art. 4(3) 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(5)(b)(i)**
- F58** Words in Art. 4(3) 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(5)(b)(ii)**

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

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*[<sup>F59</sup>Article 5*

**Super-credits**

In calculating the average specific emissions of CO<sub>2</sub>, each new passenger car with specific emissions of CO<sub>2</sub> of less than 50 g CO<sub>2</sub>/km shall be counted as:

- <sup>F60</sup> ...
- 1,67 passenger cars in 2021,
  - 1,33 passenger cars in 2022,
  - 1 passenger car from 2023,

for the year in which it is registered in the period <sup>F61</sup>... to 2022, subject to a cap of [<sup>F62</sup>3.75g] CO<sub>2</sub>/km over that period for each manufacturer, as calculated in accordance with Article 5 of Implementing Regulation (EU) 2017/1153.]

**Textual Amendments**

- F59** Art. 5 revoked (E.W.S.) (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F60** Words in Art. 5 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(6)(a)**
- F61** Words in Art. 5 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(6)(b)**
- F62** Word in Art. 5 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(6)(c)**

*[<sup>F63</sup>Article 6*

**Pooling**

1 Manufacturers, other than manufacturers which have been granted a derogation under Article 10, may form a pool for the purposes of meeting their obligations under Article 4.

2 An agreement to form a pool may relate to one or more calendar years, provided that the overall duration of each agreement does not exceed five calendar years, and must be entered into on or before 31 December in the first calendar year for which emissions are to be pooled. Manufacturers which form a pool shall [<sup>F64</sup>provide the following information to the Secretary of State]:

- a the manufacturers who will be included in the pool;
- b the manufacturer nominated as the pool manager who will be the contact point for the pool and will be responsible for paying any excess emissions premium imposed on the pool in accordance with Article 8;
- c evidence that the pool manager will be able to fulfil the obligations under point (b);
- d the category of vehicles registered as M<sub>1</sub> or N<sub>1</sub>, for which the pool shall apply.

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

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3 Where the proposed pool manager fails to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8, the [F65Secretary of State] shall notify the manufacturers.

4 Manufacturers included in a pool shall jointly inform the [F66Secretary of State] of any change of pool manager or of its financial status, in so far as this may affect its ability to meet the requirement to pay any excess emissions premium imposed on the pool in accordance with Article 8, and of any changes to the membership of the pool or the dissolution of the pool.

5 Manufacturers may enter into pooling arrangements provided that their agreements comply with [F67sections 2 (agreements etc. preventing, restricting or distorting competition) and 18 (abuse of dominant position) of the Competition Act 1998] and that they allow open, transparent and non-discriminatory participation on commercially reasonable terms by any manufacturer requesting membership of the pool. Without prejudice to the general applicability of [F68any enactment relating to competition] to such pools, all members of a pool shall in particular ensure that neither data sharing nor information exchange may occur in the context of their pooling arrangement, except in respect of the following information:

- a the average specific emissions of CO<sub>2</sub>;
- b the specific emissions target;
- c the total number of vehicles registered.

6 Paragraph 5 shall not apply where all the manufacturers included in the pool are part of the same group of connected manufacturers.

7 Except where notification is given under paragraph 3 of this Article, the manufacturers in a pool in respect of which information is [F69provided to the Secretary of State] shall be considered as one manufacturer for the purposes of meeting their obligations under Article 4. Monitoring and reporting information in respect of individual manufacturers as well as any pools will be recorded, reported and made available in the central register referred to in Article 7(4).

8 [F70Regulations may set out] the detailed conditions that shall apply for a pooling arrangement set up pursuant to paragraph 5 of this Article. F71 ...

[F729 Information required to be provided to the Secretary of State by virtue of paragraph 2 or 4 must:

- a be in writing and dated;
- b include the name and address of the pool manager to whom the Secretary of State may respond;
- c include the names of the other manufacturers in the pool;
- d be sent to the Secretary of State by post, delivered by hand or, with the express agreement of the Secretary of State, sent by electronic means.]]

#### Textual Amendments

**F63** Art. 6 revoked (E.W.S.) (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(1)** (with arts. 116, 117)

**F64** Words in Art. 6(2) 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(7)(a)**

**F65** Words in Art. 6(3) 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(7)(b)**

*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

- F66** Words in Art. 6(4) 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(7)(c)**
- F67** Words in Art. 6(5) 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(7)(d)(i)**
- F68** Words in Art. 6(5) 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(7)(d)(ii)**
- F69** Words in Art. 6(7) 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(7)(e)**
- F70** Words in Art. 6(8) 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(7)(f)(i)**
- F71** Words in Art. 6(8) 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(7)(f)(ii)**
- F72** Art. 6(9) 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(7)(g)**

### <sup>F73</sup>Article 7

#### **Monitoring and reporting of average emissions**

1 For each calendar year, [<sup>F74</sup>the Secretary of State] shall record information for [<sup>F75</sup>each new NI passenger car and each new NI light commercial vehicle] registered in [<sup>F76</sup>Northern Ireland] in accordance with Parts A of Annexes II and III to this Regulation. That information shall be made available to the manufacturers and their designated importers or representatives in [<sup>F76</sup>Northern Ireland]. <sup>F77</sup> ... [<sup>F78</sup>The Secretary of State] shall ensure that the specific emissions of CO<sub>2</sub> of [<sup>F79</sup>NI passenger cars] which are not type-approved in accordance with Regulation (EC) No 715/2007 [<sup>F80</sup>, <sup>F81</sup> ... as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] are measured and recorded in the certificate of conformity. [<sup>F82</sup>The Secretary of State may appoint a person to carry out the Secretary of State's functions under this paragraph.]

