

STATUTORY INSTRUMENTS

2020 No. 818

The Road Vehicles (Approval) Regulations 2020

PART 1

Introduction

Citation and commencement

1. These Regulations—
 - (a) may be cited as the Road Vehicles (Approval) Regulations 2020, and
 - (b) come into force on 1st September 2020.

Commencement Information

- II** Reg. 1 in force at 1.9.2020, see [reg. 1\(b\)](#)

[^{F1}Application

1A. The following provisions of these Regulations do not apply in England and Wales or Scotland—

- (a) in regulation 16, paragraphs (4) and (5);
- (b) regulation 17;
- (c) in regulation 18, paragraphs (8)(b) and (9).]

Textual Amendments

- F1** [Reg. 1A](#) 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), **12(1)**

Interpretation

2.—(1) In these Regulations—

“the 1994 Act” means the Vehicle Excise and Registration Act 1994 ^{M1};

“enforcement authority” means the Secretary of State;

[^{F2}“EU individual vehicle approval” means an individual vehicle approval granted in accordance with Article 44 of the EU Type Approval Regulation;]

[^{F2}“EU small series type-approval” means an EU type-approval granted in accordance with Article 41 of the EU Type Approval Regulation;]

Changes to legislation: *The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

[^{F2}“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 applies in EU law and as it has effect by virtue of the Northern Ireland Protocol, as amended from time to time;]

[^{F2}“EU whole-vehicle type-approval” means a whole vehicle type-approval granted in accordance with Article 22 of the EU Type Approval Regulation;]

[^{F2}“GB individual vehicle approval” means an individual vehicle approval granted in accordance with Article 45 of the Type Approval Regulation;]

[^{F2}“GB medium series type-approval” means a GB type-approval granted in accordance with Article 41 of the Type Approval Regulation;]

[^{F2}“GB small series type-approval” means a GB type-approval granted in accordance with Article 42 of the Type Approval Regulation;]

[^{F2}“GB whole-vehicle type-approval” means a whole-vehicle type-approval granted in accordance with Article 22 of the Type Approval Regulation;]

[^{F2}“national individual vehicle approval” means national individual vehicle granted approval in accordance with Article 45 of the EU Type Approval Regulation;]

[^{F2}“national small series type-approval” means national small series type-approval in accordance with Article 42 of the EU Type Approval Regulation;]

[^{F2}“Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement;]

[^{F2}“qualifying Northern Ireland goods” has the meaning given in section 47 of the United Kingdom Internal Market Act 2020;]

“the 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^{M2}, as amended from time to time;

“relevant products” means—

- (a) vehicles,
- (b) systems,
- (c) components,
- (d) separate technical units,
- (e) parts, or
- (f) equipment;

“UNECE Regulation” means, in respect of a Regulation of a particular number—

- (a) a UNECE Regulation of that number listed in Annex IV of Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor^{M3}, as amended from time to time, or
- (aa) [^{F3}in the case of a UK (NI) type-approval only, a UN Regulation of that number specified in Annex I to Regulation (EU) 2019/2144 of the European Parliament and of the Council of 27 November 2019 on type-approval requirements for motor vehicles and their trailers, and systems, components and separate technical units intended for such vehicles, as

regards their general safety and the protection of vehicle occupants and vulnerable road users, as that Regulation has effect by virtue of the Northern Ireland Protocol;]

- (b) a UN Regulation of that number specified in Chapter XII of, and Annex II to, the Type Approval Regulation.

[^{F4}“UK (NI) national individual vehicle approval” means an individual vehicle approval granted by the Secretary of State in respect of Northern Ireland in accordance with Article 45 of the EU Type Approval Regulation;]

[^{F4}“UK (NI) national small series type approval” means a national small series type approval granted by the Secretary of State in accordance with Article 42 of the EU Type Approval Regulation;]

[^{F4}“UK (NI) type-approval” means an EU type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with the EU Type Approval Regulation;]

[^{F4}“UK (NI) whole-vehicle type-approval” means an EU whole vehicle type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with Article 22 of the EU Type Approval Regulation].

(2) Unless otherwise provided, [^{F5}subject to paragraph (3)] any word or expression used in these Regulations which is defined in Article 3 of the Type Approval Regulation has the meaning given in that Article.

[^{F6}(3) Unless otherwise provided, any word or expression used in these Regulations in a provision relating to an obligation created or arising by or under the Northern Ireland Protocol, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies, and which is defined in Article 3 of the EU Type Approval Regulation has the meaning given in that Article.]

Textual Amendments

- F2** Words in [reg. 2\(1\)](#) 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\(2\)](#), **12(2)(a)**
- F3** Words in [reg. 2\(1\)](#) 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\(2\)](#), **12(2)(b)**
- F4** Words in [reg. 2\(1\)](#) 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\(2\)](#), **12(2)(c)**
- F5** Words in [reg. 2\(2\)](#) 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\(2\)](#), **12(2)(d)**
- F6** [Reg. 2\(3\)](#) 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\(2\)](#), **12(2)(e)**

Commencement Information

- I2** [Reg. 2](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

Marginal Citations

- M1** 1994 c.22.
- M2** OJ No. L 151, 14.6.2018, p.1.
- M3** OJ No. L 200, 31.7.2009, p.1.

Changes to legislation: The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 2

[^{F7}Type-approval]

Textual Amendments

- F7** Pt. 2 heading substituted (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), **13(1)**

Appointment of approval authority

3. The Secretary of State is the approval authority for the purposes of these Regulations [^{F8}, the Type Approval Regulation and the EU Type Approval Regulation].

Textual Amendments

- F8** Words in [reg. 3](#) substituted (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), **13(2)**

Commencement Information

- I3** Reg. 3 in force at 1.9.2020, see [reg. 1\(b\)](#)

Market surveillance authority

4. The Secretary of State is the market surveillance authority for the purposes of—
- these Regulations [^{F9}, the Type Approval Regulation and the EU Type Approval Regulation], ^{F10} ...
 - where applied by the Type Approval Regulation or otherwise applicable to relevant products, Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93^{M4}[^{F11}], and
 - where applied by the EU Type Approval Regulation, or otherwise applicable to relevant products, Regulation (EU) 2019/1020 on market surveillance and compliance of products, as that Regulation has effect by virtue of the Northern Ireland Protocol.]

Textual Amendments

- F9** Words in [reg. 4\(a\)](#) substituted (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), **13(3)(a)**
- F10** Word in [reg. 4\(a\)](#) omitted (31.12.2022 at 11.00 p.m.) by virtue of [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), **13(3)(b)**
- F11** [Reg. 4\(c\)](#) and word 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), **13(3)(c)**

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Commencement Information

I4 Reg. 4 in force at 1.9.2020, see [reg. 1\(b\)](#)

Marginal Citations

M4 OJ No. L 218, 13.8.2008, p.30.

Requirement to supply documentation or additional information: failure to comply

5. Where a manufacturer who makes an application for type approval fails to comply with a requirement to supply documentation or additional information under the second subparagraph of paragraph 4 of Article 25 of the Type Approval Regulation [^{F12}or of the EU Type Approval Regulation], the approval authority may treat the application as having been withdrawn by the manufacturer.

Textual Amendments

F12 Words in [reg. 5](#) 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\(2\)](#), [13\(4\)](#)

Commencement Information

I5 Reg. 5 in force at 1.9.2020, see [reg. 1\(b\)](#)

Refusal of ^{F13}... type-approval application

6.—(1) The approval authority must refuse an [^{F14}application for a GB type-approval or a UK (NI) type-approval] if the requirements of—

- (a) Articles 26 and 29 to 31, or
- (b) Article 39,

of the Type Approval Regulation [^{F15}or the EU Type Approval Regulation, as applicable,] have not been complied with.

(2) The requirements of Article 30 of the Type Approval Regulation [^{F16}or the EU Type Approval Regulation, as applicable] are not complied with if the tests required by that Article demonstrate that there is non-compliance with the technical requirements mentioned in paragraph 1 of that Article.

(3) The requirements of Article 31 of the Type Approval Regulation [^{F17}or the EU Type Approval Regulation, as applicable] are not complied with if the approval authority is not satisfied that the applicant has made or will make adequate arrangements to ensure that—

- (a) production will conform to the approved type, or
- (b) the data in the certificates of conformity are correct.

Textual Amendments

F13 Word in [reg. 6](#) heading omitted (31.12.2022 at 11.00 p.m.) by virtue of [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment and Transitional Provisions\) \(EU Exit\) Regulations 2022 \(S.I. 2022/1273\)](#), [regs. 1\(2\)](#), [13\(5\)\(a\)](#)

Changes to legislation: *The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F14** Words in reg. 6(1) substituted (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), **13(5)(b)(i)**
- F15** Words in reg. 6(1) 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), **13(5)(b)(ii)**
- F16** Words in reg. 6(2) 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), **13(5)(c)**
- F17** Words in reg. 6(3) 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), **13(5)(d)**

Commencement Information

- I6** Reg. 6 in force at 1.9.2020, see [reg. 1\(b\)](#)

[^{F18}Reusability, recycling and recovery of component parts and materials

6A.—(1) For the purposes of a GB type-approval, references in the following provisions of Annex II to the Type Approval Regulation to “[Directive 2005/64/EC](#) of the European Parliament and of the Council” are to be read as references to Schedule A1—

- (a) entry 59 of the table in Part 1;
- (b) entry 59 of table 1 in Appendix 1 to Part 1;
- (c) entry 59 of table 2 in Appendix 1 to Part 1.

(2) Schedule A1 applies to vehicles belonging to categories M1 and N1, as defined in Article 4 of the Type Approval Regulation.]

