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STATUTORY INSTRUMENTS

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**2003 No. 2635**

The End-of-Life Vehicles Regulations 2003

**PART I**

*General*

**Citation, commencement and extent**

- 1.—(1) These Regulations may be cited as the End-of-Life Vehicles Regulations 2003.
- (2) These Regulations shall come into force—
- (a) in Great Britain, on 3rd November 2003 in respect of Parts I to VI;
  - (b) in England and Wales, on 3rd November 2003 in respect of Part VII;
  - (c) in Northern Ireland—
    - (i) on 3rd November 2003 in respect of Parts I to IV; and
    - (ii) on 31st December 2003 in respect of Parts V and VI.
- (3) These Regulations extend—
- (a) save in respect of Part VII, to the United Kingdom; and
  - (b) in respect of Part VII, to England and Wales.

**Interpretation**

2. In these Regulations—
- “the Directive” means Directive [2000/53/EC](#) of the European Parliament and of the Council on end-of-life vehicles<sup>[F1]</sup>, as last amended by <sup>[F2]</sup>Commission Delegated Directive (EU) 2020/363];
- <sup>[F3]</sup>“authorised treatment facility” means any establishment or undertaking carrying out treatment operations which holds—
- (a) in England or Wales, an environmental permit authorising those operations granted under regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2016;
  - (b) in Scotland, a site licence that complies with the relevant provisions of regulation 3 to 6 of the End-of-Life Vehicles (Storage and Treatment) (Scotland) Regulations 2003 or a permit issued under regulation 13 of the Pollution Prevention and Control (Scotland) Regulations 2012;
  - (c) in Northern Ireland—
    - (i) a site licence that meets the requirements of regulation 26 of, and Schedule 5 to, the Waste Management Licensing Regulations (Northern Ireland) 2003;
    - (ii) a permit granted under regulation 10 of the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013;]

- “certificate of compliance” means the certificate referred to in Part VI of these Regulations;
- “certificate of destruction” means the certificate referred to in Part V of these Regulations;
- “compliance notice” means a notice in writing served in accordance with regulation 9 or 21, as the case may be;
- “dismantling information” means all information required for the correct and environmentally sound treatment of end-of-life vehicles;
- [<sup>F4</sup>“an EEA State” has the meaning given by Schedule 1 to the Interpretation Act 1978];
- “end-of-life vehicle” means a vehicle which is waste within the meaning of [<sup>F5</sup>Article 3(1)] of the Waste Directive [<sup>F6</sup>, as read with Articles 5 and 6 of that Directive];
- [<sup>F7</sup>“enforcement authority” means any person mentioned in regulation 25;]
- [<sup>F7</sup>“enforcement officer”, in relation to an enforcement authority, means a person authorised in writing to assist the authority in carrying out its functions under or for the purposes of the enforcement of these Regulations, except in relation to an enforcement authority which is a government department where it means an officer of that department;]
- [<sup>F8</sup>“hazardous substance” means any substance which fulfils the criteria for any of the following hazard classes or categories set out in Annex I of Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16th December 2008 on classification, labelling and packaging of substances and mixtures—
- (a) hazard classes 2.1 to 2.4, 2.6 and 2.7, 2.8 types A and B, 2.9, 2.10, 2.12, 2.13 categories 1 and 2, 2.14 categories 1 and 2, 2.15 types A to F;
  - (b) hazard classes 3.1 to 3.6, 3.7 adverse effects on sexual function and fertility or on development, 3.8 effects other than narcotic effects, 3.9 and 3.10;
  - (c) hazard class 4.1; and
  - (d) hazard class 5.1;]
- “prevention” means measures aiming at the reduction of the quantity and the harmfulness for the environment of end-of-life vehicles, their materials and substances;
- “producer” means the vehicle manufacturer or the professional importer of a vehicle into [<sup>F9</sup>the United Kingdom];
- [<sup>F10</sup>“recovery” means any of the applicable operations provided for in [<sup>F11</sup>Annex 2] to the Waste Directive;][<sup>F10</sup>“recovery” has the meaning given by Article 3(15) of the Waste Directive;]
- “recycling” means the reprocessing in a production process of waste materials for the original purpose or for other purposes but excluding energy recovery. Energy recovery means the use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat;
- “reuse” means any operation by which components of end-of-life vehicles are used for the same purpose for which they were conceived;
- “treatment” means any activity after the end-of-life vehicle has been handed over to a facility for depollution, dismantling, shearing, shredding, recovery or preparation for disposal of the shredder wastes, and any other operation carried out for the recovery and/or disposal of the end-of-life vehicle and its components, and “treated” shall be construed accordingly;
- [<sup>F12</sup>“vehicle” means—
- (a) any vehicle designated as category M<sub>1</sub> or N<sub>1</sub> defined in [<sup>F13</sup>Article 4 of 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]; and

- (b) three-wheel motor vehicles within the meaning of Article 4 and Annex 1 of Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles as it may be amended from time to time, but excluding any vehicle of category L5e;] and
- [<sup>F14</sup>“the Waste Directive” means Directive 2008/98/EC of the European Parliament and of the Council on waste<sup>F15</sup>, as last amended by [<sup>F16</sup>Directive (EU) 2018/851]]<sup>F17</sup>, and read in accordance with regulation 2A]].