<sup>F83</sup>2 .....

<sup>F84</sup>3 .....

4 The [<sup>F85</sup>Secretary of State] shall keep a central register of the data [<sup>F86</sup>recorded] under this Article, and by 30 June of each year, shall provisionally calculate the following for each manufacturer:

- a the average specific emissions of CO<sub>2</sub> in the preceding calendar year;
- b the specific emissions target in the preceding calendar year;
- c the difference between its average specific emissions of CO<sub>2</sub> in the preceding calendar year and its specific emissions target for that year.

The [<sup>F87</sup>Secretary of State] shall notify each manufacturer of its provisional calculation for that manufacturer. The notification shall include data <sup>F88</sup> ... on the number of [<sup>F89</sup>new NI passenger cars and of new NI light commercial vehicles] registered and their specific emissions of CO<sub>2</sub>.

The register shall be publicly available.

[<sup>F905</sup> A manufacturer may, within three months of being notified of the provisional calculation under paragraph 4, notify the Secretary of State of any errors in the data. Notification given by a manufacturer must:

- a be in writing and dated;
- b include:
  - i the provisional calculation;
  - ii the specific emissions target for the preceding year;
  - iii the manufacturer's calculation of their average specific emissions of CO<sub>2</sub>;
  - iv any evidence in support of the calculation in (iii);
- c be sent to the Secretary of State by post, delivered by hand or, with the express agreement of the Secretary of State, sent by electronic means.

Where notification is given by a manufacturer, the Secretary of State must confirm or amend the provisional calculation under paragraph 4, and notify the manufacturer accordingly by 31 October.

6 The Secretary of State may appoint a person to act on behalf of the Secretary of State in collecting and communicating monitoring data in accordance with this Regulation.

7 Regulations may make provision about the procedures for monitoring and reporting of data under this Article, and on the application of Annexes 2 and 3.

8 Regulations may amend the data requirements and data parameters set out in Annexes 2 and 3.]

9 [<sup>F91</sup>For the purpose of calculating the average specific emissions of CO<sub>2</sub> of a manufacturer, the Secretary of State shall take into account deviations found in the CO<sub>2</sub> emissions of vehicles in-service as compared to the specific emissions of CO<sub>2</sub> indicated in the certificates of conformity as a result of verifications performed in accordance with Article 13.]

<sup>F92</sup> ...

[<sup>F93</sup>Regulations may set out] detailed rules on the procedures for reporting such deviations and for taking them into account in the calculation of the average specific emissions of CO<sub>2</sub>. <sup>F94</sup> ...

10 The [<sup>F95</sup>Secretary of State] shall no later than 2023 evaluate the possibility of developing a [<sup>F96</sup>United Kingdom] methodology for the assessment and the consistent data reporting of the full life-cycle CO<sub>2</sub> emissions of passenger cars and light commercial vehicles that are placed on the [<sup>F97</sup>United Kingdom market]. The [<sup>F98</sup>Secretary of State shall publish a report of that evaluation], including, where appropriate, proposals for follow-up measures, such as legislative proposals.

11 [<sup>F99</sup>The Secretary of State] shall also collect and report data, in accordance with this Article, on registrations of vehicles in categories M<sub>2</sub> and N<sub>2</sub>, as defined in [<sup>F100</sup>Article 4 of Regulation (EU) 2018/858, as it has effect <sup>F101</sup>... in EU law as amended from time to time and by virtue of the Northern Ireland Protocol], with a reference mass not exceeding 2 610 kg, and vehicles to which type-approval is extended in accordance with Article 2(2) of Regulation (EC) No 715/2007 [<sup>F102</sup>, as it has effect <sup>F101</sup>... in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].]

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)*

### Textual Amendments

- F73** Art. 7 revoked (E.W.S.) (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F74** Words in Art. 7(1) 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(8)(a)(i)(aa)**
- F75** Words in Art. 7(1) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(a)(i)** (with art. 117)
- F76** Words in Art. 7(1) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(a)(ii)** (with art. 117)
- F77** Words in Art. 7(1) 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(8)(a)(iii)**
- F78** Words in Art. 7(1) 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(8)(a)(iv)**
- F79** Words in Art. 7(1) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(a)(iii)** (with art. 117)
- F80** Words in Art. 7(1) 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(5)(a)**
- F81** Words in Art. 7(1) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(a)(iv)** (with art. 117)
- F82** Words in Art. 7(1) 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(8)(a)(v)**
- F83** Art. 7(2) 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(8)(b)**
- F84** Art. 7(3) 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(8)(c)**
- F85** Words in Art. 7(4) 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(8)(d)(i)(aa)**
- F86** Word in Art. 7(4) 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(8)(d)(i)(bb)**
- F87** Words in Art. 7(4) 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(8)(d)(ii)(aa)**
- F88** Words in Art. 7(4) 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(8)(d)(ii)(bb)**
- F89** Words in Art. 7(4) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(b)** (with art. 117)
- F90** Art. 7(5)-(8) 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(8)(e)**