Textual Amendments

- F18** [Reg. 6A](#) 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), **13(6)**

Conformity of production: record keeping

7.—[^{F19}(1)] The holder of [^{F20}an approval referred to in paragraph (2)], must compile and retain for inspection by the approval authority for a period of five years commencing with the date of compilation, such records of tests and checks undertaken that are sufficient to demonstrate—

- (a) conformity of production to the approved type,
- (b) compliance of certificates of conformity to Article 36 or Article 37 of the Type Approval Regulation [^{F21}or the EU Type Approval Regulation], and
- (c) that the data in certificates of conformity issued by the holder are correct.

[^{F22}(2) The approvals referred to in this paragraph are—

- (a) a GB type-approval;
- (b) an EU type-approval issued by the Secretary of State before IP completion day;
- (c) a UK (NI) type-approval;

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- (d) a national small series type-approval issued by the Secretary of State before IP completion day;
- (e) a UK (NI) national small series type-approval;
- (f) a GB small series type-approval.]

Textual Amendments

- F19** Reg. 7 renumbered as reg. 7(1) (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), **13(7)(a)**
- F20** Words in reg. 7(1) substituted (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), **13(7)(b)(i)**
- F21** Words in reg. 7(1)(b) 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), **13(7)(b)(ii)**
- F22** Reg. 7(2) 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), **13(7)(c)**

Commencement Information

- I7** Reg. 7 in force at 1.9.2020, see [reg. 1\(b\)](#)

Review of decisions

8.—(1) All decisions taken pursuant to the Type Approval Regulation [^{F23}or the EU Type Approval Regulation] and all decisions refusing or withdrawing type approval, refusing registration, prohibiting or restricting the placing on the market, registration or entry into service of a vehicle or requiring withdrawal of a vehicle from the market must be given by notice in writing (“a relevant notice”) and state—

- (a) in detail the reasons on which they are based,
 - [^{F24}(b) the remedies available to the party concerned—
 - (i) where the application is made in respect of Great Britain, under the laws in force in Great Britain;
 - (ii) where the application is made in respect of Northern Ireland, under the laws in force in Northern Ireland,] and
 - (c) the time limits allowed for the exercise of such remedies.
- (2) Where the approval authority has given a person a relevant notice, that person may apply to the approval authority for a reconsideration of the decision given in that notice.
- (3) An application under paragraph (2) must—
- (a) be made within the period of 28 days beginning on the date when the relevant notice is received, and
 - (b) state the reasons for making the application and be accompanied by such further evidence as the person believes supports those reasons.
- (4) The approval authority may—
- (a) request evidence in support of the application,

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- (b) after giving reasonable notice to the applicant, carry out a re-examination of one or more vehicles for the purpose of determining the issues raised by the application.
- (5) The approval authority must as soon as reasonably practicable—
 - (a) give written notification to the applicant stating whether the decision is confirmed, amended or reversed, and
 - (b) if the decision is reversed or amended, take the appropriate action in respect of the revised decision.
- (6) An applicant aggrieved by the approval authority's notification under paragraph (5) may by notice request the approval authority to appoint an independent assessor to review the decision to which the relevant notice relates.
- (7) A request under paragraph (6) must—
 - (a) be made not later than 28 days after receipt of the approval authority's notification under paragraph (5), and
 - (b) state the reasons for the request.
- (8) As soon as reasonably practicable after the date of receipt of the request under paragraph (6), the approval authority must—
 - (a) appoint a person to act as assessor or, at the authority's discretion, not more than three persons to act as an assessment panel, and
 - (b) notify the applicant of the appointment.
- (9) The independent assessor or assessment panel may—
 - (a) request further evidence in support of the request for review;
 - (b) after giving reasonable notice to the applicant, carry out a re-examination of one or more vehicles for the purpose of determining the issues raised by the request for review.

Textual Amendments

- F23** Words in [reg. 8\(1\)](#) 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), **13(8)(a)**
- F24** [Reg. 8\(1\)\(b\)](#) substituted (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), **13(8)(b)**

Commencement Information

- I8** [Reg. 8](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

Withdrawal of approvals: mistake or error

9.—(1) Subject to the provisions of this regulation, the approval authority may decide to withdraw any approval given by it by reason of mistake or error on the part of that authority.

(2) A decision to withdraw an approval must be given by notice in writing (“a relevant notice”) and specify—

- (a) the nature of the mistake or error, and
 - (b) the date from which the approval is to be withdrawn, which must be not less than 28 days nor more than six months after the date on which the relevant notice is given.
- (3) Regulation 8(2) to (9) applies to the review of a decision under this regulation.

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(4) Any review of a decision under this regulation may, subject to the requirement in paragraph (2) (b), vary the date from which the approval is to be withdrawn.

Commencement Information

I9 Reg. 9 in force at 1.9.2020, see [reg. 1\(b\)](#)

Withdrawal and suspension of approvals: effect

10.—(1) If the holder of an approval which has been withdrawn or suspended pursuant to the Type Approval Regulation [^{F25}, the EU Type Approval Regulation] or these Regulations purports by virtue of that approval to—

- (a) issue a certificate of conformity with respect to a vehicle, or
- (b) affix a statutory plate or mark pursuant to Article 38 of the Type Approval Regulation [^{F26} or the EU Type Approval Regulation, as applicable],

the certificate, plate or mark is invalid.

(2) The approval authority may, by notice given to the holder, exempt from paragraph (1) certificates of conformity or classes of certificates of conformity specified in the notice.

(3) The suspension of an approval does not affect the validity of any certificate of conformity issued under it before that suspension.

Textual Amendments

F25 Words in [reg. 10\(1\)](#) 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), **13(9)(a)**

F26 Words in [reg. 10\(1\)\(b\)](#) 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), **13(9)(b)**

Commencement Information

I10 Reg. 10 in force at 1.9.2020, see [reg. 1\(b\)](#)

Service

11.—(1) Paragraphs (2) to (4) of this regulation have effect in relation to any notice or other document required or authorised by these Regulations [^{F27}, the Type Approval Regulation or the EU Type Approval Regulation] to be given to or served on any person by the approval authority, market surveillance authority or enforcement authority.

- (2) Any such notice or document may be given to or served on the person in question—
 - (a) by delivering it to the person;
 - (b) by leaving it at that person's proper address;
 - (c) by sending it by post to that person at that address;
 - (d) by means of any form of electronic communication agreed with the person to whom it is to be sent.
- (3) Any such notice or document may—
 - (a) in the case of a body corporate, be given to or served on an officer of that body;

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- (b) in the case of a partnership, be given to or served on any partner;
 - (c) in the case of an unincorporated association other than a partnership, be given to or served on any member of the governing body of that association.
- (4) For the purposes of this regulation and section 7 of the Interpretation Act 1978 (service of documents by post) ^{M5} in its application to this regulation, the proper address of any person is that person's last known address (whether of the person's residence or of a place where the person carries on business or is employed) and also—
- (a) in the case of a body corporate or an officer of that body, the address of the registered or principal office of that body in the United Kingdom;
 - (b) in the case of an unincorporated association other than a partnership or a member of its governing body, its principal office in the United Kingdom;
 - (c) an address within the United Kingdom other than that person's proper address at which that person, or another acting on that person's behalf, will accept service of any notice or document required or authorised by these Regulations [^{F28}, the Type Approval Regulation or the EU Type Approval Regulation] to be given to or served on any person by the approval authority.
- (5) Any notice or other document or information required by these Regulations [^{F29}, the Type Approval Regulation or the EU Type Approval Regulation] to be given to or served by any person on the approval authority, market surveillance authority or enforcement authority must be—
- (a) in writing, or
 - (b) in an electronic format accepted by, and sent by means of any form of electronic communication agreed with, the approval authority, market surveillance authority or enforcement authority (as appropriate).

Textual Amendments

- F27** Words in [reg. 11\(1\)](#) substituted (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\(2\)](#), **13(10)**
- F28** Words in [reg. 11\(4\)\(c\)](#) substituted (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\(2\)](#), **13(10)**
- F29** Words in [reg. 11\(5\)](#) substituted (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\(2\)](#), **13(10)**

Commencement Information

- I11** Reg. 11 in force at 1.9.2020, see [reg. 1\(b\)](#)

Marginal Citations

- M5** 1978 c.30.

Provision of testing stations

12. The approval authority may provide and maintain stations where examinations of relevant products may be carried out for the purposes of these Regulations [^{F30}, the Type Approval Regulation or the EU Type Approval Regulation] and may provide and maintain apparatus for carrying out such examinations.

Changes to legislation: The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

F30 Words in [reg. 12](#) substituted (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), **13(11)**

Commencement Information

I12 Reg. 12 in force at 1.9.2020, see [reg. 1\(b\)](#)

Provision of technical information: loss or damage

13.—(1) Where a duty is imposed on a manufacturer by Chapter XIII (provision of technical information) or Chapter XIV (access to vehicle OBD information and vehicle repair and maintenance information) of the Type Approval Regulation [^{F31}or the EU Type Approval Regulation], any breach of the duty which causes a person to sustain loss or damage is actionable at the suit of that person.

(2) But, in any proceedings brought against a manufacturer in pursuance of this regulation, it is a defence for the manufacturer to show that the manufacturer took all reasonable steps and exercised all due diligence to avoid the breach.

