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STATUTORY INSTRUMENTS

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**2019 No. 550**

**The Road Vehicle Emission Performance Standards (Cars and Vans) (Amendment) (EU Exit) Regulations 2019**

**PART 3**

Amendment of retained direct EU legislation: vans

**CHAPTER 1**

Amendment of Regulation (EU) No 510/2011

**Amendment of Regulation (EU) No 510/2011**

**29.**—(1) Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union’s integrated approach to reduce CO<sub>2</sub> emissions from light-duty vehicles is amended as follows.

- (2) In Article 1, in paragraph 2 for “Union” substitute “United Kingdom”.
- (3) In Article 2—
  - (a) in paragraph 1, for “Union” in both places where it appears substitute “United Kingdom”,
  - (b) in paragraph 2, for “Union” in both places where it appears substitute “United Kingdom”,
  - (c) in paragraph 4, for “Union” substitute “United Kingdom”.
- (4) In Article 3, in paragraph 1 after point (k) insert—

“(l) ‘light commercial vehicles’ and ‘new light commercial vehicles’ have the meanings given in paragraph 1 of Article 2.”.
- (5) In Article 4—
  - (a) in the first paragraph, for “calendar year commencing 1 January 2014” substitute “period beginning with exit day and ending with 31 December 2019”,
  - (b) for the third paragraph substitute—

“For the purpose of determining a manufacturer’s average specific emissions of CO<sub>2</sub>, the total number of that manufacturer’s new light commercial vehicles registered in the relevant year, or part year in the case of 2019, shall be taken into account.”.
- (6) In Article 5—
  - (a) omit the first four indents,
  - (b) in the fifth indent, for “2018” substitute “2019”.
- (7) Omit Article 6.
- (8) In Article 7—
  - (a) in paragraph 2—

- (i) after “more calendar years” insert “, or part year in the case of 2019”,
- (ii) for “file the following information with the Commission” substitute “provide the following information to the Secretary of State”,
- (b) in paragraph 3, for “Commission” substitute “Secretary of State”,
- (c) in paragraph 4, for “Commission” substitute “Secretary of State”,
- (d) in paragraph 5—
  - (i) for “Articles 101 and 102 TFEU” substitute “sections 2 (agreements etc preventing, restricting or distorting competition) and 18 (abuse of dominant position) of the Competition Act 1998”,
  - (ii) for “Union competition rules” substitute “any enactment relating to competition”,
- (e) in paragraph 7, for “filed with the Commission” substitute “provided to the Secretary of State”,
- (f) after paragraph 7 insert—
 

“8. Information required to be provided to the Secretary of State by virtue of paragraph 2 or 4 must:

  - (a) be in writing and dated,
  - (b) include the name and address of the pool manager to whom the Secretary of State may respond,
  - (c) include the names of the other manufacturers in the pool,
  - (d) be sent to the Secretary of State by post, delivered by hand or, with the express agreement of the Secretary of State, sent by electronic means.”.
- (9) In Article 8—
  - (a) for paragraph 1 substitute—
 

“1. For the period beginning with exit day and ending with 31 December 2019 and each subsequent calendar year, the Secretary of State shall record information for each new light commercial vehicle registered in the United Kingdom in accordance with Part A of Annex 2. This information shall be made available to the manufacturers and their designated importers or representatives in the United Kingdom. The Secretary of State may nominate a person to collect such data, and shall make every effort to ensure that this person operates in a transparent manner.”,
  - (b) omit paragraph 2,
  - (c) omit paragraph 3,
  - (d) in paragraph 4—
    - (i) in the first subparagraph—
      - (aa) for “Commission” in each place where it appears substitute “Secretary of State”,
      - (bb) for “reported by Member States” substitute “recorded”,
      - (cc) for “2013” substitute “2020”,
      - (dd) in each of points (a), (b) and (c), after “calendar year” insert “, or part year in the case of 2019”,
    - (ii) in the second subparagraph, omit “per Member State”,
  - (e) for paragraph 5 substitute—

