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STATUTORY INSTRUMENTS

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**2022 No. 1273**

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

PART 3

Amendments to secondary legislation

**Amendments to Schedule 4**

**20.** In Schedule 4, paragraph 1—

(a) for subparagraph (2), substitute—

“(2) The specified conditions are that—

(a) where the trailer is to be kept or normally kept at a place in Great Britain, one of the following has effect with respect to the trailer—

(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,

(ii) an individual vehicle approval issued under regulation 27(10) of the Road Vehicle (Approval) Regulations 2009 or 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 granted by the Secretary of State under 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 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<sup>(1)</sup>, or
- (b) where the trailer is to be kept, or normally kept at a place in Northern Ireland, one of the following has effect with respect to the trailer—
  - (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,”;
- (b) in sub-paragraph (5)(a) and (b), after “Regulation” insert “, the EU Type Approval Regulation”;
- (c) after sub-paragraph (5), insert—
  - “(5A) It is a defence for a person charged with an offence under sub-paragraph (1), to show that, at the time when the trailer was supplied—
    - (a) if the condition in sub-paragraph (2)(a) is not satisfied, there was reasonable cause to believe that the trailer would not be kept, or normally kept, at a place in Great Britain, or
    - (b) if the condition in sub-paragraph (2)(b) is not satisfied, there was reasonable cause to believe that the trailer would not be kept, or normally kept, at a place in Northern Ireland.
  - (5B) It is a defence for a person charged with an offence under sub-paragraph (3), to show that, at the time when the trailer was supplied or used, as the case may be, a goods vehicle test certificate issued under the following Regulations was in force in relation to the trailer—
    - (a) the Goods Vehicle (Plating and Testing) Regulations 1988<sup>(2)</sup>, in the case of a trailer being used in Great Britain without a relevant consent, or
    - (b) the Goods Vehicle (Testing) Regulations (Northern Ireland) 2003<sup>(3)</sup>, in the case of a trailer being used in Northern Ireland without a relevant consent.”;
- (d) in sub-paragraph (9), in the definition of “statutory inspection or test”, after sub-paragraph (a), insert—
  - “(ab) the EU Type Approval Regulation,”.

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(1) 1988 c. 52.  
(2) S.I. 1988/1478.  
(3) S.R. 2003 No. 304.