Textual Amendments

F31 Words in [reg. 13\(1\)](#) 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), **13(12)**

Commencement Information

I13 Reg. 13 in force at 1.9.2020, see [reg. 1\(b\)](#)

Defeat systems

14.—(1) A person who is a manufacturer commits an offence if a motor vehicle manufactured by that person—

- (a) is placed on the market or registered in [^{F32}Great Britain or, as the case may be, Northern Ireland, and]
- (b) that motor vehicle is fitted with a defeat system which is not permitted.

(2) A separate offence under paragraph (1) is committed in respect of each such motor vehicle placed on the market or registered.

(3) A defeat system is not permitted unless—

- (a) in the case of a motor vehicle [^{F33}which is of a type approved in accordance with Regulation (EC) 595/2009 or EU Regulation (EC) 595/2009], the fitting and operation of the defeat system is explained in the extended documentation package submitted by the manufacturer to the approval authority [^{F34}or the approval authority of a member State] (as defined in Article 3(36) of the [^{F35}EU Type Approval Regulation]) when applying for emissions type approval for that vehicle, or
- (b) in the case of a motor vehicle [^{F36}which is of a type approved in accordance with Regulation (EC) 715/2007 or EU Regulation (EC) 715/2007]—

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- (i) its use falls within one of the exceptions listed in Article 5(2)(a) to (c) of [^{F37}the Regulation in accordance with which the type was approved], and
 - (ii) in respect of a motor vehicle submitted for emissions type approval after 16th May 2016, the fitting and operation of the defeat system is explained in the documentation package submitted by the manufacturer to the approval authority [^{F38}or the approval authority of a member State] (as defined in Article 3(36) of the [^{F39}EU Type Approval Regulation]) when applying for emissions type approval for that vehicle.
- (4) Where, following examination of motor vehicles associated with [^{F40}an applicable type-approval], the approval authority is satisfied that two or more of those motor vehicles—
- (a) are vehicles for which [^{F41}a] certificate of conformity has been issued in respect of that approval, and
 - (b) are fitted with a defeat system which is not permitted,

each motor vehicle associated with [^{F42}that applicable type-approval] is to be taken to be similarly fitted with a defeat system which is not permitted unless proved otherwise by the manufacturer.

[^{F43}(5) In paragraph (4)—

(a) “applicable type approval” means—

- (i) an EU whole-vehicle type approval or an EU small series type-approval, whether or not issued by the Secretary of State, or
- (ii) a GB whole-vehicle type-approval or a GB medium series type-approval;

(b) a motor vehicle is associated with an applicable type approval if a certificate of conformity relating to that type approval has been issued in respect of that vehicle.]

(6) A person who breaches a prohibition in paragraphs 9(1), (2) or 10(10) of Schedule 4 commits an offence.

(7) In this regulation—

“Commission Regulation (EC) No 692/2008” means Commission Regulation (EC) No 692/2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information ^{M6};

“Commission Regulation (EC) No 582/2011” means Commission Regulation (EC) No 582/2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council ^{M7};

“Commission Regulation (EU) 2017/1151” means Commission Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information ^{M8};

“defeat system” means—

(a) in the case of a motor vehicle to which Regulation (EC) 595/2009 applies—

- (i) where the engine system or engine family meets the conditions specified in Article 6(1a) of Commission Regulation (EC) No 582/2011, a “defeat strategy” as defined in paragraph 2 of UNECE Regulation 49;
- (ii) in all other cases, a “defeat strategy” as defined in Article 3(8) of Regulation (EC) 595/2009,

- at the time of applying for emissions type approval for that vehicle;
- (b) in the case of a motor vehicle to which Regulation (EC) 715/2007 applies—
- (i) where, pursuant to Article 6(1) of Commission Regulation (EC) No 692/2008, the motor vehicle meets the requirements of Regulation (EC) 715/2007 by virtue of compliance with UNECE Regulation 83, a “defeat device” as defined in paragraph 2 of that UNECE Regulation;
- (ii) in all other cases, a “defeat device” as defined in Article 3(10) of Regulation (EC) 715/2007,
- at the time of applying for emissions type approval for that vehicle;
- (c) [^{F44}in the case of a motor vehicle to which EU Regulation (EC) 595/2009 applies—
- (i) where the engine system or engine family meets the conditions specified in Article 6(1a) of EU Commission Regulation (EU) No 582/2011, a “defeat strategy” as defined in paragraph 2 of UNECE Regulation 49;
- (ii) in all other cases, a “defeat strategy” as defined in Article 3(8) of EU Regulation (EC) 595/2009,
- at the time of applying for emissions type-approval for that vehicle;
- (d) in the case of a motor vehicle to which EU Regulation (EC) 715/2007 applies—
- (i) where, pursuant to Article 6(1) of EU Commission Regulation (EC) No 692/2008, the motor vehicle meets the requirements of EU Regulation (EC) 715/2007 by virtue of compliance with UNECE Regulation 83, a “defeat device” as defined in paragraph 2 of that UNECE Regulation;
- (ii) in all other cases, a “defeat device” as defined in Article 3(10) of EU Regulation (EC) 715/2007,
- at the time of applying for emissions type-approval for that vehicle;]

“emissions type approval” means ^{F45}... type approval in accordance with [^{F46}Regulation (EC) 715/2007, EU Regulation (EC) 715/2007, Regulation (EC) 595/2009 or EU Regulation (EC) 595/2009] (as appropriate) in respect of tailpipe emissions and evaporative emissions for a motor vehicle;

[^{F47}“EU Commission Regulation (EC) No 692/2008” means Commission Regulation (EC) No 692/2008 implementing and amending Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and EURO 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;]

[^{F47}“EU Commission Regulation (EU) No 582/2011” means Commission Regulation (EC) No 582/2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and amending Annexes I and III to Directive 2007/46/EC of the European Parliament and of the Council, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;]

[^{F47}“EU Commission Regulation (EU) 2017/1151” means Commission Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;]

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[^{F47}“EU Regulation (EC) 715/2007” means Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;]

[^{F47}“EU Regulation (EC) 595/2009” means Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI) and access to vehicle repair and maintenance information, as that Regulation has effect in EU law and by virtue of the Northern Ireland Protocol;]

“extended documentation package” means—

- (a) in the case of a motor vehicle to which Regulation (EC) 715/2007 applies, the extended documentation package mentioned in—
 - (i) Article 5(11) of Commission Regulation (EC) No 692/2008^{M9}; or
 - (ii) Article 5(11) of Commission Regulation (EU) 2017/1151;
- (b) in the case of a motor vehicle to which Regulation (EC) 595/2009 applies, the extended documentation package specified in Article 5(3) of, and Section 8 of Annex I to, Commission Regulation (EC) No 582/2011;
- (c) [^{F48}in the case of a motor vehicle to which EU Regulation (EC) 715/2007 applies, the extended documentation package mentioned in—
 - ((i)) Article 5(11) of EU Commission Regulation (EC) No 692/2008; or
 - ((ii)) Article 5(11) of EU Commission Regulation (EU) 2017/1151;
- (d) in the case of a motor vehicle to which EU Regulation (EC) 595/2009 applies, the extended documentation package specified in Article 5(3) of, and Section 8 of Annex 1 to, EU Commission (EC) No 582/2011;]

“placed on the market” means supplying or making available, whether in return for payment or free of charge, to a third party, and includes exposure for sale to a third party;

“registered” means registered pursuant to section 21 of the 1994 Act;

“Regulation (EC) 715/2007” means Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) ^{M10};

“Regulation (EC) 595/2009” means Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) ^{M11}.

Textual Amendments

- F32** Words in reg. 14(1)(a) substituted (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), **13(13)(a)**
- F33** Words in reg. 14(3)(a) substituted (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), **13(13)(b)(i)(aa)**
- F34** Words in reg. 14(3)(a) 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), **13(13)(b)(i)(bb)**

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- F35** Words in reg. 14(3)(a) substituted (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), **13(13)(b)(i)(cc)**
- F36** Words in reg. 14(3)(b) substituted (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), **13(13)(b)(ii)(aa)**
- F37** Words in reg. 14(3)(b)(i) substituted (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), **13(13)(b)(ii)(bb)**
- F38** Words in reg. 14(3)(b)(ii) 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), **13(13)(b)(ii)(cc)**
- F39** Words in reg. 14(3)(b)(ii) substituted (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), **13(13)(b)(ii)(dd)**
- F40** Words in reg. 14(4) substituted (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), **13(13)(c)(i)**
- F41** Word in reg. 14(4)(a) substituted (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), **13(13)(c)(iii)**
- F42** Words in reg. 14(4) substituted (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), **13(13)(c)(ii)**
- F43** Reg. 14(5) substituted (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), **13(13)(d)**
- F44** Words in reg. 14(7) 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), **13(13)(e)(i)**
- F45** Word in reg. 14(7) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **13(13)(e)(ii)(aa)**
- F46** Words in reg. 14(7) substituted (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), **13(13)(e)(ii)(bb)**
- F47** Words in reg. 14(7) 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), **13(13)(e)(iii)**
- F48** Words in reg. 14(7) 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), **13(13)(e)(iv)**

Commencement Information

- I14** Reg. 14 in force at 1.9.2020, see reg. 1(b)

Marginal Citations

- M6** OJ No. L 199, 28.7.2008, p. 1.
- M7** OJ No. L 167, 25.6.2011, p. 1.
- M8** OJ No. L 175, 7.7.2017, p. 1.
- M9** Paragraph 11 was inserted by Commission Regulation (EU) 2016/646 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) (OJ No. L 109, 26.4.2016, p. 1).

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M10 OJ No. L 171, 29.6.2007, p. 1.

M11 OJ No. L 188, 18.7.2009, p. 1.

