
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) 2015/758

77.—(1) Regulation (EU) 2015/758 is amended as follows.

(2) In Article 1 (subject matter), for “EC” substitute “GB”.

(3) In Article 2 (scope)—

(a) in paragraph 1—

(i) in the opening words, for “points 1.1.1 and 1.2.1 of Part A of Annex II to [Directive 2007/46/EC](#)” substitute “Article 4 of Regulation (EU) 2018/858”;

(ii) in the second subparagraph, in point (a)—

(aa) after “produced in” insert “medium and”;

(bb) for “Article 22 and 23 of [Directive 2007/46/EC](#)” substitute “Article 41 and 42 of Regulation (EU) 2018/858”;

(iii) in the second subparagraph, in point (b), for “Article 24 of [Directive 2007/46/EC](#)” substitute “Article 45 of Regulation (EU) 2018/858”;

(b) in paragraph 2—

(i) for “The Commission shall be empowered to adopt delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”;

(ii) omit “which is carried out or mandated by the Commission”;

(iii) omit the second subparagraph;

(c) after paragraph 2, insert—

“3. A type of vehicle which was subject to an approval under section 55(1A) or (1D) of the Road Traffic Act 1988(1) is not required to be approved in accordance with this Regulation.”.

(4) In Article 3 (definitions)—

(a) in the opening words, for “[Directive 2007/46/EC](#)” substitute “Regulation (EU) 2018/858”;

(1) 1988 c. 52. Subsection (1A) was inserted by [S.I. 2019/648](#).

- (b) in point (3), for “Member State” substitute “Secretary of State”;
 - (c) in point (9), for the words “Directives” to the end, substitute “the Communications Act 2003⁽²⁾”.
- (5) In Article 5 (specific obligations of manufacturers)—
- (a) in paragraph 2—
 - (i) in the first subparagraph, for “Union” substitute “the United Kingdom”;
 - (ii) omit “single European” both times it occurs;
 - (b) in paragraph 5, for “EC” substitute “GB”;
 - (c) in paragraph 7, for “Regulation (EC) No 715/2007” substitute “Chapter XIV of Regulation (EU) 2018/858”;
 - (d) in paragraph 8—
 - (i) in the first subparagraph—
 - (aa) for the words from the beginning to “Article 8” substitute “The Secretary of State may make regulations”;
 - (bb) for “EC type-approval” both times it occurs, substitute “GB type-approval”;
 - (ii) in point (f)—
 - (aa) omit “European” the first time it occurs;
 - (bb) for “adopted in conformity with the procedures laid down in Regulation (EU) No 1025/2012 of the European Parliament and of the Council⁽¹⁾” substitute “specified in regulations made by the Secretary of State”;
 - (cc) for “Union” substitute “United Kingdom”;
 - (iii) omit the final sentence;
 - (e) in paragraph 9, for “The Commission shall be empowered to adopt delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”.
- (6) In Article 6 (rules on privacy and data protection)—
- (a) in paragraph 1—
 - (i) for “Directives 95/46/EC and 2002/58/EC” substitute “the Data Protection Act 2018⁽³⁾, Regulation (EU) 2016/679⁽⁴⁾ and the Privacy and Electronic Communications (EC Directive) Regulations 2003⁽⁵⁾”;
 - (ii) for “those Directives” substitute “those enactments”;
 - (b) in paragraph 9(i), for “Directive 95/46/EC” substitute “Regulation (EU) 2016/679 and the Data Protection Act 2018”;
 - (c) in paragraph 12—
 - (i) in the first subparagraph, for “The Commission shall be empowered to adopt delegated acts in accordance with Article 8” substitute “The Secretary of State may make regulations”;
 - (ii) omit the second subparagraph;
 - (d) in paragraph 13—

(2) 2003 c. 21.

(3) 2018 c. 12.

(4) EUR 2016/679.

(5) S.I. 2003/2426.

- (i) in the first subparagraph, for “The Commission shall, by means of implementing acts”, substitute “The Secretary of State must, by regulations”;
 - (ii) omit the second and third subparagraphs.
- (7) In Article 7 (obligations of the Member States)—
- (a) in the heading, for “Member States” substitute “approval authority”;
 - (b) for “With effect from 31 March 2018, national authorities shall” substitute “The approval authority may”;
 - (c) for “EC” substitute “GB”.
- (8) For Article 8 (exercise of the delegation), substitute—

“Article 8

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 to which paragraph 4 applies the Secretary of State must consult with such representative organisations as the Secretary of State thinks fit.
 - 4. This paragraph applies to regulations made under Articles 2(2), 5(8), and (9), and 6(12).
 - 5. A statutory instrument containing regulations made under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (9) In Article 9 (implementing acts)—
- (a) in the opening paragraph—
 - (i) for “The Commission shall adopt implementing acts” substitute “The Secretary of State may make regulations”;
 - (ii) for “EC”, each time it occurs, substitute “GB”;
 - (b) omit the second and third subparagraphs.
- (10) Omit Articles 10 (committee procedure), 11 (penalties) and 12 (reporting and review).
- (11) After Article 14 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.