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STATUTORY INSTRUMENTS

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**2020 No. 818**

**The Road Vehicles (Approval) Regulations 2020**

**PART 3** **U.K.**

National small series type approval and individual approval

CHAPTER 1 **U.K.**

[<sup>F1</sup>Small] series type approvals

**Textual Amendments**

- F1** 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 [<sup>F2</sup>GB small series type-approval and UK (NI)] national small series type approval** **U.K.**

15.—(1) A manufacturer requiring—

- (a) a [<sup>F3</sup>UK (NI)] national small series type approval in respect of a vehicle, <sup>F4</sup>...
- (b) an amendment to a national small series type approval [<sup>F5</sup>granted before IP completion day, or a UK (NI) national small series type-approval] which the manufacturer holds,
- [<sup>F6</sup>(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

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(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 “[<sup>F7</sup>GB type-approval certificates]”.

#### Textual Amendments

- F2** 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\(2\)\(a\)](#)
- F3** 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\(2\)\(b\)\(i\)\(aa\)](#)
- F4** 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\(2\)\(b\)\(i\)\(bb\)](#)
- F5** 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\(2\)\(b\)\(ii\)](#)
- F6** [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\(2\)\(b\)\(iii\)](#)
- F7** 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

- I1** [Reg. 15](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

### Grant of [<sup>F8</sup>GB small series type-approval and UK (NI)] national small series type approval **U.K.**

16.—(1) The approval authority must—

[<sup>F9</sup>(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 [<sup>F10</sup>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 [<sup>F11</sup>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 <sup>F12</sup>... corresponding to the approval authority.

(5) Upon receiving a request from a person wishing to sell, register or put into service in a member State <sup>F13</sup>... a vehicle manufactured in conformity with a [<sup>F14</sup>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 [<sup>F15</sup>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 [<sup>F16</sup>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 [<sup>F17</sup>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

- F8** 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\(3\)\(a\)](#)
- F9** [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\(3\)\(b\)](#)
- F10** 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\(3\)\(c\)](#)
- F11** 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\(3\)\(d\)\(i\)](#)
- F12** 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\(3\)\(d\)\(ii\)](#)
- F13** 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\(3\)\(d\)\(ii\)](#)

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- F14** 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\(3\)\(d\)\(i\)](#)
- F15** 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\(3\)\(e\)](#)
- F16** 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\(3\)\(f\)](#)
- F17** 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

- I2** Reg. 16 in force at 1.9.2020, see [reg. 1\(b\)](#)

### Recognition <sup>F18</sup>in Northern Ireland] of national type approvals of small series granted in <sup>F19</sup>...member States **U.K.**

17.—(1) A manufacturer may, pursuant to the provisions of paragraphs 1 to 4 of Article 43 of the <sup>F20</sup>EU] Type Approval Regulation (national type approval of small series), apply to the approval authority for recognition <sup>F21</sup>in Northern Ireland] of a <sup>F22</sup>national] small series type approval granted to that manufacturer under the law of a member State <sup>F23</sup>... (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 <sup>F24</sup>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 <sup>F25</sup>UK (NI)] national small series type approval certificate <sup>F26</sup>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 <sup>F27</sup>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.

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### Textual Amendments

- F18** 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\(4\)\(a\)\(i\)](#)
- F19** 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\(4\)\(a\)\(ii\)](#)
- F20** 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\(4\)\(b\)\(i\)](#)
- F21** 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\(4\)\(b\)\(ii\)](#)
- F22** 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\(4\)\(b\)\(iii\)](#)
- F23** 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\(4\)\(b\)\(iv\)](#)
- F24** 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\(4\)\(c\)](#)
- F25** 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\(4\)\(d\)\(i\)](#)
- F26** 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\(4\)\(d\)\(ii\)](#)
- F27** 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

- I3** [Reg. 17](#) in force at 1.9.2020, see [reg. 1\(b\)](#)

## CHAPTER 2 **U.K.**

### Individual approval

#### Individual approval **U.K.**

**18.**—(1) A person requiring an [<sup>F28</sup>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,

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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 [<sup>F29</sup>an approval under this regulation] for the vehicle.