PART 3

National small series type approval and individual approval

CHAPTER 1

[^{F49}Small] series type approvals

Textual Amendments

F49 Word in Pt. 3 Ch. 1 heading substituted (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), **14(1)**

Applications for [^{F50}GB small series type-approval and UK (NI)] national small series type approval

15.—(1) A manufacturer requiring—

- (a) a [^{F51}UK (NI)] national small series type approval in respect of a vehicle, ^{F52}...
- (b) an amendment to a national small series type approval [^{F53}granted before IP completion day, or a UK (NI) national small series type-approval] which the manufacturer holds,
- ^{F54}(c) a GB small series type-approval, or
- (d) an amendment to a GB small series type-approval which the manufacturer holds,]

must apply to the approval authority.

(2) An application under paragraph (1) may follow—

- (a) the step-by-step type-approval procedure,
- (b) the single-step type-approval procedure, or
- (c) the mixed type-approval procedure,

and, at the request of the applicant, the approval authority may, if it is thought appropriate, proceed by means of multi-stage type approval.

(3) An application under paragraph (1) must be in a form specified by the approval authority which—

- (a) has been completed so as to provide all the information reasonably required by the authority in relation to the class of vehicle in respect of which the application is made, and
- (b) is accompanied by—
 - (i) all the documents mentioned in the form as being required for the purposes of the application, and
 - (ii) the prescribed fee (if any).

(4) In this regulation, “mixed type-approval”, “multi-stage type approval”, “single-step type-approval” and “step-by-step type-approval” have the meanings given in Article 3 of the Type Approval Regulation but as if, in that Article, the words “type approval certificates under Article 42” were in each case substituted for “[^{F55}GB type-approval certificates]”.

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Textual Amendments

- F50** Words in [reg. 15](#) heading 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), [14\(2\)\(a\)](#)
- F51** Words in [reg. 15\(1\)\(a\)](#) 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), [14\(2\)\(b\)\(i\)\(aa\)](#)
- F52** Word in [reg. 15\(1\)\(a\)](#) omitted (31.12.2022 at 11.00 p.m.) by virtue of [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), [14\(2\)\(b\)\(i\)\(bb\)](#)
- F53** Words in [reg. 15\(1\)\(b\)](#) 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), [14\(2\)\(b\)\(ii\)](#)
- F54** [Reg. 15\(1\)\(c\)\(d\)](#) 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), [14\(2\)\(b\)\(iii\)](#)
- F55** Words in [reg. 15\(4\)](#) substituted (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), [14\(2\)\(c\)](#)

Commencement Information

- I15** [Reg. 15](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

Grant of ^{F56}GB small series type-approval and UK (NI) national small series type approval

16.—(1) The approval authority must—

^{F57}(a) make the decision whether or not to grant—

- (i) a GB small series type-approval or an amendment to such an approval in accordance with Article 42 of the Type Approval Regulation (type-approval of vehicles produced in small series),
 - (ii) a UK (NI) national small series type-approval or an amendment to such an approval in accordance with Article 42 of the EU Type Approval Regulation, or
 - (iii) an amendment to a national small series type-approval granted prior to IP completion day in accordance with Article 42 of the Type Approval Regulation,]
- (b) not grant the approval without first being satisfied that adequate arrangements have been made to ensure that production vehicles conform to the approved type, and
- (c) give notice of the decision to the applicant.

(2) For the purposes of paragraph (1)(a), the alternative requirements required to be laid down under Article 42(2) are the technical or other requirements specified in Schedule 1.

(3) Where the approval authority decides to grant or amend ^{F58}a type-approval in accordance with paragraph (1)], the authority must issue a type approval certificate which complies with regulation 20(1).

(4) If the holder of a ^{F59}type-approval granted or amended in accordance with paragraph (1)] so requests, the approval authority must send, by registered or electronic mail, a copy of the type approval certificate and any attachments relating to it to an authority in a member State ^{F60}... corresponding to the approval authority.

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(5) Upon receiving a request from a person wishing to sell, register or put into service in a member State ^{F61}... a vehicle manufactured in conformity with a [^{F62}type-approval granted or amended in accordance with paragraph (1)], the approval authority must supply to the authority in that member State corresponding to the approval authority a copy of the type approval certificate and any attachments relating to it.

(6) The approval authority may refuse to grant a [^{F63}GB small series type-approval or a UK (NI)] national small series type approval if the authority is not satisfied that the applicant has made adequate arrangements to comply with regulation 7.

(7) The holder of [^{F64}a type approval granted under paragraph (1)] must issue, in respect of each vehicle (whether incomplete, complete or completed) which is manufactured in conformity with that approval, a certificate of conformity which—

- (a) complies with regulation 20(3), and
- (b) is numbered sequentially between 1 and the maximum permitted number to denote, in respect of each year of production, the position of the vehicle within the production allocated for that year.

(8) In paragraph (7), “maximum permitted number” and “year” have the meanings given in regulation 21(9).

(9) Article 36(3) of the Type Approval Regulation [^{F65}or, in the case of a UK (NI) national small series type approval, the EU Type Approval Regulation,] applies in relation to the issue of a duplicate of a certificate of conformity originally issued under paragraph (7).

Textual Amendments

- F56** Words in [reg. 16](#) heading 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), [14\(3\)\(a\)](#)
- F57** [Reg. 16\(1\)\(a\)](#) substituted (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), [14\(3\)\(b\)](#)
- F58** Words in [reg. 16\(3\)](#) substituted (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), [14\(3\)\(c\)](#)
- F59** Words in [reg. 16\(4\)](#) substituted (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), [14\(3\)\(d\)\(i\)](#)
- F60** Words in [reg. 16\(4\)](#) omitted (31.12.2022 at 11.00 p.m.) by virtue of [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), [14\(3\)\(d\)\(ii\)](#)
- F61** Words in [reg. 16\(5\)](#) omitted (31.12.2022 at 11.00 p.m.) by virtue of [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), [14\(3\)\(d\)\(ii\)](#)
- F62** Words in [reg. 16\(5\)](#) substituted (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), [14\(3\)\(d\)\(i\)](#)
- F63** Words in [reg. 16\(6\)](#) 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), [14\(3\)\(e\)](#)
- F64** Words in [reg. 16\(7\)](#) substituted (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), [14\(3\)\(f\)](#)

Changes to legislation: *The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F65 Words in [reg. 16\(9\)](#) 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), [14\(3\)\(g\)](#)

Commencement Information

I16 Reg. 16 in force at 1.9.2020, see [reg. 1\(b\)](#)

Recognition [^{F66}in Northern Ireland] of national type approvals of small series granted in ^{F67}...member States

17.—(1) A manufacturer may, pursuant to the provisions of paragraphs 1 to 4 of Article 43 of the [^{F68}EU] Type Approval Regulation (national type approval of small series), apply to the approval authority for recognition [^{F69}in Northern Ireland] of a [^{F70}national] small series type approval granted to that manufacturer under the law of a member State ^{F71}... (a “non-UK type approval”).

(2) An application may not be made under paragraph (1) if an application in respect of the same type of vehicle has been made under regulation 15 and not withdrawn (and may not be proceeded with if an application under that regulation is made later).

(3) Not later than two months after receiving from the competent authority in that member State the type approval certificate and its attachments (including a statement of the technical provisions against which the vehicle type was approved), the approval authority must decide whether or not to accept the non-UK type approval.

(4) The type approval must be accepted unless the approval authority has reasonable grounds to believe that the technical provisions under which the approval was granted are not equivalent to those applying in [^{F72}Northern Ireland].

(5) If the approval is accepted, the approval authority must, as soon as practicable—

(a) notify—

(i) the applicant, and

(ii) the competent authority in the member State which granted it;

(b) issue a [^{F73}UK (NI)] national small series type approval certificate [^{F74}in accordance with regulation 20(1)].

(6) For the purposes of this regulation, the approval authority has reasonable grounds to believe that the technical provisions under which the approval was granted are not equivalent to those applying in [^{F75}Northern Ireland] if (but not only if) the authority is not satisfied that—

(a) the applicant has made adequate arrangements (including for co-operating with the approval authority and the competent authority in the member State which granted the approval) to ensure that production vehicles, systems, components or separate technical units covered by the non-UK type approval conform to the approved type, or

(b) vehicles supplied in the United Kingdom will be constructed for use in left-hand traffic and use imperial and metric units of measurement for the speedometer.

Textual Amendments

F66 Words in [reg. 17](#) heading 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), [14\(4\)\(a\)\(i\)](#)

Changes to legislation: *The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F67** Word in reg. 17 heading omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(4)(a)(ii)**
- F68** Word in reg. 17(1) 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), **14(4)(b)(i)**
- F69** Words in reg. 17(1) 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), **14(4)(b)(ii)**
- F70** Word in reg. 17(1) 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), **14(4)(b)(iii)**
- F71** Words in reg. 17(1) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(4)(b)(iv)**
- F72** Words in reg. 17(4) substituted (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), **14(4)(c)**
- F73** Words in reg. 17(5)(b) 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), **14(4)(d)(i)**
- F74** Words in reg. 17(5)(b) 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), **14(4)(d)(ii)**
- F75** Words in reg. 17(6) substituted (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), **14(4)(c)**

Commencement Information

- I17** Reg. 17 in force at 1.9.2020, see reg. 1(b)

CHAPTER 2

Individual approval

Individual approval

18.—(1) A person requiring an [^{F76}a GB individual vehicle approval, a UK (NI) national individual vehicle approval or an EU individual vehicle approval] must—

- (a) be a qualifying applicant, and
- (b) make an application to the approval authority.