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

- F91** Words in Art. 7(9) 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(8)(f)(i)**
- F92** Words in Art. 7(9) 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(8)(f)(ii)**
- F93** Words in Art. 7(9) 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(8)(f)(iii)(aa)**
- F94** Words in Art. 7(9) 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(8)(f)(iii)(bb)**
- F95** Words in Art. 7(10) 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(8)(g)(i)(aa)**
- F96** Words in Art. 7(10) 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(8)(g)(i)(bb)**
- F97** Words in Art. 7(10) 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(8)(g)(i)(cc)**
- F98** Words in Art. 7(10) 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(8)(g)(ii)**
- F99** Words in Art. 7(11) 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(8)(h)**
- F100** Words in Art. 7(11) 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(5)(b)(i)**
- F101** Words in Art. 7(11) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(6)(c)** (with art. 117)
- F102** Words in Art. 7(11) 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(5)(b)(ii)**

## <sup>F103</sup><sup>F104</sup> Article 7a

### Appeals

- 1 Where:
- a a manufacturer gives notification to the Secretary of State under Article 7(5);
  - b the Secretary of State does not agree the manufacturer's calculation of their average specific emissions of CO<sub>2</sub>; and
  - c the Secretary of State notifies the manufacturer under Article 7(5) that it has exceeded its specific emissions target;
- the manufacturer or pool manager may appeal against the Secretary of State's notification to the First-tier Tribunal on the ground that the Secretary of State's calculation under Article 7(5) was based on an error of fact.

2 The Secretary of State may not impose an excess emissions premium on the manufacturer or, in the case of a pool the pool manager, under Article 8 pending final determination or withdrawal of the appeal.

- 3 The First-tier Tribunal may—
- a confirm the Secretary of State’s provisional calculation; or
  - b substitute its own calculation.]]

#### Textual Amendments

**F103** Art. 7a revoked (E.W.S.) (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(1)** (with arts. 116, 117)

**F104** Art. 7a 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(9)**

### *[<sup>F105</sup> Article 8*

#### **Excess emissions premium**

1 In respect of each calendar year, the [<sup>F106</sup>Secretary of State] shall impose an excess emissions premium on a manufacturer or pool manager, as appropriate, where a manufacturer’s average specific emissions of CO<sub>2</sub> exceed its specific emissions target.

2 The excess emissions premium under paragraph 1 shall be calculated using the following formula:

(Excess emissions × [<sup>F107</sup>£86]) × number of newly registered vehicles.

For the purposes of this Article, the following definitions shall apply:

‘excess emissions’ means the positive number of grams per kilometre by which a manufacturer’s average specific emissions of CO<sub>2</sub>, taking into account CO<sub>2</sub> emissions reductions due to innovative technologies approved in accordance with Article 11, exceeded its specific emissions target in the calendar year or part thereof to which the obligation under Article 4 applies, rounded to the nearest three decimal places, and ‘number of newly registered vehicles’ means the number of [<sup>F108</sup>new NI passenger cars or new NI light commercial vehicles] counted separately of which it is the manufacturer and which were registered in that period according to the phase-in criteria as set out in Article 4(3).

[<sup>F109</sup>3 Where the Secretary of State decides to impose an excess emissions premium under paragraph 1, the Secretary of State must serve a notice of civil penalty on the manufacturer or, in the case of a pool, the pool manager.

A notice of civil penalty must:

- a be in writing;
- b be dated;
- c set out the reasons for which the excess emissions premium is imposed;
- d set out the amount of the excess emissions premium and how it has been calculated;
- e set out how to pay the excess emissions premium;
- f require payment before the end of a period of 28 days beginning with the date of the notice;



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- g include an explanation of the steps the manufacturer or, in the case of a pool, the pool manager, must take if they wish to object to the excess emissions premium, including the manner and form in which any notice of objection must be served; and
- h include an explanation of the steps the Secretary of State may take to recover any unpaid excess emissions premium.
- 4 The amount of any excess emissions premium payable under this Article—
- a in England and Wales is recoverable as if it were payable under an order of the county court in England and Wales;
- b in Scotland may be enforced in the same manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland;
- [<sup>F110</sup>c in Northern Ireland is recoverable as if it were payable under an order of the county court in Northern Ireland.]
- 5 Where action is taken under this Article for the recovery of any excess emissions premium, the amount payable is,
- [<sup>F111</sup>a] in relation to England and Wales, to be treated for the purposes of section 98 of the Courts Act 2003 (register of judgments and orders etc.) as if it were a judgment entered in the county court;
- [<sup>F112</sup>b] in relation to Northern Ireland, to be treated for the purposes of Article 116 of the Judgements Enforcement (Northern Ireland) Order 1981 (register of judgments) as if it were a judgment in respect of which an application has been accepted under Article 22 or 23(1) of that Order.]
- 6 Any excess emissions premium received by the Secretary of State must be paid into the Consolidated Fund.]]

