
DRAFT STATUTORY INSTRUMENTS

2022 No.

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

PART 4

EU Regulations

CHAPTER 1

Regulation (EU) 2018/858

Amendments to Chapter I

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

(2) In Article 3 (definitions)—

(a) in point (2), for “this Regulation” substitute “Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market authorisation of motor vehicles and their trailers, and of systems, components and separate technical units, as it has effect in EU law”;

(b) after point (2), insert—

“(2A) “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 this Regulation;”;

(c) in point (3)—

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

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

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

(d) after point (5), insert—

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

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

(5C) “UK (NI) certificate of conformity” means that document issued by the manufacturer which certifies that a produced vehicle conforms to the approved type of vehicle and complies with all regulatory acts that were applicable in Northern Ireland at the time of its production, but does not include, for the purposes of this Regulation, a certificate of conformity relating to a UK (NI) national small series type-approval issued under regulation 16(7) of the Road Vehicles (Approval) Regulations 2020(2);”;

- (e) in point (6), omit “EU individual vehicle approval or national”;
- (f) in point (9), for “EU” substitute “GB”;
- (g) in point (10), for “an approval” substitute “the approval”;
- (h) in point (11), for “EU” substitute “GB”;
- (i) in points (12), (13) and (14), for “an approval” substitute “the approval”;
- (j) in point (34), for “relevant Union harmonisation” substitute “applicable”;
- (k) in point (35)—
 - (i) omit “national”,
 - (ii) omit “on the territory of the Member State”;
- (l) in point (36)—
 - (i) omit “of a Member State, notified to the Commission by that Member State,”;
 - (ii) omit “for acting as the contact point for the approval authorities of the other Member States,”;
- (m) omit point (37);
- (n) in point (39), for the definition of “national accreditation body”, substitute—
 - “national accreditation body” means—
 - (a) the UK national accreditation body as defined in point (11) of Article 2 of Regulation (EC) No 765/2008(3), or
 - (b) in cases where a technical service is located in a member State, the accreditation body as defined in point (11) of Article 2 of Regulation (EC) No 765/2008(4) as it has effect in EU law;”;
- (o) in point (41) and (42), for “the Union” substitute “Great Britain”;
- (p) in point (50) and (52), for “the Union” substitute “Great Britain”;
- (q) after point (58), insert—

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

(60) “qualifying Northern Ireland goods” has the meaning given in section 47 of the United Kingdom Internal Market Act 2020(5);

(61) “retained direct EU legislation” has the meaning given in section 20 of the European Union (Withdrawal) Act 2018(6);

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

(3) EUR 765/2008.

(4) OJ L 151, 14.6.2018, p. 1.

(5) 2020 c. 27.

(6) 2018 c. 16.

(62) “the Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.”.

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