
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 2

Other EU Regulations

Regulation (EU) No 540/2014: Articles

75.—(1) Regulation (EU) No 540/2014 is amended as follows.

(2) In Article 1 (subject matter)—

- (a) for “EU” substitute “GB”;
- (b) for “the Union” substitute “Great Britain”.

(3) In Article 2 (scope), for “Annex II to [Directive 2007/46/EC](#)” substitute “Article 4 of Regulation (EU) 2018/858”.

(4) In Article 3 (definitions)—

- (a) in the opening words, for “[Directive 2007/46/EC](#)” substitute “Regulation (EU) 2018/858”;
- (b) in point (1), for “[Directive 2007/46/EC](#)” substitute “Regulation (EU) 2018/858”;
- (c) in point (5), for “Annex IV or Annex XI to [Directive 2007/46/EC](#)” substitute “Annex II to Regulation (EU) 2018/858”;
- (d) in point (21), for “EU” substitute “GB”.

(5) In Article 4 (general obligations of member States)—

- (a) in the heading, for “Member States” substitute “the Secretary of State”;
- (b) for “EU type-approval” each time it appears, substitute “GB type-approval”;
- (c) in paragraph 1—
 - (i) for “Article 23 of [Directive 2007/46/EC](#)” substitute “Article 42 of Regulation (EU) 2018/858”;
 - (ii) for “Member States” substitute “the approval authority”;
- (d) in paragraph 2—
 - (i) in the first sub-paragraph, for “Member States” substitute “the approval authority”;
 - (ii) for the second sub-paragraph, substitute—

“The approval authority may grant GB type-approval, under the terms and test procedures of Annex II of Directive 70/157/EEC(1) as it had effect in EU law on IP completion date, to a replacement silencing system, or components thereof, as a separate technical unit intended for vehicles type-approved before the dates of phases of application set out in Annex III to this Regulation.”;

(e) in paragraph 3—

- (i) for “Member States” substitute “the Secretary of State”;
- (ii) for “Article 26 of Directive 2007/46/EC” substitute “Article 48 of Regulation (EU) 2018/858”;

(f) in paragraph 4—

- (i) for “Member States” both times it occurs, substitute “the Secretary of State”;
- (ii) in the second sub-paragraph, for the words from “holding” to the end, substitute—
 - “holding an EU type-approval as a separate technical unit under the terms of Annex II to Directive 70/157/EEC issued by—
 - (a) the Secretary of State before IP completion day, or
 - (b) an approval authority of a member State before 1st January 2023.”.

(6) In Article 7 (consumer information and labelling), omit the second subparagraph.

(7) In Article 8 (acoustic vehicle alerting system), for the second subparagraph substitute—

“The Secretary of State may by regulations amend Annex VIII to include more detailed requirements on the performance of AVAS or of active safety systems, taking into account the UNECE work on that issue.”.

(8) For Articles 9 (amendment of the annexes) and 10 (exercise of the delegation), substitute—

“Article 9

Amendment of the annexes

The Secretary of State may by regulations amend Annexes I, IV, VIII and X to take account of technical developments.

Article 10

Regulations

1. Any power to make regulations conferred on the Secretary of State by this Regulation is exercisable by statutory instrument.

2. Such regulations may—

- (a) make incidental, supplemental, consequential or transitional provision, and
- (b) make different provision for different cases or descriptions of case, different circumstances, different purposes or different areas.

3. Before making any regulations under this Regulation the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.

4. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

(9) Omit Article 11 (revision clause).

(1) OJ L 42, 23.2.1970, p. 16.

(10) After Article 15 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”.