#### Textual Amendments

- F105** Art. 8 revoked (E.W.S.) (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023](#) (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F106** Words in Art. 8(1) 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(10)(a)**
- F107** Sum in Art. 8(2) 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(10)(b)**
- F108** Words in Art. 8(2) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023](#) (S.I. 2023/1394), arts. 1(b), **110(7)** (with art. 117)
- F109** Art. 8(3)-(6) substituted for Art. 8(3)(4) (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(10)(c)**
- F110** Art. 8(4)(c) inserted (1.9.2021) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars and Vans\) \(Amendment\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/898), regs. 1(2), **2(6)(a)**
- F111** Words in Art. 8(5) renumbered as Art. 8(5)(a) (1.9.2021) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars and Vans\) \(Amendment\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/898), regs. 1(2), **2(6)(b)(i)**
- F112** Art. 8(5)(b) inserted (1.9.2021) by [The Road Vehicle Carbon Dioxide Emission Performance Standards \(Cars and Vans\) \(Amendment\) \(EU Exit\) Regulations 2021](#) (S.I. 2021/898), regs. 1(2), **2(6)(b)(ii)**

*[<sup>F113</sup>Article 9***Publication of performance of manufacturers**

1 By 31 October of each year, the [<sup>F114</sup>Secretary of State] shall publish<sup>F115</sup>... a list indicating:

- a for each manufacturer, its specific emissions target for the preceding calendar year;
- b for each manufacturer, its average specific emissions of CO<sub>2</sub> in the preceding calendar year;
- c the difference between the manufacturer's average specific emissions of CO<sub>2</sub> in the preceding calendar year and its specific emissions target in that year;
- d the average specific emissions of CO<sub>2</sub> for [<sup>F116</sup>all new NI passenger cars and new NI light commercial vehicles registered in Northern Ireland] in the previous calendar year;
- e the average mass in running order for [<sup>F116</sup>all new NI passenger cars and new NI light commercial vehicles registered in Northern Ireland] in the preceding calendar year until 31 December 2020;
- f the average test mass of [<sup>F116</sup>all new NI passenger cars and new NI light commercial vehicles registered in Northern Ireland] in the preceding calendar year.

2 The list published under paragraph 1 of this Article shall also indicate whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.

3 The list referred to in paragraph 1 of this Article shall, for the publication by 31 October 2022, also indicate the following:

- a the 2025 and 2030 [<sup>F117</sup>Northern Ireland fleet-wide] targets referred to in Article 1(4) and (5), respectively, calculated by the [<sup>F118</sup>Secretary of State] in accordance with points 6.1.1 and 6.1.2 of Parts A and B of Annex I;
- b the values for  $a_{2021}$ ,  $a_{2025}$  and  $a_{2030}$  calculated by the [<sup>F118</sup>Secretary of State] in accordance with points 6.2 of Parts A and B of Annex I.]

**Textual Amendments**

- F113** Art. 9 revoked (E.W.S.) (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(1)** (with arts. 116, 117)
- F114** Words in Art. 9(1) 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(11)(a)(i)**
- F115** Words in Art. 9(1) 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(11)(a)(ii)**
- F116** Words in Art. 9(1) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(8)(a)** (with art. 117)
- F117** Words in Art. 9(3)(a) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(8)(b)** (with art. 117)
- F118** Words in Art. 9(3) 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(11)(b)(ii)**

## <sup>F119</sup>Article 10

### **Derogations for certain manufacturers**

1 An application for a derogation from the specific emissions target calculated in accordance with Annex I may be made by a manufacturer [<sup>F120</sup>where the number of new passenger cars or new light commercial vehicles registered in [<sup>F121</sup>the United Kingdom] for which that manufacturer is responsible per calendar year is less than the small volume derogation threshold (calculated in accordance with Annex 4), and where the manufacturer]:

- a is not part of a group of connected manufacturers; or
- b is part of a group of connected manufacturers [<sup>F122</sup>where the number of new passenger cars or new light commercial vehicles registered in [<sup>F123</sup>the United Kingdom] for which that group is responsible per calendar year is less than the small volume derogation threshold]; or
- c is part of a group of connected manufacturers but operates its own production facilities and design centre.

2 A derogation applied for under paragraph 1 may be granted for a maximum period of five calendar years, which is renewable. An application shall be made to the [<sup>F124</sup>Secretary of State] and shall include:

- a the name of, and contact person for, the manufacturer;
- b evidence that the manufacturer is eligible for a derogation under paragraph 1;
- c details of the passenger cars or light commercial vehicles which it manufactures including the test mass and specific emissions of CO<sub>2</sub> of those passenger cars or light commercial vehicles; and
- d a specific emissions target consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub> and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured.

3 Where the [<sup>F125</sup>Secretary of State] considers that the manufacturer is eligible for a derogation applied for under paragraph 1 and is satisfied that the specific emissions target proposed by the manufacturer is consistent with its reduction potential, including the economic and technological potential to reduce its specific emissions of CO<sub>2</sub>, and taking into account the characteristics of the market for the type of passenger car or light commercial vehicle manufactured, the [<sup>F125</sup>Secretary of State] shall grant a derogation to the manufacturer.

The application shall be submitted at the latest by 31 October of the first year in which the derogation shall apply.

4 An application for a derogation from the specific emissions target calculated in accordance with points 1 to 4 and 6.3 of Part A of Annex I may be made by a manufacturer [<sup>F126</sup>where the number of new passenger cars registered in [<sup>F127</sup>the United Kingdom] for which that manufacturer, together with all of its connected undertakings, is responsible per calendar year is not less than the small volume derogation threshold and is not more than the niche volume derogation threshold (calculated in accordance with Annex 4)].