- “5. A manufacturer may, within three months of being notified of the provisional calculation under paragraph 4, notify the Secretary of State of any errors in the data. Notification given by a manufacturer must:
- (a) be in writing and dated,
  - (b) include:
    - (i) the provisional calculation,
    - (ii) the specific emissions target for the preceding year, or part year in the case of 2019,
    - (iii) the manufacturer’s calculation of their average specific emissions of CO<sub>2</sub>,
    - (iv) any evidence in support of the calculation in (iii),
  - (c) be sent to the Secretary of State by post, delivered by hand or, with the express agreement of the Secretary of State, sent by electronic means.”,
- (f) in paragraph 6 for “Commission” substitute “Secretary of State”,
- (g) omit paragraph 7,
- (h) for paragraph 8 substitute—
- “8. The vehicle registrations data used when registering a new vehicle with the Driver and Vehicle Licensing Agency is to be used to calculate a manufacturer’s average specific emissions of CO<sub>2</sub>,”
- (i) for paragraph 9 substitute—
- “9. Regulations may—
- (a) make provision about the procedures for monitoring and reporting of data under this Article and on the application of Annex 2,
  - (b) amend the data requirements and data parameters set out in Annex 2.”,
- (j) omit paragraph 10.
- (10) After Article 8 insert—

*“Article 8a*

*Appeals*

**1.** Where:

- (a) a manufacturer gives notification to the Secretary of State under Article 8(5),
- (b) the Secretary of State does not agree the manufacturer’s calculation of their average specific emissions of CO<sub>2</sub>, and
- (c) the Secretary of State notifies the manufacturer under Article 8 that it has exceeded its specific emissions target,

the manufacturer or pool manager may appeal against the notification under Article 8(6) to the First-tier Tribunal on the ground that the Secretary of State’s provisional calculations under Article 8(5) was based on an error of fact.

**2.** The Secretary of State may not impose an excess emissions premium on the manufacturer or, in the case of a pool, the pool manager, under Article 9 pending final determination or withdrawal of the appeal.

**3.** The First-tier Tribunal may—

- (a) confirm the Secretary of State’s provisional calculation, or

(b) substitute its own calculation.”.

(11) In Article 9—

(a) in paragraph 1—

(i) for “from 1 January to 31 December 2014” substitute “beginning with exit day and ending with 31 December 2019”,

(ii) for “Commission” substitute “Secretary of State”,

(b) in paragraph 2—

(i) for “formulae” substitute “formula”,

(ii) omit point (a),

(iii) in point (b) omit “(b) from 2019:”,

(iv) in the formula for “EUR 95” substitute “£83”,

(c) for paragraphs 3 and 4 substitute—

**“3.** Where the Secretary of State decides to impose an excess emissions premium under paragraph 1, the Secretary of State must serve a notice of civil penalty on the manufacturer or, in the case of a pool, the pool manager.

A notice of civil penalty must:

(a) be in writing;

(b) be dated;

(c) set out the reasons for which the excess emissions premium is imposed;

(d) set out the amount of the excess emissions premium and how it has been calculated;

(e) set out how to pay the excess emissions premium;

(f) require payment before the end of a period of 28 days after the date of the notice;

(g) include an explanation of the steps the manufacturer or, in the case of a pool, the pool manager, must take if they wish to object to the excess emissions premium, including the manner and form in which any notice of objection must be served; and

(h) include an explanation of the steps the Secretary of State may take to recover any unpaid excess emissions premium.

**4.** The amount of any excess emissions premium payable under this Article—

(a) in England and Wales is recoverable as if it were payable under an order of the county court in England and Wales;

(b) in Scotland may be enforced in the same manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland;

(c) in Northern Ireland is recoverable as if it were payable under an order of a county court in Northern Ireland.