(2) An application under paragraph (1) must be in a form specified by the approval authority which—

- (a) has been completed so as to provide all the information reasonably required by the authority in relation to the vehicle for which the application is made, and
- (b) is accompanied by the documents mentioned in the form as being so required,

but the approval authority may waive all or any of these requirements in the case of a reapplication made not later than 6 months after an earlier refusal to grant an [^{F77}an approval under this regulation] for the vehicle.

- (3) This paragraph applies where—

- (a) the application [^{F78}for a UK (NI) national individual vehicle approval] made under paragraph (1) is an application pursuant to Article 45 of the [^{F79}EU] Type Approval Regulation; and
 - (b) the vehicle to which the application relates is covered by a non-UK approval.
- (4) Where paragraph (3) applies, the application must be accompanied by—
- (a) evidence to the satisfaction of the approval authority of the type approval number of the vehicle concerned, where the vehicle has been type approved pursuant to Article 42 of the [^{F80}EU] Type Approval Regulation under the law of a member State ^{F81}...; or
 - (b) a copy of—
 - (i) the non-UK approval, and
 - (ii) the attachments to the certificate of type approval (if applicable),

and, in the case of a vehicle which has the benefit of an individual approval granted pursuant to Article 45 of the [^{F80}EU] Type Approval Regulation (individual approvals), must include a statement from the member State which granted it of the technical provisions against which the vehicle was approved.

(5) The approval authority may, if reasonably necessary and after payment of any prescribed fee, carry out an examination of the vehicle and in that event must, as soon as reasonably practicable after receiving the application, give to the applicant notice of—

- (a) the place at which the examination of the vehicle is to be carried out, and
- (b) the date and time at which the examination is to begin.

(6) Where the approval authority gives notice to an applicant under paragraph (5) that an examination of a vehicle is to be carried out—

- (a) the applicant must attend with the vehicle, or arrange for the vehicle to be produced, at the time and place specified in the notice unless otherwise agreed with the approval authority, and
- (b) the approval authority may decline to proceed with the examination at that time and place if it is considered unsafe or otherwise unreasonable to do so.

(7) The approval authority must—

- (a) make the decision whether or not to grant [^{F82}a GB individual vehicle approval] in accordance with Article 44 or Article 45 of the Type Approval Regulation, ^{F83}...

[^{F84}(aa) make the decision whether or not to grant an EU individual vehicle approval in accordance with Article 44 of the EU Type Approval Regulation;

- (ab) make the decision whether or not to grant a UK (NI) national individual vehicle approval in accordance with Article 45 of the EU Type Approval Regulation; and]
- (b) give notice to the applicant accordingly.

(8) For the purposes of paragraph [^{F85}7]—

- (a) the alternative requirements required to be imposed under Article 45(1) of the Type Approval Regulation [^{F86}or the EU Type Approval Regulation] are the technical or other requirements specified in Schedule 2;
- (b) where paragraph (3) applies, the approval authority must grant [^{F87}a UK (NI) national individual vehicle approval] unless there are reasonable grounds to believe that the technical provisions under which the non-UK approval covering the vehicle was granted are not equivalent to those applying in [^{F88}Northern Ireland].

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(9) For the purposes of paragraph (8)(b), the approval authority has reasonable grounds to believe that the technical provisions under which an approval was granted are not equivalent to those applying in [F89Northern Ireland] if (but not only if) the authority is not satisfied that the vehicle for which the application is made—

- (a) is constructed or adapted for use in left-hand traffic, and
- (b) uses imperial units of measurement for the speedometer.

(10) Where the approval authority decides to grant an individual approval, [F90the approval authority must issue one of the following certificates in compliance with regulation 20(1A) or (2)—

- (a) if the application relates to Great Britain, a GB individual approval certificate;
- (b) in the application relates to Northern Ireland—
 - (i) a UK (NI) national individual approval certificate, or
 - (ii) an EU individual approval certificate.]

(11) If an individual approval certificate is lost or defaced, the owner or keeper of the vehicle to which the certificate relates may apply to the approval authority for a replacement certificate.

(12) Where a certificate has been lost, the application for a replacement must include—

- (a) particulars of the vehicle or vehicle part to which the certificate related, and
- (b) either the serial number of the original certificate or such other information concerning the original certificate as is available and is reasonably required for enabling the records relating to the original certificate to be searched and the particulars of the original traced.

(13) Where a certificate has been defaced, the application for a replacement certificate must be accompanied by—

- (a) the defaced certificate, and
- (b) (if the serial number of that certificate is no longer legible) by such other information concerning the original certificate as is available and is reasonably required for enabling the records relating to the original certificate to be searched and the particulars of the original traced.

(14) A replacement certificate must be marked “Replacement”.

(15) Every application under paragraph (11) for a replacement certificate must be accompanied by the prescribed fee (if any).

(16) In this regulation—

“non-UK approval” means—

- (a) type approval granted, pursuant to Article 42 of the [F91EU] Type Approval Regulation, under the law of a member State ^{F92}...,
- (b) an EU certificate of conformity issued in respect of a type approval [F93or an individual vehicle approval certificate granted under Article 44 of the EU Type Approval Regulation] (whether granted under the law of a member State [F94or any part of the United] Kingdom) showing that the vehicle was not constructed or adapted for use in left-hand traffic or that it does not use imperial units of measurement for the speedometer, or
- (c) an individual approval granted, pursuant to Article ^{F95}... 45 of the [F91EU] Type Approval Regulation, under the law of a member State ^{F92}...

“qualifying applicant” means—

- (a) ^{F96}the manufacturer of the vehicle,
- (b) ^{F96}the owner of the vehicle, or

- (c) ^{F96}~~]~~^{F97} a person established—
- (i) in Great Britain, in the case of an application for a GB individual vehicle approval, or
- (ii) in Northern Ireland or a member State, in the case of an application for a UK (NI) national individual vehicle approval or an EU individual vehicle approval, who is acting on behalf of the manufacturer or owner.]

Textual Amendments

- F76** Words in reg. 18(1) substituted (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), **14(5)(a)**
- F77** Words in reg. 18(2) substituted (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), **14(5)(b)**
- F78** Words in reg. 18(3)(a) 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), **14(5)(c)(i)**
- F79** Word in reg. 18(3)(a) 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), **14(5)(c)(ii)**
- F80** Word in reg. 18(4) 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), **14(5)(d)(i)**
- F81** Words in reg. 18(4)(a) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(5)(d)(ii)**
- F82** Words in reg. 18(7)(a) substituted (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), **14(5)(e)(i)**
- F83** Word in reg. 18(7)(a) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(5)(e)(ii)**
- F84** Reg. 18(7)(aa)(ab) 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), **14(5)(e)(iii)**
- F85** Word in reg. 18(8) substituted (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), **14(5)(f)(i)**
- F86** Words in reg. 18(8)(a) 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), **14(5)(f)(ii)**
- F87** Words in reg. 18(8)(b) substituted (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), **14(5)(f)(iii)(aa)**
- F88** Words in reg. 18(8)(b) substituted (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), **14(5)(f)(iii)(bb)**
- F89** Words in reg. 18(9) substituted (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), **14(5)(g)**

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- F90** Words in reg. 18(10) substituted (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), **14(5)(h)**
- F91** Word in reg. 18(16) 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), **14(5)(i)(i)(aa)**
- F92** Words in reg. 18(16) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(5)(i)(i)(bb)**
- F93** Words in reg. 18(16) 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), **14(5)(i)(ii)(bb)**
- F94** Words in reg. 18(16) substituted (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), **14(5)(i)(ii)(aa)**
- F95** Words in reg. 18(16) omitted (31.12.2022 at 11.00 p.m.) by virtue of 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), **14(5)(i)(iii)**
- F96** Words in reg. 18(16) renumbered (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), **14(5)(i)(iv)(aa)**
- F97** Words in reg. 18(16) substituted (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), **14(5)(i)(iv)(bb)**

Commencement Information

- I18** Reg. 18 in force at 1.9.2020, see reg. 1(b)

Applications for individual approvals: appeals

19.—(1) This regulation applies where a notice has been given to an applicant under regulation 18(7) (“a relevant notice”).

(2) A person aggrieved by a decision made pursuant to an application under regulation 18 may appeal to the approval authority not later than 14 days after the date of receipt of the relevant notice.

(3) An appeal under this regulation must—

- (a) be made by notice in writing in a form approved by the approval authority,
- (b) state the grounds on which it is made,
- (c) be accompanied by such documents and further evidence as may be specified in the form and reasonably necessary to support the grounds of appeal, and
- (d) be accompanied by the prescribed fee (if any).

(4) As soon as reasonably practicable after receiving the notice of appeal the approval authority must—

- (a) send a notice to the appellant stating the time and place where a re-examination of the vehicle is to be carried out for the purpose of determining the issues raised by the appeal, and
- (b) appoint a person (“the examiner”) to re-examine the vehicle.

(5) The appellant must attend with the vehicle, or arrange for the vehicle to be produced, at the time and place specified in the notice under paragraph (4) unless otherwise agreed with the approval authority.

(6) The examiner must determine whether or not the decision made under regulation 18(7) was a correct decision and the provisions of regulation 18(7) to (9) apply for the purposes of that determination as they applied for the purposes of the original decision.

(7) The examiner may—

- (a) confirm the original decision, or
- (b) make such other decision as the examiner thinks fit (including the reimbursement of any fee paid by the appellant),

and if it is decided that an ^{F98}approval under regulation 18] should be granted the examiner must notify the approval authority accordingly.