Such application may be made by a manufacturer in respect of itself or in respect of itself together with any of its connected undertakings. An application shall be made to the [<sup>F128</sup>Secretary of State] and shall include:

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- a all of the information referred to in points (a) and (c) of paragraph 2, including, where relevant, information about any connected undertakings;
- b in relation to applications referring to points 1 to 4 of Part A of Annex I, a target which is a 45 % reduction on the average specific emissions of CO<sub>2</sub> in 2007 or, where a single application is made in respect of a number of connected undertakings, a 45 % reduction on the average of those undertakings' average specific emissions of CO<sub>2</sub> in 2007;
- c in relation to applications referring to point 6.3 of Part A of Annex I to this Regulation, a target applicable in the calendar years 2025 to 2028 which is the reduction specified in point (a) of Article 1(4) of this Regulation on the target calculated in accordance with point (b) of this paragraph taking into account the CO<sub>2</sub> emissions measured pursuant to Regulation (EU) 2017/1151 [F129], as it has effect F130... in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].

Where information on a manufacturer's average specific emissions of CO<sub>2</sub> does not exist for the year 2007, the [F128Secretary of State] shall determine an equivalent reduction target based upon the best available CO<sub>2</sub> emissions reduction technologies deployed in passenger cars of comparable mass and taking into account the characteristics of the market for the type of car manufactured. That target shall be used by the applicant for the purposes of point (b) of the second subparagraph.

The [F128Secretary of State] shall grant a derogation to the manufacturer where it is demonstrated that the criteria for the derogation referred to in this paragraph have been met.

5 A manufacturer which is subject to a derogation in accordance with this Article shall notify the [F131Secretary of State] immediately of any change which affects or may affect its eligibility for a derogation.

6 Where the [F132Secretary of State] considers, whether on the basis of a notification under paragraph 5 or otherwise, that a manufacturer is no longer eligible for the derogation, [F133the Secretary of State] shall revoke the derogation with effect from 1 January of the next calendar year and shall notify the manufacturer thereof.

7 Where the manufacturer does not attain its specific emissions target, the [F134Secretary of State] shall impose the excess emissions premium on the manufacturer, as set out in Article 8.

8 [F135Regulations may] supplement paragraphs 1 to 7 of this Article, as regards the interpretation of the eligibility criteria for derogations, the content of the applications, and the content and assessment of programmes for the reduction of specific emissions of CO<sub>2</sub>.

[F136Regulations may] amend Part A of Annex I for the purpose of setting out the calculation formulae of the derogation targets referred to in point (c) of the second subparagraph of paragraph 4 of this Article.

9 Applications for a derogation, including the information supporting it, notifications under paragraph 5, revocations under paragraph 6, any imposition of an excess emissions premium under paragraph 7 and measures adopted pursuant to paragraph 8, shall be made publicly available [F137by the Secretary of State, subject to any relevant provisions of the data protection legislation (within the meaning of section 3(9) of the Data Protection Act 2018)]<sup>M1</sup>.

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#### Textual Amendments

**F119** Art. 10 revoked (E.W.S.) (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(1)** (with arts. 116, 117)

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**Changes to legislation:** *There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)*

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- F120** Words in Art. 10(1) 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(12)(a)(i)**
- F121** Words in Art. 10(1) substituted (1.9.2021) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/898), regs. 1(2), **2(8)(a)**
- F122** Words in Art. 10(1)(b) 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(12)(a)(ii)**
- F123** Words in Art. 10(1)(b) substituted (1.9.2021) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/898), regs. 1(2), **2(8)(a)**
- F124** Words in Art. 10(2) 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(12)(b)**
- F125** Words in Art. 10(3) 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(12)(c)**
- F126** Words in Art. 10(4) 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(12)(d)(i)**
- F127** Words in Art. 10(4) substituted (1.9.2021) by The Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2021 (S.I. 2021/898), regs. 1(2), **2(8)(b)**
- F128** Words in Art. 10(4) 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(12)(d)(ii)**
- F129** Words in Art. 10(4)(c) 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(6)**
- F130** Words in Art. 10(4)(c) omitted (3.1.2024) by virtue of The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(9)** (with art. 117)
- F131** Words in Art. 10(5) 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(12)(e)**
- F132** Words in Art. 10(6) 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(12)(f)(i)**
- F133** Words in Art. 10(6) 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(12)(f)(ii)**
- F134** Words in Art. 10(7) 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(12)(g)**
- F135** Words in Art. 10(8) 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(12)(h)(i)**
- F136** Words in Art. 10(8) 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(12)(h)(ii)**
- F137** Words in Art. 10(9) 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(12)(i)(i)**

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*Changes to legislation:* There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

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### Marginal Citations

**M1** [Editorial note: Art. 10(9) footnote 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(12)(i)(ii)**]

## Article 11

### Eco-innovation

1 Upon application by a supplier or a manufacturer, CO<sub>2</sub> savings achieved through the use of innovative technologies or a combination of innovative technologies ('innovative technology packages') shall be considered.

Such technologies shall be taken into consideration only if the methodology used to assess them is capable of producing verifiable, repeatable and comparable results.

The total contribution of those technologies to reducing the [F<sup>138</sup>CO<sub>2</sub> emissions of a new passenger car or a new light commercial vehicle] may be up to 7 g CO<sub>2</sub>/km.

The [F<sup>139</sup>Regulations may] amend this Regulation by adjusting the cap referred to in the third subparagraph of this paragraph with effect from 2025 onwards to take into account technological developments while ensuring a balanced proportion of the level of that cap in relation to the [F<sup>140</sup>CO<sub>2</sub> emissions of new passenger cars or new light commercial vehicles].

