
STATUTORY INSTRUMENTS

2022 No. 1273

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

PART 4

EU Regulations

CHAPTER 1

Regulation (EU) 2018/858

Amendments to Chapter XI

- 33.**—(1) In Article 51 (national evaluation for serious risk or non-compliance)—
- (a) in the heading, omit “national”;
 - (b) in the first paragraph—
 - (i) for “an approval” substitute “the approval”;
 - (ii) for “authorities of one Member State have” substitute “authority has”;
 - (iii) after “this Regulation”, the second time it occurs, insert “or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
 - (iv) after “this Regulation” the third time it occurs, insert “or, where applicable, the EU Type Approval Regulation”;
 - (v) omit “and the relevant approval authorities”;
 - (vi) for “surveillance authorities,”, substitute “surveillance authority”.
- (2) In Article 52 (national procedures for serious risk or non-compliance)—
- (a) in the heading, omit “national”;
 - (b) in paragraph 1, omit “of one Member State”;
 - (c) in paragraph 2—
 - (i) omit “of one Member State”;
 - (ii) after “this Regulation” insert “or, where Article 5A applies to the vehicle, system, component or separate technical unit, the EU Type Approval Regulation”;
 - (iii) omit “in the Union”;
 - (d) in paragraph 3—
 - (i) for “national authorities” substitute “market surveillance authority”;
 - (ii) omit “on their national market”;
 - (iii) for “that market” substitute “the market”;

- (e) omit paragraph 4.
- (3) In Article 53 (corrective and restrictive measures at Union level)—
 - (a) in the heading, omit “at Union level”;
 - (b) omit paragraphs 1 to 7;
 - (c) for paragraph 8, substitute—

“8. Where a corrective measure is imposed in accordance with Article 52, that measure must be available free of charge to holders of registrations for the affected vehicles. Where repairs have been carried out at the registration holder’s expense before the adoption of the corrective measure, the manufacturer must reimburse the cost of such repairs up to the cost of the repairs required by that corrective measure.”.
- (4) Omit Article 54 (non-compliant EU type-approval).
- (5) In Article 55 (placing on the market and entry into service: parts or equipment that may pose a serious risk to the correct functioning of essential systems)—
 - (a) in paragraph 1, for “an approval” substitute “the approval”;
 - (b) in paragraph 3, for the first sub-paragraph, substitute—

“3. The Secretary of State may by regulations lay down the requirements for the authorisation of the parts and equipment referred to in paragraph 1 of this Article.”;
 - (c) in paragraph 4, in the opening words, for “The Commission is empowered to adopt delegated acts in accordance with Article 82, amending”, substitute “The Secretary of State may by regulations amend”;
 - (d) in paragraph 6—
 - (i) for “the Commission” the first time it occurs, substitute “the approval authority”;
 - (ii) for the third sentence, substitute “The Secretary of State may by regulations set out when those authorisations may be granted”;
 - (iii) omit the fourth sentence.
- (6) In Article 56 (related requirements for parts or equipment that may pose a serious risk to the correct functioning of essential systems)—
 - (a) in paragraph 1, in the second sentence, omit “and to one approval authority only”;
 - (b) in paragraph 2, for the fourth subparagraph, substitute—

“The Secretary of State may by regulations lay down the template and the numbering system for the authorisation certificate referred to in the third subparagraph of this paragraph.”;
 - (c) in paragraph 3, in the first paragraph—
 - (i) in the first sentence, omit “that issued the authorisation”;
 - (ii) in the second sentence, for “That approval” substitute “The approval”;
 - (d) omit paragraphs 5, 6 and 7.