Textual Amendments

F98 Words in [reg. 19\(7\)](#) substituted (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\(2\)](#), [14\(6\)](#)

Commencement Information

I19 Reg. 19 in force at 1.9.2020, see [reg. 1\(b\)](#)

CHAPTER 3

Form of certificates

Form of certificates: ^{F99}UK (NI) national small series type approval, GB small series type-approval] and individual approval

20.—(1) A ^{F100}UK (NI) national] small series type approval certificate ^{F101}or a GB small series type-approval certificate] must be in the form set out in Model A of Annex III ^{F102}—

- (a) to the Implementing Regulation, in the case of a GB small series type-approval certificate, or
- (b) to the EU Implementing Regulation, in the case of a UK (NI) national small series type-approval certificate.]

^{F103}(1A) An EU individual vehicle approval certificate must be in the form set out in Model D of Annex III to the EU Implementing Regulation.]

(2) An individual approval certificate must be in the form set out in Model E of Annex III ^{F104}—

- (a) to the Implementing Regulation, in the case of a GB individual vehicle approval certificate, or
- (b) to the EU Implementing Regulation, in the case of a UK (NI) national individual vehicle approval certificate.]

(3) ^{F105}The certificate of conformity for a GB small series type-approval or a national small series type-approval granted by the Secretary of State before IP completion day] must be in the same format as that prescribed by Articles 36 and 37 of the Type Approval Regulation and Article 8 of the Implementing Regulation for an ^{F106}GB certificate of conformity] relating to a vehicle of the same category and class containing such particulars as are relevant to the vehicle in respect of which it is issued, save that—

- ^{F107}(a) the certificate must carry the heading “Small Series Certificate of Conformity (Great Britain), or, in the case of a national small series type-approval granted by the Secretary of

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State before IP completion day, National Small Series Certificate of Conformity (United Kingdom)”;]

- (b) for each reference to [F¹⁰⁸a GB type-approval] there must be substituted a reference to a [F¹⁰⁹GB] small series type approval, and
- (c) for [F¹¹⁰“GB type-approved”], in each place the expression occurs, there must be substituted “[F¹¹¹GB small series] type-approved”.

[F¹¹²(3A) A UK (NI) national small series certificate of conformity must be in the same format as that prescribed by Articles 36 and 37 of the EU Type Approval Regulation and Article 8 of the EU Implementing Regulation for an EU certificate of conformity relating to a vehicle of the same category and class containing such particulars as are relevant to the vehicle in respect of which it is issued, save that—

- (a) the certificate must carry the heading “National Small Series Certificate of Conformity (Northern Ireland)”,
- (b) for each reference to an EU type-approval there must be substituted a reference to a national small series type-approval, and
- (c) for “EU type-approved”, in each place the expression occurs, there must be substituted “nationally type-approved”.]

(4) In this regulation,

- [F¹¹³(a)] “the Implementing Regulation” means Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles^{M12};
- [F¹¹⁴(b)] “the EU Implementing Regulation” means Commission Implementing Regulation (EU) 2020/683 of 15 April 2020 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council with regards to the administrative requirements for the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as it has effect in EU law and by virtue of the Northern Ireland Protocol.]

Textual Amendments

- F99** Words in [reg. 20](#) heading substituted (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), [14\(7\)\(a\)](#)
- F100** Words in [reg. 20\(1\)](#) substituted (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), [14\(7\)\(b\)\(i\)](#)
- F101** Words in [reg. 20\(1\)](#) 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), [14\(7\)\(b\)\(ii\)](#)
- F102** Words in [reg. 20\(1\)](#) substituted (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), [14\(7\)\(b\)\(iii\)](#)
- F103** [Reg. 20\(1A\)](#) 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), [14\(7\)\(c\)](#)

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- F104** Words in reg. 20(2) substituted (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), **14(7)(d)**
- F105** Words in reg. 20(3) substituted (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), **14(7)(e)(i)(aa)**
- F106** Words in reg. 20(3) substituted (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), **14(7)(e)(i)(bb)**
- F107** Reg. 20(3)(a) substituted (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), **14(7)(e)(ii)**
- F108** Words in reg. 20(3)(b) substituted (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), **14(7)(e)(iii)(aa)**
- F109** Word in reg. 20(3)(b) substituted (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), **14(7)(e)(iii)(bb)**
- F110** Words in reg. 20(3)(c) substituted (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), **14(7)(e)(iv)(aa)**
- F111** Words in reg. 20(3)(c) substituted (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), **14(7)(e)(iv)(bb)**
- F112** Reg. 20(3A) 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), **14(7)(f)**
- F113** Words in reg. 20(4) renumbered as reg. 20(4)(a) (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), **14(7)(g)(i)**
- F114** Reg. 20(4)(b) 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), **14(7)(g)(ii)**

Commencement Information

- I20** Reg. 20 in force at 1.9.2020, see reg. 1(b)

Marginal Citations

- M12** OJ No. L 163, 26.5.2020, p. 1.

PART 4

Conditions for licensing or entry into service of vehicles

CHAPTER 1

Conditions relating to motor vehicles

Grant of first licence or registration of motor vehicle

- 21.—(1)** Where a person makes an application under section [F1157] of the 1994 Act for—
- (a) the issue of a first vehicle licence for a motor vehicle which is a relevant vehicle, or

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(b) the issue of a first nil licence for a motor vehicle which is a relevant vehicle, the licence must not be granted unless ^[F116]the vehicle satisfies the condition in paragraph (1A) and either^[F117]the condition in paragraph (3) is satisfied or paragraph (6) applies.

^[F118](1A) The condition in this paragraph is that, if no vehicle approval issued by the Secretary of State, whether before or after IP completion day, in accordance with Article 45 of the Type Approval Regulation or the EU Type Approval Regulation has effect with respect to the vehicle, the vehicle—

- (a) has been constructed for use in left-hand traffic, and
- (b) uses both imperial and metric units of measurement for the speedometer.]

(2) Where a person makes an application under section 21 of the 1994 Act for the registration, before the issue of a first licence, of a motor vehicle which is a relevant vehicle the vehicle must not be registered unless ^[F119]the vehicle satisfies the condition in paragraph (1A), and either—

- (a) the condition in paragraph (3) is satisfied, or
- (b) paragraph (6) applies.]

^[F120](3) The “condition” is that an appropriate approval or certificate of conformity has effect with respect to the vehicle.]

(4) Subject to ^[F121]paragraphs (4A) and (5)], for the purposes of this Part a certificate of conformity of any kind has effect if—

- (a) it is issued in respect of—
 - (i) a type approval which, at the appropriate date, is valid for the vehicle in question, or
 - (ii) an end-of-series vehicle ^[F122]and the Secretary of State has permitted the registration of that vehicle in accordance with Article 49 of the Type Approval Regulation, or of the EU Type Approval Regulation], and
- (b) it is not issued in contravention of—
 - (i) an implementing act adopted under Article 36(4) of the Type Approval Regulation ^[F123]or the EU Type Approval Regulation], or
 - (ii) regulation 16(7) (limitation on putting into service of vehicles covered by small series type approvals).

^[F124](4A) For the purposes of this Part, where a vehicle is to be kept, or normally kept, at a place in Great Britain—

- (a) an EU certificate of conformity which is not a certificate of conformity to which paragraph (4B) applies only has effect if it is issued in relation to a vehicle which—
 - (i) is a qualifying Northern Ireland good, or
 - (ii) was in the United Kingdom before IP completion day;
- (b) an EU individual approval certificate which is not issued by the Secretary of State only has effect if it is issued in relation to a vehicle which—
 - (i) is a qualifying Northern Ireland good, or
 - (ii) was in the United Kingdom before IP completion day.

(4B) This paragraph applies to—

- (a) an EU certificate of conformity to which section 57(1ZA) or 57(1ZC) of the Road Traffic Act 1988 applies, and
- (b) an EU certificate of conformity issued pursuant to an EU type-approval granted by the Secretary of State.]

(5) An EU certificate of conformity also has effect for the purposes of this Part if—

- [^{F125}(a) the vehicle to which it relates—
- (i) was first put into service in a member State, and
 - (ii) if it is to be kept or normally kept at a place in Great Britain, it was first registered outside the United Kingdom before IP completion day,]
- (b) it was issued in respect of an EU type-approval which was valid on the date on which the vehicle was first put into service, and
- (c) it shows that the vehicle was constructed for use in left-hand traffic and that it uses imperial and metric units of measurement for the speedometer.
- (6) This paragraph applies where a vehicle—
- (a) is of a class falling in category M₂ or M₃, and
 - (b) was completed before 30th July 2011.

(7) In relation to a vehicle of a type to which [^{F126}a GB small series type-approval] has been granted by the approval authority under regulation 16 [^{F127}, where the vehicle is to be kept or normally kept in Great Britain], the Secretary of State must not—

- (a) issue a first vehicle licence for a motor vehicle,
- (b) issue a first nil licence for a motor vehicle,
- (c) register a motor vehicle before the issue of a first licence, or
- (d) give consent under regulation 23(3) to the supply of a large trailer for use on a road,

if it appears that doing so would cause the total number of vehicles registered or, as the case may be, put into service on roads in the [^{F128}Great Britain] in any year to exceed the maximum permitted number.

[^{F129}(7A) In relation to a vehicle of a type to which a national small series type-approval or a UK (NI) national small series type-approval has been granted by the approval authority under regulation 16, the Secretary of State must not—

- (a) issue a first vehicle licence for a motor vehicle,
- (b) issue a first nil licence for a motor vehicle,
- (c) register a motor vehicle before the issue of a first licence, or
- (d) give consent under regulation 23(3) to the supply of a large trailer for use on a road,

if it appears that doing so would cause the total number of vehicles registered or, as the case may be, put into service on roads in the United Kingdom in any year to exceed the maximum permitted number.]