2 [F<sup>141</sup>Regulations must set out] detailed provisions for a procedure to approve the innovative technologies or innovative technology packages referred to in paragraph 1 of this Article. F<sup>142</sup>... Those detailed provisions shall be based on the following criteria for innovative technologies:

- a the supplier or manufacturer must be accountable for the CO<sub>2</sub> savings achieved through the use of the innovative technologies;
- b the innovative technologies must make a verified contribution to CO<sub>2</sub> reduction;
- c the innovative technologies must not be covered by the standard test cycle CO<sub>2</sub> measurement;
- d the innovative technologies must not:
  - (i) be covered by mandatory provisions due to complementary additional measures complying with the 10 g CO<sub>2</sub>/km reduction referred to in Article 1(3); or
  - (ii) be mandatory under other provisions of [F<sup>143</sup>United Kingdom law].

With effect from 1 January 2025, the criterion referred to in point (d)(i) of the first subparagraph shall not apply with regard to efficiency improvements for air conditioning systems.

3 A supplier or a manufacturer that applies for a measure to be approved as an innovative technology or innovative technology package shall submit a report, including a verification report undertaken by an independent and certified body, to the [F<sup>144</sup>Secretary of State]. In the event of a possible interaction of the measure with another innovative technology or innovative technology package already approved, that report shall mention that interaction and the verification report shall evaluate to what extent that interaction modifies the reduction achieved by each measure.

4 The [F145Secretary of State] shall attest the reduction achieved on the basis of the criteria set out in paragraph 2.

#### Textual Amendments

- F138** Words in Art. 11(1) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(10)(a)** (with art. 117)
- F139** Words in Art. 11(1) 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(13)(a)**
- F140** Words in Art. 11(1) substituted (3.1.2024) by [The Vehicle Emissions Trading Schemes Order 2023 \(S.I. 2023/1394\)](#), arts. 1(b), **110(10)(b)** (with art. 117)
- F141** Words in Art. 11(2) 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(13)(b)(i)**
- F142** Words in Art. 11(2) 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(13)(b)(ii)**
- F143** Words in Art. 11(2)(d)(ii) 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(13)(b)(iii)**
- F144** Words in Art. 11(3) 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(13)(c)**
- F145** Words in Art. 11(4) 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(13)(d)**

#### Article 12

##### Real-world CO<sub>2</sub> emissions and fuel or energy consumption

1 The [F146Secretary of State] shall monitor and assess the real-world representativeness of the CO<sub>2</sub> emissions and fuel or energy consumption values determined pursuant to Regulation (EC) No 715/2007 [F147], as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].

Furthermore, the [F146Secretary of State] shall regularly collect data on the real-world CO<sub>2</sub> emissions and fuel or energy consumption of passenger cars and light commercial vehicles using on-board fuel and/or energy consumption monitoring devices, starting with new passenger cars and new light commercial vehicles registered in 2021.

The [F146Secretary of State] shall ensure that the public is informed of how that real-world representativeness evolves over time.

2 For the purpose referred to in paragraph 1, starting from 1 January 2021, the [F148Secretary of State] shall ensure that the following parameters relating to real-world CO<sub>2</sub> emissions and fuel or energy consumption of passenger cars and light commercial vehicles are made available at regular intervals to [F149the Secretary of State], from manufacturers, national authorities or through direct data transfer from vehicles, as the case may be:

- a vehicle identification number;
- b fuel and/or electric energy consumed;

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- c total distance travelled;
- d for externally chargeable hybrid electric vehicles, the fuel and electric energy consumed and the distance travelled distributed over the different driving modes;
- e other parameters necessary to ensure that the obligations set out in paragraph 1 can be met.

The [F148Secretary of State] shall process the data received under the first subparagraph to create anonymised and aggregated datasets, including per manufacturer, for the purposes of paragraph 1. The vehicle identification numbers shall be used only for the purpose of that data processing and shall not be retained longer than needed for that purpose.

3 In order to prevent the real-world emissions gap from growing, the [F150Secretary of State] shall, no later than 1 June 2023, assess how fuel and energy consumption data may be used to ensure that the vehicle CO<sub>2</sub> emissions and fuel or energy consumption values determined pursuant to Regulation (EC) No 715/2007 [F151], as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,] remain representative of real-world emissions over time for each manufacturer.

The [F150Secretary of State] shall monitor and report annually on how the gap referred to in the first subparagraph evolves over the period 2021 to 2026 and shall, with the view to preventing an increase in that gap, assess, in 2027, the feasibility of a mechanism to adjust the manufacturer's average specific emissions of CO<sub>2</sub> as of 2030, and, if appropriate, submit a legislative proposal to put such a mechanism in place.

4 [F152Regulations may set out] the detailed procedure for collecting and processing the data referred to in paragraph 2 of this Article. F153 ...