**5.** Where action is taken under this Article for the recovery of any excess emissions premium, the amount payable is—

- (a) in relation to England and Wales, to be treated for the purposes of section 98 of the Courts Act 2003 (register of judgments and orders etc.)(1) as if it were a judgment entered in the county court;
- (b) in relation to Northern Ireland, to be treated for the purposes of Article 116 of the Judgments Enforcement (Northern Ireland) Order 1981 (register of judgments)(2) as if it were a judgment in respect of which an application has been accepted under Article 22 or 23(1) of that Order.

6. Any excess emissions premium received by the Secretary of State must be paid into the Consolidated Fund”.

(12) In Article 10—

(a) in paragraph 1—

- (i) for “2013 and 31 October of each subsequent year, the Commission” substitute “each year, commencing in 2020, the Secretary of State”,
- (ii) in point (d), omit “in the Union”,
- (iii) in point (e), omit “in the Union”,
- (iv) after point (e) insert—

“(f) whether the manufacturer has complied with the requirements of Article 4 with respect to the preceding calendar year.”,

(b) for paragraph 2 substitute—

“2. Any reference in paragraph 1 to a calendar year includes, in the case of 2019, a part year.”.

(13) In Article 11—

(a) in paragraph 1—

- (i) for “fewer than 22 000 new light commercial vehicles registered in the Union per calendar year” substitute “a number of new light commercial vehicles registered in the United Kingdom per calendar year that is less than the manufacturer’s derogation threshold (calculated in accordance with Annex 3)”,
- (ii) in point (b) for “that is responsible in total for fewer than 22 000 new light commercial vehicles registered in the Union per calendar year” substitute “where the number of new light commercial vehicles registered in the United Kingdom for which that group is responsible per calendar year is less than the manufacturer’s derogation threshold”,

(b) in paragraph 2, for “Commission” substitute “Secretary of State”,

(c) in paragraph 3, for “Commission” in both places where it appears substitute “Secretary of State”,

(d) in paragraphs 4, 5 and 6, for “Commission” in each place where it appears substitute “Secretary of State”,

(e) in paragraph 7, for “The Commission shall adopt rules to supplement paragraphs 1 to 6 of this Article” substitute “Regulations may amend paragraphs 1 to 6 of this Article, and Annex 3”,

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(1) 2003 c.39; section 98 has been amended by sections 48(1) and 106(2) of, and paragraph 55(1), (2), (3)(a) and (b) of Schedule 8 and paragraph 15 of Schedule 16 to, the Tribunals, Courts and Enforcement Act 2007 (c.15) and section 17(5) of, and paragraph 40(a) and (c) of Part 2 of Schedule 9 to, the Crime and Courts Act 2013 (c.22). Further amendments made by the Tribunals, Courts and Enforcement Act 2007 have yet to be brought into force.

(2) S.I. 1981/226 (N.I. 6).

- (f) in paragraph 8, for “, subject to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents” substitute “by the Secretary of State, subject to any relevant provisions of the data protection legislation (within the meaning of section 3(9) of the Data Protection Act 2018)”.
- (14) In Article 12—
- (a) in paragraph 1, after “considered” insert “in accordance with Commission Implementing Regulation (EU) No 427/2014 of 25 April 2014 establishing a procedure for the approval and certification of innovative technologies for reducing CO2 emissions from light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council”,
- (b) omit paragraph 2,
- (c) in paragraph 3, for “Commission” substitute “Secretary of State”,
- (d) omit paragraph 4.
- (15) In Article 13—
- (a) omit paragraphs 1, 2, 3 and 4,
- (b) in paragraph 5—
- (i) in the first subparagraph, for “By 31 October 2016, and every three years thereafter, the Commission shall amend Annex I by means of delegated acts in accordance with Article 15, and subject to the conditions laid down in Articles 16 and 17,” substitute “Regulations may amend Annex 1”,
- (ii) omit the second subparagraph,
- (c) in paragraph 6—
- (i) omit the second and third subparagraphs,
- (ii) in the fourth subparagraph, for “The Commission shall be empowered to adopt delegated acts in accordance with Article 15 and subject to the conditions laid down in Articles 16 and 17 in order to” substitute “Regulations may”.
- (16) For Article 14 substitute—

