

Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (Text with EEA relevance)

CHAPTER XVI

DESIGNATION AND NOTIFICATION OF TECHNICAL SERVICES

Article 57

Requirements relating to technical services

1 Designating approval authorities shall ensure that before they designate a technical service pursuant to Article 59, that technical service meets the requirements laid down in paragraphs 2 to 9 of this Article.

2 Without prejudice to Article 60(1), a technical service shall be established under the national law of a Member State and have legal personality.

3 A technical service shall be a third-party body independent of the process of design, manufacturing, supply or maintenance of the vehicle, system, component or separate technical unit it assesses.

A body belonging to a business association or professional federation representing undertakings involved in the design, manufacturing, provision, assembly, use or maintenance of vehicles, systems, components or separate technical units which it assesses, tests or inspects may, on condition that its independence and the absence of any conflict of interest are demonstrated, be considered as fulfilling the requirements of the first subparagraph.

4 A technical service, its top-level management and the personnel responsible for carrying out the categories of activities for which they are designated in accordance with Article 59(1) shall not be the designer, manufacturer, supplier or maintainer of the vehicles, systems, components or separate technical units which they assess, nor represent parties engaged in those activities. This shall not preclude the use of assessed vehicles, systems, components or separate technical units referred to in paragraph 3 of this Article that are necessary for the operation of the technical service or the use of such vehicles, systems, components or separate technical units for personal purposes.

A technical service shall ensure that the activities of its subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of the categories of activities for which it has been designated.

5 A technical service and its personnel shall carry out the categories of activities for which it has been designated with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements, particularly financial, which might influence their judgment or the results of their assessment activities, especially such pressures or inducements emanating from persons or groups of persons with an interest in the results of those activities.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 167/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

6 A technical service shall be capable of carrying out all the categories of activities for which it has been designated in accordance with Article 59(1), by demonstrating to the satisfaction of its designating approval authority, that it has:

- a personnel with appropriate skills, specific technical knowledge and vocational training as well as sufficient and appropriate experience to perform the task;
- b descriptions of the procedures relevant for the categories of activities for which it is seeking to be designated, ensuring the transparency and reproducibility of those procedures;
- c procedures for the performance of the categories of activities for which it is seeking to be designated which take due account of the degree of complexity of the technology of the vehicle, system, component or separate technical unit in question, and the mass or serial nature of the production process; and
- d means necessary to perform in an appropriate manner the tasks connected with the categories of activities for which it is seeking to be designated and that it has access to all necessary equipment or facilities.

In addition, it shall demonstrate to the designating approval authority its compliance with the standards laid down in the delegated acts adopted pursuant to Article 61 which are relevant for the categories of activities for which it is designated.

7 The impartiality of the technical services, their top-level management and the assessment personnel shall be guaranteed. They shall not engage in any activity that may conflict with their independence of judgment or integrity in relation to the categories of activities for which they are designated.

8 Technical services shall take out liability insurance related to their activities unless liability is assumed by the Member State in accordance with national law, or the Member State itself is directly responsible for the conformity assessment.

9 The personnel of a technical service shall observe professional secrecy with regard to all information obtained in carrying out their tasks under this Regulation or any provision of national law giving effect to it, except in relation to the designating approval authority or where required by Union or national law. Proprietary rights shall be protected.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 40(1A) inserted by [S.I. 2022/1273 reg. 73\(2\)\(b\)](#)
- Art. 40(1A) inserted (temp.) by S.I. 2019/648, reg. 8(3)(b) (with reg. 11) (as inserted) by [S.I. 2020/1393 reg. 2\(8\)\(b\)](#)
- Art. 40(5) inserted by [S.I. 2022/1273 reg. 73\(2\)\(c\)](#)