
STATUTORY INSTRUMENTS

2018 No. 764

The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018

[^{F1}Products approved in member States or in Northern Ireland

10A.—(1) Paragraphs (2) to (4) apply notwithstanding anything in these Regulations or the NRMM Regulation.

(2) A manufacturer or an importer may place a qualifying relevant product on the market in Great Britain.

(3) A distributor may make a qualifying relevant product available on the market in Great Britain.

(4) In this regulation—

“qualifying relevant product” means a relevant product—

- (a) in respect of which the manufacturer of the product holds a relevant approval, or
- (b) which is an engine falling within the scope of Article 58(10) or (11) of the EU NRMM Regulation,
- (c) which is an engine falling within the scope of Article 34(7) of the EU NRMM Regulation, provided the approval authority has examined the machine in which the replacement engine is proposed to be installed and concluded that the installation of an engine that complies with the applicable emission limits set out in Tables II-7 and II-8 of Annex II of that Regulation would involve significant technical difficulties, or
- (d) which is a transition engine within the meaning of Article 3(32) of the EU NRMM Regulation, or a mobile machine in which a transition engine is installed, but only where that transition engine is placed or made available on the market in Great Britain in the same circumstances as are provided for in paragraphs 5, 6, 7 and 8 of Article 58 of that Regulation;

“relevant approval” means—

- (a) a valid type-approval issued in accordance with the EU NRMM Regulation, provided that the product to which it relates was in the United Kingdom before 1st January 2023,
- (b) a valid type-approval issued in accordance with regulation 10B,
- (c) a valid type-approval issued in relation to a qualifying Northern Ireland good, within the meaning of section 47 of the United Kingdom Internal Market Act 2020, in accordance with the EU NRMM Regulation,
- (d) a valid type approval issued on or after IP completion day by the Secretary of State in accordance with the EU NRMM Regulation as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU Withdrawal Agreement,

and includes any such approval which is revised or extended.;

Changes to legislation: There are currently no known outstanding effects for the The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018, Section 10A. (See end of Document for details)

Textual Amendments

- F1** Reg. 10A inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), regs. 1(2), **10(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018, Section 10A.