*“Article 14*

*Regulations*

- 1.** Any power to make regulations under this Regulation—
- (a) is exercisable by the Secretary of State by statutory instrument; and
- (b) includes power to make:
- (i) different provision for different cases or descriptions of case, different circumstances or different purposes;
- (ii) consequential, incidental, supplementary, transitional or transitory provision or savings.
- 2.** A statutory instrument containing regulations under this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (17) Omit Articles 15, 16, 17 and 18.
- (18) After Article 18, omit the sentence beginning “This Regulation shall be binding”.
- (19) In Annex 1—

- (a) in paragraph 1—
    - (i) omit point (a),
    - (ii) in point (b), for “2018” substitute “2019”,
  - (b) in paragraph 2, after “year” in both places where it appears insert “, or part year in the case of 2019, ”,
  - (c) in paragraph 5, in the definition of “NEDC 2021 target”, for “granted by the Commission” substitute “set by the Secretary of State”.
- (20) In Part A of Annex 2—
- (a) in point 1.1—
    - (i) in the first unnumbered paragraph—
      - (aa) for “EC” substitute “UK”,
      - (bb) for “Member States” substitute “the Secretary of State”,
      - (cc) after “year” insert “, or part year in the case of 2019”,
      - (dd) for “their territory” substitute “the United Kingdom”,
    - (ii) omit the third and fourth unnumbered paragraphs,
  - (b) in point 1.2—
    - (i) in the first unnumbered paragraph—
      - (aa) for “Member States” substitute “the Secretary of State”,
      - (bb) after “year” insert “, or part year in the case of 2019”,
    - (ii) in the second unnumbered paragraph, for “Member State shall provide” substitute “the Secretary of State shall record”,
  - (c) in point 2, for “Member States” in each place where it appears substitute “the Secretary of State”,
  - (d) in point 3—
    - (i) for “Member States” substitute “The Secretary of State”,
    - (ii) after “year” insert “, or part year in the case of 2019”,
    - (iii) for “EC” substitute “UK”.
- (21) In Part B of Annex 2—
- (a) in the first unnumbered paragraph, for “Member States” substitute “the Secretary of State”,
  - (b) in point 1—
    - (i) for “Member States” substitute “the Secretary of State”,
    - (ii) for “their territory” substitute “the United Kingdom”,
    - (iii) for “EC” substitute “UK”,
  - (c) in point 7—
    - (i) in the second unnumbered paragraph—
      - (aa) at the beginning insert “Regulations may prescribe a monitoring procedure”
      - (bb) omit “, the Commission shall come forward” to the end,
    - (ii) in the third unnumbered paragraph, for “When defining such a procedure, the Commission shall, if appropriate” substitute “The Regulations may”,
    - (iii) in the fourth unnumbered paragraph, for “Commission” substitute “Secretary of State”.

(22) In Part C of Annex 2—

- (a) in the opening words for “Member States shall report” substitute “or part year in the case of 2019, the Secretary of State shall collect”,
- (b) in section 1—
  - (i) omit “Member State”,
  - (ii) for “EC” substitute “UK”,
- (c) in section 2 for “Member State registry” substitute “UK registry”.