(8) In calculating whether the maximum permitted number is exceeded in any particular year, no account is to be taken of any vehicle manufactured in an earlier year which was not registered or, as the case may be, put into service on roads in the United Kingdom [^{F130}or Great Britain, as the case may be,] in that year and provided that the number of vehicles manufactured in that earlier year did not exceed the maximum permitted number.

(9) In this regulation—

[^{F131}“appropriate approval or certificate of conformity” means any of the following which is appropriate to the vehicle—

- (a) where the vehicle is to be kept, or normally kept, at a place in Great Britain—
 - (i) a certificate of conformity issued under regulation 16(7) relating to—
 - (aa) a GB small series type approval,
 - (bb) a UK (NI) national small series type approval; or

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- (cc) a national small series type approval issued by the Secretary of State before IP completion day,
- (ii) an individual vehicle approval certificate issued under regulation 18(10) of these Regulations, whether that approval—
 - (aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or
 - (bb) is a GB individual vehicle approval or a UK (NI) national individual vehicle approval,
- (iii) an EU individual vehicle approval,
- (iv) a GB certificate of conformity issued in relation to a GB whole-vehicle type-approval, or a GB medium series type-approval,
- (v) an EU certificate of conformity issued in relation to an EU type-approval, including a UK (NI) type approval, granted by the Secretary of State under the Motor Vehicles (EC Type Approval) Regulations 1998, the Road Vehicles (Approval) Regulations 2009 or under these Regulations,
- (vi) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation, Council Directive [70/156/EEC](#) of 6th February 1970 on the approximation of the laws of the member States relating to the type-approval of motor vehicles and their trailers, or [Directive 2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as either of those directives were implemented in the law of that member State, or
- (vii) a certificate of conformity issued under section 57 of the Road Traffic Act 1988; or
- (b) where the vehicle is to be kept, or normally kept, at a place in Northern Ireland, a certificate or approval referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), (iii), (v), or (vi);]

[^{F132}“appropriate date” means, as the case may be —

- (a) in the case of a certificate of conformity issued under section 57(1) of the Road Traffic Act 1988 in respect of a vehicle of a type which has been approved under section 55(1A) or 55(1D) of that Act, the date of issue of that certificate of conformity or the date of issue of that type-approval (whichever date is later), or
- (b) in any other case, the date of application under section 7 or 21 of the 1994 Act for the registration of, or the issue of a first licence for a vehicle];

^{F133} ...

[^{F134}“maximum permitted number” means —

- (a) for the purposes of paragraph (7), the number of units specified in the table in paragraph 2 of Section A of Annex V to the Type Approval Regulation in relation to the vehicle category to which that type belongs, and
- (b) for the purposes of paragraph (7A), the number of units specified in the table in paragraph 2 of Section A of Annex V to the EU Type Approval Regulation in relation to the vehicle category to which that type belongs;]

“old vehicle” means—

- (a) a vehicle of category M₁ or N₁ which is more than 10 years old at the appropriate date, or
- (b) vehicle of category N₂ or N₃ which is more than 25 years old at the appropriate date;

“relevant vehicle” means a vehicle which is not an old vehicle and which is—

- (a) a vehicle of category M or N to which the Type Approval Regulation applies on a compulsory basis, or
- (b) a vehicle of any category except category O to which the Type Approval Regulation applies on an optional basis and where the manufacturer has obtained type approval or individual approval in respect of that vehicle;

“year” means any period commencing with 1st January and ending with 31st December.

Textual Amendments

- F115** Word in reg. 21(1) substituted (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), **15(1)(a)(i)**
- F116** Words in reg. 21(1) 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), **15(1)(a)(ii)(aa)**
- F117** Words in reg. 21(1) substituted (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), **15(1)(a)(ii)(bb)**
- F118** Reg. 21(1A) 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), **15(1)(b)**
- F119** Words in reg. 21(2) substituted (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), **15(1)(c)**
- F120** Reg. 21(3) substituted (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), **15(1)(d)**
- F121** Words in reg. 21(4) substituted (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), **15(1)(e)(i)**
- F122** Words in reg. 21(4)(a)(ii) 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), **15(1)(e)(ii)**
- F123** Words in reg. 21(4)(b)(i) 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), **15(1)(e)(iii)**
- F124** Reg. 21(4A)(4B) 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), **15(1)(f)**
- F125** Reg. 21(5)(a) substituted (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), **15(1)(g)(i)**
- F126** Words in reg. 21(7) substituted (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), **15(1)(h)(i)**
- F127** Words in reg. 21(7) 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), **15(1)(h)(ii)**
- F128** Words in reg. 21(7) substituted (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), **15(1)(h)(iii)**

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- F129** Reg. 21(7A) 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), **15(1)(i)**
- F130** Words in reg. 21(8) 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), **15(1)(j)**
- F131** Words in reg. 21(9) 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), **15(1)(k)(i)**
- F132** Words in reg. 21(9) substituted (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), **15(1)(k)(ii)**
- F133** Words in reg. 21(9) omitted (31.12.2022 at 11.00 p.m.) by virtue of [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), **15(1)(k)(iii)**
- F134** Words in reg. 21(9) substituted (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), **15(1)(k)(iv)**

Commencement Information

- I21** Reg. 21 in force at 1.9.2020, see [reg. 1\(b\)](#)

Interoperability for car radio receivers

- 22.**—(1) A person commits an offence if a motor vehicle of category M—
- is made available for sale or rent by that person for the first time on or after 21st December 2020, and
 - that motor vehicle is fitted with an integrated car radio receiver which is not permitted.
- (2) An integrated car radio receiver is not permitted unless it comprises a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting.
- (3) A car radio receiver which is in accordance with harmonised standards is to be taken to comply with the requirement of paragraph (2).
- (4) In this regulation—
- “car radio receiver” means any apparatus installed in a motor vehicle for the purpose of receiving (whether by means of wireless telegraphy or otherwise) and reproducing any radio service, whether or not the apparatus is installed for any other purpose;
- “harmonised standards” means any harmonised standards or parts thereof relating to whether a car radio receiver is capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting, the references of which have been published in the Official Journal of the European Union;
- “made available” means any supply for distribution, consumption or use on the market in an EEA State in the course of a commercial activity, whether in return for payment or free of charge;
- “radio service” means any of—
- a sound broadcasting service, as defined in section 126 of the Broadcasting Act 1990^{M13};
 - a digital sound programme service or radio multiplex service, as defined in section 40 of the Broadcasting Act 1996^{M14};
 - the equivalent of the services in paragraphs (a) or (b) in another EEA State.

Commencement Information

I22 Reg. 22 in force at 1.9.2020, see [reg. 1\(b\)](#)

Marginal Citations

M13 1990 c.42.

M14 1996 c.55.

CHAPTER 2

Conditions relating to trailers

Consent to supply of large trailers for use on a road

23.—(1) A final supplier who intends to supply for use on a road a large trailer which is a relevant vehicle must first—

- (a) notify the approval authority of that intention,
- (b) furnish the approval authority with pertinent information about the trailer, and
- (c) obtain the consent of the approval authority to the supply of the trailer for such use.

(2) Paragraph (1) does not apply if the trailer has previously been supplied by a final supplier for use on a road.

(3) The approval authority must give consent for the purposes of paragraph (1)(c) if—

- (a) the principal conditions are satisfied, or
- (b) when the alternative conditions apply, those conditions are satisfied.

(4) The “principal conditions” are that—

- (a) an appropriate approval or certificate of conformity has effect with respect to the trailer,
- (b) where the application for consent is in consequence of the importation of the trailer from a place outside the United Kingdom, any value added tax or customs duty charged on or arising from its removal into the United Kingdom has been paid or remitted (or the approval authority is satisfied that it will be paid or remitted), and
- (c) there is otherwise no lawful reason (whether or not arising from a breach of these Regulations) for refusing to give consent.

(5) Schedule 3—

- (a) states when the alternative conditions apply, and
- (b) prescribes those conditions.

(6) Before giving consent for the purposes of paragraph (1)(c), the approval authority may—

- (a) undertake an inspection of the trailer (or arrange for such an inspection to be undertaken), and
- (b) carry out such tests on the trailer as the authority thinks fit (or arrange for such tests to be carried out).

(7) Where the approval authority refuses to give consent under this regulation, the refusal must be accompanied by notice of that fact.

(8) In this regulation—

[^{F135}“appropriate approval or certificate of conformity” means any of the following which is appropriate to the vehicle—

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- (a) where the trailer is to be kept, or normally kept at a place in Great Britain—
 - (i) a certificate of conformity issued under regulation 16(7) relating to—
 - (aa) a GB small series type-approval,
 - (bb) a UK (NI) national small series type-approval, or
 - (cc) a national small series type approval issued by the Secretary of State before IP completion day,
 - (ii) an individual vehicle approval issued under regulation 18(10) of these Regulations, whether that approval—
 - (aa) is an individual vehicle approval issued by the Secretary of State before IP completion day, or
 - (bb) is a GB individual vehicle approval or a UK (NI) national individual vehicle approval,
 - (iii) a GB certificate of conformity issued in relation to a GB type-approval,
 - (iv) an EU certificate of conformity issued in relation to an EU type-approval, including a UK (NI) type approval, granted by the Secretary of State under the Motor Vehicles (EC Type Approval) Regulations 1998, the Road Vehicles (Approval) Regulations 2009 or under these Regulations,
 - (v) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation or [Directive 2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles as that directive was implemented in the law of that member State, provided that the trailer to which the approval relates—
 - (aa) was in the United Kingdom before 1st January 2023, or
 - (bb) is a qualifying Northern Ireland good, or
 - (vi) a certificate of conformity issued under section 57 of the Road Traffic Act 1988, or
- (b) where the trailer is to be kept or normally kept in Northern Ireland—
 - (i) a certificate referred to in sub-paragraph (a)(i)(bb) or (cc), (ii) (except for a GB individual vehicle approval), or (iv), or
 - (ii) an EU certificate of conformity issued in relation to an EU type-approval granted by a member State under the EU Type Approval Regulation or [Directive 2007/46/EC](#) as implemented in the law of that member State,]

“relevant vehicle” means trailers of category O to which the Type Approval Regulation applies
M15

Textual Amendments

F135 Words in [reg. 23\(8\)](#) substituted (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), **15(2)(a)**

Commencement Information

I23 Reg. 23 in force at 1.9.2020, see [reg. 1\(b\)](#)

Changes to legislation: The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

M15 See Article 2 of that Regulation.