- (3) This paragraph applies where—
- (a) the application [<sup>F30</sup>for a UK (NI) national individual vehicle approval] made under paragraph (1) is an application pursuant to Article 45 of the [<sup>F31</sup>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 [<sup>F32</sup>EU] Type Approval Regulation under the law of a member State <sup>F33</sup>...; 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 [<sup>F32</sup>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 [<sup>F34</sup>a GB individual vehicle approval] in accordance with Article 44 or Article 45 of the Type Approval Regulation, <sup>F35</sup>...
- <sup>F36</sup>(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 [<sup>F37</sup>7]—

- (a) the alternative requirements required to be imposed under Article 45(1) of the Type Approval Regulation [<sup>F38</sup>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 [<sup>F39</sup>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 [<sup>F40</sup>Northern Ireland].
- (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 [<sup>F41</sup>Northern 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, [<sup>F42</sup>the 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 [<sup>F43</sup>EU] Type Approval Regulation, under the law of a member State <sup>F44</sup>....,
  - (b) an EU certificate of conformity issued in respect of a type approval [<sup>F45</sup>or an individual vehicle approval certificate granted under Article 44 of the EU Type Approval Regulation] (whether granted under the law of a member State [<sup>F46</sup>or 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 <sup>F47</sup>... 45 of the [<sup>F43</sup>EU] Type Approval Regulation, under the law of a member State <sup>F44</sup>...



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“qualifying applicant” means—

- (a) <sup>F48</sup>the manufacturer of the vehicle,
- (b) <sup>F48</sup>the owner of the vehicle, or
- (c) <sup>F48</sup><sup>F49</sup>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

- F28** 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)**
- F29** 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)**
- F30** 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)**
- F31** 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)**
- F32** 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)**
- F33** 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)**
- F34** 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)**
- F35** 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)**
- F36** 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)**
- F37** 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)**
- F38** 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)**
- F39** 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)**



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- F40** 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)**
- F41** 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)**
- F42** 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)**
- F43** 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)**
- F44** 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)**
- F45** 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)**
- F46** 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)**
- F47** 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)**
- F48** 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)**
- F49** 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

- I4** Reg. 18 in force at 1.9.2020, see reg. 1(b)

### Applications for individual approvals: appeals **U.K.**

**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—

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- (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 <sup>F50</sup>approval under regulation 18] should be granted the examiner must notify the approval authority accordingly.

#### Textual Amendments

**F50** 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

**I5** Reg. 19 in force at 1.9.2020, see [reg. 1\(b\)](#)

## CHAPTER 3 **U.K.**

### Form of certificates

#### Form of certificates: <sup>F51</sup>UK (NI) national small series type approval, GB small series type-approval] and individual approval **U.K.**

**20.**—(1) A <sup>F52</sup>UK (NI) national] small series type approval certificate <sup>F53</sup>or a GB small series type-approval certificate] must be in the form set out in Model A of Annex III <sup>F54</sup>—

- (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.]

<sup>F55</sup>(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 <sup>F56</sup>—

- (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) [<sup>F57</sup>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 [<sup>F58</sup>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—

- [<sup>F59</sup>(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 State before IP completion day, National Small Series Certificate of Conformity (United Kingdom)”];
- (b) for each reference to [<sup>F60</sup>a GB type-approval] there must be substituted a reference to a [<sup>F61</sup>GB] small series type approval, and
- (c) for [<sup>F62</sup>“GB type-approved”], in each place the expression occurs, there must be substituted “[<sup>F63</sup>GB small series] type-approved”.

[<sup>F64</sup>(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,

[<sup>F65</sup>(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<sup>MI</sup>;

[<sup>F66</sup>(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

**F51** 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\(7\)\(a\)](#)

**F52** 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\(7\)\(b\)\(i\)](#)

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- F53** 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)**
- F54** 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)**
- F55** 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)**
- F56** 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)**
- F57** 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)**
- F58** 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)**
- F59** 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)**
- F60** 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)**
- F61** 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)**
- F62** 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)**
- F63** 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)**
- F64** 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)**
- F65** 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)**
- F66** 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

- I6** Reg. 20 in force at 1.9.2020, see reg. 1(b)

#### Marginal Citations

- M1** OJ No. L 163, 26.5.2020, p. 1.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

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