(23) After Annex 2 insert—

*“ANNEX 3*

*DEROGATION THRESHOLDS*

1. For 2019—

- (a) the derogation threshold in relation to a manufacturer that was responsible for new light commercial vehicles registered in both the United Kingdom and in an EEA state in the period beginning with 1 January 2017 and ending with 31 December 2017 (“the relevant period”) is:

$$\left( \frac{UK}{EEA} \times 22,000 \right) \times \left( \frac{d}{365} \right),$$

- (b) the derogation threshold in relation to a manufacturer not falling within point (a) is:

$$4,300 \times \left( \frac{d}{365} \right),$$

where:

“d” is the number of days in the period beginning with exit day and ending with 31 December 2019,

“EEA” is the number of new light commercial vehicles registered in an EEA state in the relevant period for which that manufacturer was responsible, and

“UK” is the number of new light commercial vehicles registered in the United Kingdom in the relevant period for which that manufacturer was responsible,

2. For each of the years from 2020 to 2024—

- (a) the derogation threshold in relation to a manufacturer that was responsible for new light commercial vehicles registered in both the United Kingdom and in an EEA state in the period beginning with 1 January 2017 and ending with 31 December 2017 (“the relevant period”) is:

$$\frac{UK}{EEA} \times 22,000$$

where:

“EEA” is the number of new light commercial vehicles registered in an EEA state in the relevant period for which that manufacturer was responsible, and

“UK” is the number of new light commercial vehicles registered in the United Kingdom in the relevant period for which that manufacturer was responsible,



- (b) the derogation threshold in relation to a manufacturer not falling within point (a) is 4,300.

3. For 2025 and subsequent years, the derogation threshold shall be such amount as is specified in Regulations.”.

## CHAPTER 2

Amendment of tertiary legislation made pursuant to Regulation (EU) No 510/2011

### **Amendment of Commission Implementing Regulation (EU) No 293/2012**

**30.**—(1) Commission Implementing Regulation (EU) No 293/2012 of 3 April 2012 on monitoring and reporting of data on the registration of new light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council is amended as follows.

- (2) In Article 1, omit point (b).
- (3) In Article 2, at the end insert—
  - “(4) ‘Secretary of State’ includes any person authorised by the Secretary of State to carry out functions under this Regulation on behalf of the Secretary of State”.
- (4) Omit Article 3.
- (5) In Article 4—
  - (a) in paragraph 1, for “Member States” substitute “The Secretary of State”,
  - (b) in paragraph 4, for “Member State shall report the manufacturer of the base vehicle” substitute “the manufacturer of the base vehicle is treated deemed to be the manufacturer”,
  - (c) in paragraph 6—
    - (i) for “In reporting” substitute “When including”,
    - (ii) for “competent authority shall provide” substitute “Secretary of State shall consider”,
  - (d) in paragraph 7—
    - (i) for “competent authority shall report” substitute “Secretary of State shall use”,
    - (ii) omit point (b) and the second subparagraph,
  - (e) in paragraph 8, for “Member State shall report” substitute “Secretary of State shall use”,
  - (f) in paragraph 9, for “Member States” substitute “Secretary of State”.
- (6) In Article 5—
  - (a) for “Member States” substitute “Secretary of State”,
  - (b) for “, verification and transmission” substitute “and verification”.
- (7) In Article 6—
  - (a) in the heading, for “Member States” substitute “the Secretary of State”,
  - (b) in the first subparagraph, for “Member States” substitute “the Secretary of State”,
  - (c) for the second subparagraph substitute—

“Notwithstanding the detailed data parameters referred to in Annex 2 of Regulation (EU) No 510/2011, the Secretary of State shall ensure that all detailed monitoring data specified in Annex 2 is monitored and compiled.”.
- (8) In Article 8—
  - (a) in the first paragraph—
    - (i) for “Member States shall inform the Commission of” substitute “the Secretary of State shall calculate”,