Records of large trailers

24. For a period of not less than 10 years from the date of the consent, the approval authority must keep a record of—

- (a) every consent given under regulation 23(3), and
- (b) the pertinent information about the large trailer in respect of which that consent is given.

Commencement Information

I24 Reg. 24 in force at 1.9.2020, see [reg. 1\(b\)](#)

Records of small trailers

25.—(1) A final supplier who—

- (a) has supplied a small trailer for use on a road, or
- (b) puts such a trailer into service on a road for personal use (as the end-user),

must, as soon as reasonably possible after making that supply or putting the trailer into service, make a record of pertinent information about the trailer.

(2) Paragraph (1) does not apply if—

- (a) the trailer has previously been used on a road, or
- (b) it was manufactured more than 10 years before the date when it is first used on a road.

(3) The final supplier must keep, or ensure that there is kept, in a secure manner every record of pertinent information made under paragraph (1) for a period of not less than 10 years from the date on which that supplier supplies the trailer for use, or puts it into service, on a road.

Commencement Information

I25 Reg. 25 in force at 1.9.2020, see [reg. 1\(b\)](#)

CHAPTER 3

Interpretation

Interpretation of Part

26.—(1) In this Part—

“large trailer” means a trailer constructed or adapted for the carriage of goods—

- (a) which is—
 - (i) a semi-trailer of any weight, or
 - (ii) a trailer other than a semi-trailer or converter dolly the unladen weight of which exceeds 1020kg, and
- (b) which is not a vehicle of a description listed in—
 - (i) Schedule 2 to the Goods Vehicles (Plating and Testing) Regulations 1988 ^{M16}, or

Changes to legislation: *The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(ii) Schedule 2 to the Goods Vehicle (Testing) Regulations (Northern Ireland) 2003^{M17};

“pertinent information” means—

- (a) the principal information, or
- (b) when the alternative conditions apply, the alternative information.

“principal information” is—

- (a) the name and address and (if any) the company registration number of the manufacturer;
- (b) the manufacturer's designation (make and model) of the trailer;
- (c) the month and year when manufacture of the vehicle was completed;
- (d) the vehicle identification (VIN) number;
- (e) the number of—
 - (i) the type approval, or
 - (ii) the individual approval certificate;
- (f) in the case of a large trailer, the date of any certificate of conformity issued in respect of the vehicle;
- (g) in the case of a small trailer—
 - (i) a copy of any certificate of conformity issued in respect of the vehicle,
 - (ii) the date of supply, and
 - (iii) the name and address of the purchaser;
- (h) ^{F136}whether the trailer is to be kept, or normally kept, at a place in Great Britain, in Northern Ireland, or in either jurisdiction;]

“small trailer” means a trailer which is not a large trailer.

(2) For the purposes of this regulation—

“alternative conditions” are the conditions applied by virtue of Schedule 3;

“alternative information” is the information specified in Schedule 3;

“converter dolly” means a trailer which—

- (a) is equipped with two or more wheels,
- (b) is designed to be used in combination with a semi-trailer without any part of the weight of the semi-trailer being borne by the drawing vehicle, and
- (c) is not in itself part of the semi-trailer or the drawing vehicle when being so used;

“semi-trailer” means a trailer which is constructed or adapted to form part of an articulated vehicle.

Textual Amendments

F136 Words in [reg. 26\(1\)](#) 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\(2\)](#), [15\(3\)](#)

Commencement Information

I26 [Reg. 26](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

Changes to legislation: The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

M16 S.I. 1988/1478. Schedule 2 was amended by S.I. 1991/252, 1995/1456, 2001/307, 2002/487, 2003/1816, 2005/2343, 2011/3058 and 2017/849.

M17 S.R. 2003 No. 304. Schedule 2 was amended by S.R. 2013 No. 218 and 2018 No. 86.

CHAPTER 4

Making available on the market, registration or entry into service: limits and derogations

End-of-Series vehicles: limits [^{F137}(Great Britain)]

27. For the purposes of Part B of Annex V of the Type Approval Regulation, the maximum number of complete vehicles and completed vehicles ^{M18} entered into service in the [^{F138}Great Britain] is restricted in accordance with paragraph 2 of that Part.

Textual Amendments

F137 Words in reg. 27 heading 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), **15(4)(a)**

F138 Words in reg. 27 substituted (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), **15(4)(b)**

Commencement Information

I27 Reg. 27 in force at 1.9.2020, see **reg. 1(b)**

Marginal Citations

M18 See Article 3(26) and (27) of the Type Approval Regulation for the definitions of completed vehicle and complete vehicle.

[^{F139}End-of-Series vehicles: limits (Northern Ireland)]

27A. For the purposes of Part B of Annex V of the EU Type Approval Regulation, the maximum number of complete vehicles and completed vehicles entered into service in Northern Ireland is restricted in accordance with paragraph 2 of that Part.]

Textual Amendments

F139 Reg. 27A 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), **15(5)**

Components and separate technical units: derogations

28. Except where these Regulations or any other enactment make provision to the contrary (if at all), the derogations permitted by paragraphs 3, 4 and 5 of Article 50 of the Type Approval Regulation [^{F140}or the EU Type Approval Regulation] apply.

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Textual Amendments

F140 Words in [reg. 28](#) 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), **15(6)**

Commencement Information

I28 Reg. 28 in force at 1.9.2020, see [reg. 1\(b\)](#)

PART 5

Offences, enforcement and civil penalties

Offences, enforcement and civil penalties

29.—(1) Schedule 4 (offences, penalties, enforcement and other matters) and Schedule 5 (other legislation for which penalties are applied) have effect.

(2) Except in paragraph 2 of Schedule 4 or in relation to the expression “Officer of Revenue and Customs”, a reference in Schedule 4 to an officer is a reference to any person authorised by the enforcement authority to assist the authority in enforcing these Regulations [^{F141}, the Type Approval Regulation and the EU Type Approval Regulation].

Textual Amendments

F141 Words in [reg. 29\(2\)](#) substituted (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), **16**

Commencement Information

I29 Reg. 29 in force at 1.9.2020, see [reg. 1\(b\)](#)

PART 6

Consequential amendments, revocations, savings and transitional provisions

Consequential amendments, revocations and savings

30.—(1) Schedule 6 (consequential amendments and revocations) has effect.

(2) Anything—

- (a) done under, or by virtue of, any provision in Regulations revoked by these Regulations, if it could have been done under or for the purpose of the corresponding provision of these Regulations or the Type Approval Regulation, is deemed to have been done under or by virtue of the corresponding provision of these Regulations or the Type Approval Regulation, and
- (b) begun under, or by virtue of, any provision in Regulations revoked by these Regulations, if it may be done under or for the purpose of the corresponding provision of these Regulations or the Type Approval Regulation, may be continued under these Regulations

Changes to legislation: The Road Vehicles (Approval) Regulations 2020 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

or the Type Approval Regulation as if begun under these Regulations or the Type Approval Regulation.

Commencement Information

I30 Reg. 30 in force at 1.9.2020, see [reg. 1\(b\)](#)

Transitional provision: national small series type approval of vehicles over 4m in height

31.—(1) This regulation applies in respect of a national small series type approval—

- (a) granted pursuant to the Road Vehicles (Approval) Regulations 2009, and
- (b) valid immediately before the coming into force of these Regulations.

(2) In relation to a type of vehicle specified in column (1) of the Table in this regulation and which exceeds 4 metres in height, the definition of “maximum permitted number” in regulation 21(9) is to be read as though it were a reference to the number shown in column (2) of the table in relation to the vehicle category to which that type belongs.

Table

Maximum permitted number

<i>Column 1 Vehicle category</i>	<i>Column 2 Maximum permitted number</i>
M ₂ or M ₃	1000
N ₂ or N ₃	1200
O ₃ or O ₄	2000

Commencement Information

I31 Reg. 31 in force at 1.9.2020, see [reg. 1\(b\)](#)

Transitional provision: national small series type approval certificate of conformity

32. For the period beginning with the day on which these Regulations are commenced and ending with 31st December 2020, the obligations imposed by regulation 20(3) apply as though, in paragraph 3 of Annex VIII of the Implementing Regulation (as defined in regulation 20(4)), the words after “coloured graphics” were omitted.

Commencement Information

I32 Reg. 32 in force at 1.9.2020, see [reg. 1\(b\)](#)

Signed by authority of the Secretary of State for Transport

Department for Transport

Chris Heaton-Harris
Minister of State

Changes to legislation:

The Road Vehicles (Approval) Regulations 2000 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations power to amend conferred by [2024 c. 10 s. 91](#)