### Textual Amendments

- F1** Words in reg. 2 inserted (17.9.2018) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) Regulations 2018 (S.I. 2018/942), regs. 1(2), **9(2)(a)**
- F2** Words in reg. 2 substituted (1.10.2020) by The Waste (Circular Economy) (Amendment) Regulations 2020 (S.I. 2020/904), regs. 1(1), **7(a)**
- F3** Words in reg. 2 substituted (28.2.2019) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(a), **2(2)(a)**
- F4** Words in reg. 2 substituted (1.7.2010) by The End-of-Life Vehicles (Amendment) Regulations 2010 (S.I. 2010/1094), regs. 1(2), **2(2)(a)**
- F5** Words in reg. 2 substituted (S.) (27.3.2011) by The Waste (Scotland) Regulations 2011 (S.S.I. 2011/226), reg. 1(1), **Sch. para. 15(a)**  
Words in reg. 2 substituted (E.W.) (29.3.2011) by The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 4 para. 16(a)** (with regs. 2, 47(2))  
Words in reg. 2 substituted (N.I.) (28.2.2019) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(a), **2(2)(b)**
- F6** Words in reg. 2 inserted (31.12.2020) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(b), **9(2)(a)** (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in reg. 2 inserted (1.7.2010) by The End-of-Life Vehicles (Amendment) Regulations 2010 (S.I. 2010/1094), regs. 1(2), **2(2)(b)**
- F8** Words in reg. 2 substituted (1.12.2010) by The End-of-Life Vehicles (Amendment) Regulations 2010 (S.I. 2010/1094), regs. 1(3), **2(2)(c)**
- F9** Words in reg. 2 substituted (31.12.2020) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(b), **9(2)(b)** (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 2 substituted (E.W.) (29.3.2011) by The Waste (England and Wales) Regulations 2011 (S.I. 2011/988), reg. 1(2), **Sch. 4 para. 16(b)** (with regs. 2, 47(2))
- F11** Words in reg. 2 substituted (S.) (27.3.2011) by The Waste (Scotland) Regulations 2011 (S.S.I. 2011/226), reg. 1(1), **Sch. para. 15(b)**  
Words in reg. 2 substituted (N.I.) (28.2.2019) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188), regs. 1(2)(a), **2(2)(c)**
- F12** Words in reg. 2 substituted (20.5.2018) by The Motorcycles (Type-Approval) Regulations 2018 (S.I. 2018/235), reg. 1(b), **Sch. 2 para. 4** (with reg. 1(c), Sch. 1 paras. 16, 17)
- F13** Words in reg. 2 substituted (1.9.2020) by The Road Vehicles (Approval) Regulations 2020 (S.I. 2020/818), reg. 1(b), **Sch. 6 para. 18(2)** (with Sch. 4 paras. 16, 17)
- F14** Words in reg. 2 substituted (3.8.2016) by The Waste (Meaning of Recovery) (Miscellaneous Amendments) Regulations 2016 (S.I. 2016/738), regs. 1(1), **4**
- F15** Words in reg. 2 inserted (17.9.2018) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) Regulations 2018 (S.I. 2018/942), regs. 1(2), **9(2)(b)**
- F16** Words in reg. 2 substituted (1.10.2020) by The Waste (Circular Economy) (Amendment) Regulations 2020 (S.I. 2020/904), regs. 1(1), **7(b)**

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The End-of-Life Vehicles Regulations 2003, PART I. (See end of Document for details)*

**F17** Words in reg. 2 inserted (31.12.2020) by [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **9(2)(d)** (as amended by [S.I. 2020/1540](#), regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1)

## **[F18] Modification of the Waste Directive**

**2A.**—(1) For the purposes of these Regulations, the Waste Directive is to be read in accordance with this regulation.

(2) Article 5 is to be read as if—

- (a) in paragraph 1, “Member States shall take appropriate measures to ensure that” were omitted;
- (b) after paragraph 1 there were inserted—
  - “**1A.** Any decision as to whether a substance or object is a by-product must be made—
    - (a) in accordance with any regulations setting out detailed criteria on the application of the conditions in paragraph 1 to specific substances or objects; and
    - (b) having regard to any guidance published by the appropriate authority or the appropriate agency for the purposes of this Article.”;

(c) paragraphs 2 and 3 were omitted.

(3) Article 6 is to be read as if—

- (a) in paragraph 1, “Member States shall take appropriate measures to ensure that” were omitted;
- (b) after paragraph 1 there were inserted—
  - “**1A.** Any decision as to whether a substance or object has ceased to be waste must be made—
    - (a) in accordance with any regulations or retained direct EU legislation setting out detailed criteria on the application of the conditions in paragraph 1 to specific types of waste; and
    - (b) having regard to any guidance published by the appropriate authority or the appropriate agency for the purposes of this Article.”;

(c) in paragraph 2—

- (i) the first subparagraph were omitted;
- (ii) in the second subparagraph, for “Those detailed criteria” there were substituted “Any detailed criteria set out in guidance as referred to in paragraph 1A”;
- (iii) the third and fourth subparagraphs were omitted;

(d) paragraph 3 were omitted;

(e) in paragraph 4—

- (i) in the first subparagraph—
  - (aa) in the first sentence, for the words from the beginning to “Member State”, there were substituted “Where criteria have not been set out as referred to in paragraph 1A(a), the appropriate agency”;
  - (bb) the second sentence were omitted;
- (ii) in the second subparagraph—
  - (aa) for “Member States” there were substituted “The appropriate agency”;
  - (bb) “by competent authorities” were omitted.

(4) In this regulation—

“appropriate agency” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales;
- (c) in relation to Scotland, the Scottish Environment Protection Agency;

“appropriate authority” means—

- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers;
- (c) in relation to Scotland, the Scottish Ministers.]

#### **Textual Amendments**

- F18** Reg. 2A inserted (31.12.2020) by [The Waste \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/188\)](#), regs. 1(2)(b), **9(3)** (as amended by [S.I. 2020/1540](#), regs. 1(2), 11(3)(a)); 2020 c. 1, Sch. 5 para. 1(1)

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The End-of-Life Vehicles Regulations 2003, PART I.