#### Textual Amendments

- F146** Words in Art. 12(1) 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(14)(a)**
- F147** Words in Art. 12(1) 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(7)(a)**
- F148** Words in Art. 12(2) 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(14)(b)(i)**
- F149** Words in Art. 12(2) 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(14)(b)(ii)**
- F150** Words in Art. 12(3) 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(14)(c)**
- F151** Words in Art. 12(3) 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(7)(b)**
- F152** Words in Art. 12(4) 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(14)(d)(i)**



**F153** Words in Art. 12(4) 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(14)(d)(ii)**

### Article 13

#### Verification of the CO<sub>2</sub> emissions of vehicles in-service

1 Manufacturers shall ensure that the CO<sub>2</sub> emission and fuel consumption values recorded in the certificates of conformity correspond to the CO<sub>2</sub> emissions from, and fuel consumption of, vehicles in-service as determined in accordance with Regulation (EU) 2017/1151 <sup>F154</sup>, 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.]

2 Following the entry into force of the procedures referred to in the first subparagraph of paragraph 4, <sup>F155</sup>the Secretary of State shall verify], on the basis of appropriate and representative vehicle samples, that the CO<sub>2</sub> emission and fuel consumption values recorded in the certificates of conformity correspond to the CO<sub>2</sub> emissions from, and fuel consumption of, vehicles in-service as determined in accordance with Regulation (EU) 2017/1151 <sup>F156</sup>, 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,] while considering, inter alia, available data from on-board fuel and/or energy consumption monitoring devices.

<sup>F157</sup>The Secretary of State] shall also verify the presence of any strategies on board or relating to the sampled vehicles that artificially improve the vehicle's performance in the tests performed for the purpose of type-approval by, inter alia, using data from on-board fuel and/or energy consumption monitoring devices.

3 Where a lack of correspondence of CO<sub>2</sub> emission and fuel consumption values or the presence of any strategies artificially improving a vehicle's performance is found as a result of the verifications performed pursuant to paragraph 2, the responsible type-approval authority shall, in addition to taking the necessary measures set out in Chapter XI of Regulation (EU) 2018/858, <sup>F158</sup>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 or by virtue of the Northern Ireland Protocol,] ensure the correction of the certificates of conformity.

4 <sup>F159</sup>Regulations may set out] the procedures for performing the verifications referred to in paragraph 2 of this Article. <sup>F160</sup>...

<sup>F161</sup>Before making regulations referred to in the first subparagraph, the Secretary of State may make regulations setting out the guiding principles and criteria for defining the procedures referred to in that subparagraph.]

#### Textual Amendments

**F154** Words in Art. 13(1) 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(8)(a)**

**F155** Words in Art. 13(2) 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(15)(a)(i)**

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)*

- F156** Words in Art. 13(2) 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(8)(b)**
- F157** Words in Art. 13(2) 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(15)(a)(ii)**
- F158** Words in Art. 13(3) 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(8)(c)**
- F159** Words in Art. 13(4) 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(15)(b)(i)(aa)**
- F160** Words in Art. 13(4) 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(15)(b)(i)(bb)**
- F161** Words in Art. 13(4) 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(15)(b)(ii)**

## <sup>F162</sup>Article 14

### Adjustment of $M_0$ and $TM_0$ values

- 1 The  $M_0$  and  $TM_0$  values referred to in Parts A and B of Annex I shall be adjusted as follows:
- a by 31 October 2020, the  $M_0$  value in point 4 of Part A of Annex I shall be adjusted to the average mass in running order of all new passenger cars registered in 2017, 2018, and 2019. That new  $M_0$  value shall apply from 1 January 2022 until 31 December 2024;
  - b by 31 October 2022, the  $M_0$  value in point 4 of Part B of Annex I shall be adjusted to the average mass in running order of all new light commercial vehicles registered in 2019, 2020 and 2021. That new  $M_0$  value shall apply in 2024;
  - c by 31 October 2022, the indicative  $TM_0$  value for 2025 shall be determined as the respective average test mass of all new passenger cars and new light commercial vehicles registered in 2021;
  - d by 31 October 2024, and every second year thereafter, the  $TM_0$  value in point 6.2 of Parts A and B of Annex I shall be adjusted to the respective average test mass of all new passenger cars and new light commercial vehicles registered in the preceding two calendar years, starting with 2022 and 2023. The new  $TM_0$  values shall apply from 1 January of the calendar year following the date of the adjustment.
- 2 [<sup>F163</sup>Regulations may set out] the measures referred to in paragraph 1 of this Article.]

#### Textual Amendments

- F162** Art. 14 revoked (E.W.S.) (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(1)** (with arts. 116, 117)
- F163** Words in Art. 14(2) 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(16)**

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)*

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## Article 15

### Review and report

[<sup>F164</sup>1 The Secretary of State must, in 2023, thoroughly review the effectiveness of this Regulation, and publish a report of that review.]

2 In the report referred to in paragraph 1, the [<sup>F165</sup>Secretary of State] shall consider, *inter alia*, the real-world representativeness of the CO<sub>2</sub> emission and fuel or energy consumption values determined pursuant to Regulation (EC) No 715/2007 [<sup>F166</sup>, as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol]; the deployment on the [<sup>F167</sup>United Kingdom] market of zero- and low-emission vehicles, in particular with respect to light commercial vehicles; the roll-out of recharging and refuelling infrastructure [<sup>F168</sup>... M<sup>2</sup>], including their financing; the potential contribution of the use of synthetic and advanced alternative fuels produced with renewable energy to emissions reductions; the CO<sub>2</sub> emissions reduction actually observed at the existing fleet level; the functioning of the incentive mechanism for zero- and low-emission vehicles; the potential effects of the transitional measure set out in point 6.3 of Part A of Annex I; the impact of this Regulation on consumers, particularly on those on low and medium incomes; as well as aspects to further facilitate an economically viable and socially fair transition towards clean, competitive and affordable mobility in the [<sup>F167</sup>United Kingdom].