- (ii) for “their territory” substitute “the United Kingdom”,
  - (b) in the second paragraph—
    - (i) for “competent authority” substitute “Secretary of State”,
    - (ii) for “Member State” substitute “United Kingdom”,
    - (iii) omit “reporting” in both places in which it occurs.
  - (9) In Article 9—
    - (a) in paragraph 1—
      - (i) for “Commission” in each place where it appears substitute “Secretary of State”,
      - (ii) for “1 June 2012” substitute “15 December 2019”,
    - (b) in paragraph 2—
      - (i) for “competent authority” substitute “Secretary of State”,
      - (ii) omit “taken from the list that is to be drawn up by the Commission on the basis of the names”,
      - (iii) for “That list” substitute “A list of those names”,
      - (iv) for “1 September 2010” substitute “31 December 2019”,
    - (c) in paragraph 3, for “competent authority” substitute “Secretary of State”.
  - (10) In Article 10—
    - (a) for “Commission” in each place where it appears substitute “Secretary of State”,
    - (b) for “1 June 2012” substitute “31 May each year”.
  - (11) In Article 10a—
    - (a) in paragraph 1—
      - (i) in the first subparagraph, for “Commission” substitute “Secretary of State”,
      - (ii) in the second subparagraph, for “EC” substitute “UK”,
      - (iii) in the fourth subparagraph, for “Member State” substitute “Secretary of State”,
    - (b) in paragraph 2, for “Commission” substitute “Secretary of State”,
    - (c) in paragraph 3—
      - (i) omit “to the Data Repository referred to in Article 10(3), in other cases it shall be submitted”,
      - (ii) for the words “European Commission” to the end substitute—
        - “The Environment Strategy Team,
        - The Department for Transport,
        - Great Minster House,
        - 33 Horseferry Road,
        - Westminster,
        - London SW1P 4DR.

An electronic copy of the notification shall be sent for information to the following email address:

[Environmental.Strategy@dft.gov.uk](mailto:Environmental.Strategy@dft.gov.uk)”.
- (12) Omit Article 11.

(13) After Article 11, omit the sentence beginning “This Regulation shall be binding”.

### **Amendment of Commission Delegated Regulation (EU) No 114/2013**

**31.**—(1) Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011 of the European Parliament and of the Council with regard to rules for the application for a derogation from the specific CO<sub>2</sub> emissions targets for new light commercial vehicles is amended as follows.

- (2) In Article 4, in point (b) for “Union” substitute “United Kingdom”.
- (3) In Article 5—
  - (a) in paragraph 1 omit “, unless the average specific CO<sub>2</sub> emissions for that year are listed in Annex III”,
  - (b) in paragraph 5, in point (b) of the unnumbered subparagraph for “Union” substitute “United Kingdom”.
- (4) In Article 6—
  - (a) in the heading, for “Commission” substitute “Secretary of State”,
  - (b) in paragraph 1, for “Commission” substitute “Secretary of State”,
  - (c) in paragraph 2, for “the Secretariat-General of the European Commission, 1049 Brussels, Belgium” substitute “The Environment Strategy Team, The Department for Transport, Great Minster House, 33 Horseferry Road, Westminster, London SW1P 4DR”.
- (5) Omit Article 7.
- (6) Omit Article 8.
- (7) After Article 8, omit the sentence beginning “This Regulation shall be binding”.
- (8) In Annex 1—
  - (a) in the text preceding point 1, for “[EC-CO2-LDV-IMPLEMENTATION@ec.europa.eu](mailto:EC-CO2-LDV-IMPLEMENTATION@ec.europa.eu)” substitute “[Environmental.Strategy@dft.gov.uk](mailto:Environmental.Strategy@dft.gov.uk)”,
  - (b) in point 2, for “EU” each place where it appears substitute “United Kingdom”,
  - (c) in point 3.3, for “Union” substitute “United Kingdom”,
  - (d) in points 3.3.1, 3.3.2 and 3.3.3, for “EU” in each place where it appears substitute “United Kingdom”,
  - (e) in point 3.5, for “Union” substitute “United Kingdom”,
  - (f) in points 3.5.1, 3.5.2 and 3.5.3, for “EU” in each place where it appears substitute “United Kingdom”,
  - (g) in point 6.1, omit “if not included in Annex III”,
  - (h) in point 7, for “Union” substitute “United Kingdom”,
  - (i) in point 8.3, for “Union” substitute “United Kingdom”,
  - (j) in points 9.2.1, 9.2.2 and 9.2.3, for “Union” in each place where it appears substitute “United Kingdom”.
- (9) Omit Annex 3.