The [<sup>F165</sup>Secretary of State] shall, in that report, also identify a clear pathway for further CO<sub>2</sub> emissions reductions for passenger cars and light commercial vehicles beyond 2030 in order to significantly contribute to achieving the long-term goal of the Paris Agreement.

3 The report referred to in paragraph 2 shall, where appropriate, be accompanied by a proposal for amending this Regulation, in particular, the possible revision of the [<sup>F169</sup>Northern Ireland fleet-wide] targets for 2030 in light of the elements listed in paragraph 2, and the introduction of binding emissions reduction targets for 2035 and 2040 onwards for [<sup>F170</sup>NI passenger cars and NI light commercial vehicles] to ensure the timely transformation of the transport sector towards achieving net-zero emissions in line with the objectives of the Paris Agreement.

4 As part of the review referred to in paragraph 1 of this Article, the [<sup>F171</sup>Secretary of State] shall assess the feasibility of developing real-world emission test procedures using portable emission measurement systems (PEMS). The [<sup>F171</sup>Secretary of State] shall take into account that assessment as well as those made pursuant to Article 12 of this Regulation and may, where appropriate, review the procedures for measuring CO<sub>2</sub> emissions as set out under Regulation (EC) No 715/2007. The [<sup>F171</sup>Secretary of State] shall, in particular, make appropriate proposals to adapt those procedures to reflect adequately the real-world CO<sub>2</sub> emissions of passenger cars and light commercial vehicles.

5 As part of the review referred to in paragraph 1 of this Article, the [<sup>F172</sup>Secretary of State] shall evaluate the possibility to assign the revenue from the excess emissions premiums to a specific fund or a relevant programme, with the objective to ensure a just transition towards a climate-neutral economy as referred to in Article 4.1 of the Paris Agreement, in particular to support re-skilling, up-skilling and other skills training and reallocation of workers in the automotive sector [<sup>F173</sup>...], in particular in the regions and the communities most affected by the transition. [<sup>F174</sup>...]

[<sup>F175</sup>6 .....

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)*

7 The [<sup>F176</sup>Regulations may set out] the correlation parameters necessary in order to reflect any change in the regulatory test procedure for the measurement of specific emissions of CO<sub>2</sub> referred to in [<sup>F177</sup>Regulation (EC) No 715/2007 and, where applicable, Commission Regulation (EU) 2017/1151, as those Regulations have effect in domestic law, and as those Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol].<sup>F178</sup> ...

8 [<sup>F179</sup>Regulations may] amend this Regulation by adapting the formulae set out in Annex I, using the methodology adopted pursuant to paragraph 7 of this Article, while ensuring that reduction requirements of comparable stringency for manufacturers and vehicles of different utility are required under the old and new test procedures.

#### Textual Amendments

- F164** Art. 15(1) 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(17)(a)**
- F165** Words in Art. 15(2) 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(17)(b)(i)**
- F166** Words in Art. 15(2) 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(9)(a)**
- F167** Words in Art. 15(2) 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(17)(b)(ii)**
- F168** Words in Art. 15(2) 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(17)(b)(iii)**
- F169** Words in Art. 15(3) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(11)(a)** (with art. 117)
- F170** Words in Art. 15(3) substituted (3.1.2024) by The Vehicle Emissions Trading Schemes Order 2023 (S.I. 2023/1394), arts. 1(b), **110(11)(b)** (with art. 117)
- F171** Words in Art. 15(4) 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(17)(d)**
- F172** Words in Art. 15(5) 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(17)(e)(i)**
- F173** Words in Art. 15(5) 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(17)(e)(ii)**
- F174** Words in Art. 15(5) 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(17)(e)(iii)**
- F175** Art. 15(6) 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(17)(f)**
- F176** Words in Art. 15(7) 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(17)(g)(i)**

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

- F177** Words in Art. 15(7) 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(9)(b)**
- F178** Words in Art. 15(7) 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(17)(g)(ii)**
- F179** Words in Art. 15(8) 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(17)(h)**

#### Marginal Citations

- M2** [Editorial note: Art. 15(2) footnote 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(17)(b)(iii)**]

### <sup>F180</sup> Article 16

#### Committee procedure

#### Textual Amendments

- F180** Art. 16 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(18)**

### <sup>F181</sup> Article 17

#### Regulations

- 1 Any power to make regulations under this Regulation—
  - a is exercisable by the Secretary of State by statutory instrument; and
  - b includes power to make:
    - i different provision for different cases or descriptions of case, different circumstances or different purposes;
    - ii consequential, incidental, supplementary, transitional or transitory provision or savings.
- 2 A statutory instrument containing regulations under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F181** Art. 17 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(19)**

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council. (See end of Document for details)

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## Article 18

### Repeal

F182

References to [F183]Regulations (EC) No 443/2009 and (EU) No 510/2011 are to] be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex V.

#### Textual Amendments

- F182** Words in Art. 18 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(20)(a)**
- F183** Words in Art. 18 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(20)(b)**

## Article 19

### Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

F184

#### Textual Amendments

- F184** Words after Reg. 19 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(21)(a)**

F185

#### Textual Amendments

- F185** Words in [Signature](#) 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(21)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EU) 2019/631 of the European Parliament and of the Council.