### **Amendment of Commission Implementing Regulation (EU) No 427/2014**

**32.**—(1) Commission Implementing Regulation (EU) No 427/2014 of 25 April 2014 establishing a procedure for the approval and certification of innovative technologies for reducing CO<sub>2</sub> emissions

from light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council is amended as follows.

- (2) In Article 2—
  - (a) in paragraph 2, in point (b) for “[Directive 2007/46/EC](#)” substitute “the Road Vehicles (Approval) Regulations 2009”,
  - (b) in paragraph 3, for “EC” substitute “UK”.
- (3) In Article 3—
  - (a) in paragraph (2), for “Union” substitute “United Kingdom”,
  - (b) in paragraph (4), for “Commission” substitute “Secretary of State”,
  - (c) in paragraph (5)—
    - (i) the words from “a category” to “Article 41(6) of that Directive” become point (a),
    - (ii) at the end of point (a) insert—
      - “(b) the Secretary of State; or
      - (c) any person designated for this purpose by the Secretary of State”.
- (4) In Article 4—
  - (a) for “Commission” in each place where it appears substitute “Secretary of State”.
  - (b) in paragraph 2(f)(ii) omit “as referred to in Article 12(2)(c) of Regulation (EU) No 510/2011 and”.
- (5) In Article 6, in paragraph 2 for “Commission” substitute “Secretary of State”.
- (6) In Article 9, in paragraph 3, in the second subparagraph for “Union” substitute “United Kingdom”.
- (7) In Article 10—
  - (a) for “Commission” in each place where it appears substitute “Secretary of State”,
  - (b) in paragraph 2, in the second subparagraph omit “, subject to the application of the exceptions to the right to public access to documents specified in Regulation (EC) No 1049/2001”.
- (8) In Article 11—
  - (a) in paragraph 1—
    - (i) for “an approval authority within the meaning of [Directive 2007/46/EC](#) for an EC” substitute “the Secretary of State for a UK”,
    - (ii) for “Article 6 of [Directive 2007/46/EC](#)” substitute “the Road Vehicles (Approval) Regulations 2009”,
    - (iii) for “Commission” substitute “Secretary of State”,
  - (b) in paragraph 2, for “[Directive 2007/46/EC](#)” substitute “the Road Vehicles (Approval) Regulations 2009”.
- (9) In Article 12, for “Commission” in each place where it appears substitute “Secretary of State”.
- (10) In Article 12a—
  - (a) for “Commission” in each place where it appears substitute “Secretary of State”,
  - (b) in paragraph 4 omit “, subject to the application of the exceptions to the right to public access to documents specified in Regulation (EC) No 1049/2001”.
- (11) Omit Article 13.
- (12) Omit Article 14.

(13) After Article 14, omit the sentence beginning “This Regulation shall be binding”.

#### **Amendment of Commission Implementing Decision (EU) 2018/1876**

**33.**—(1) Commission Implementing Decision (EU) 2018/1876 of 29 November 2018 on the approval of the technology used in 12 Volt efficient alternators for use in conventional combustion engine powered light commercial vehicles as an innovative technology for reducing CO<sub>2</sub> emissions from light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council is amended as follows.

(2) Omit Article 5.

### CHAPTER 3

Revocation of tertiary legislation made pursuant to Regulation (EU) No 510/2011

#### **Revocation of Commission Implementing Decision 2012/99/EU**

**34.** Commission Implementing [Decision 2012/99/EU](#) of 17 February 2012 on the detailed arrangements for the collection of premiums for excess CO<sub>2</sub> emissions from new light commercial vehicles pursuant to Regulation (EU) No 510/2011 of the European Parliament and of the Council is revoked.