
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 (EC) No 715/2007

49.—(1) Regulation (EC) No 715/2007 is amended as follows.

(2) In Article 2 (scope), for “Annex II to Directive 70/156/EEC” both times it occurs, substitute “Article 4 of Regulation (EU) 2018/858(1)”.

(3) In Article 3 (definitions), in paragraphs 2 and 13, for “Directive 70/156/EEC” each time it occurs, substitute “Regulation (EU) 2018/858”.

(4) In Article 4 (manufacturer’s obligations)—

- (a) in paragraph 1, for “the Community” both times it occurs, substitute “Great Britain”;
- (b) in paragraph 2, in the third sub-paragraph, omit the final sentence;
- (c) for paragraph 4, substitute—

“4. The Secretary of State may by regulations establish procedures and requirements for the implementation of paragraphs 2 and 3.”.

(5) In Article 5(3) (requirements and tests), for the opening words, substitute “The Secretary of State may by regulations impose requirements for the implementation of paragraph 2, which must include establishing the requirements relating to”.

(6) In the heading to Chapter IV (obligations of member States), for “Member States” substitute “the Secretary of State”.

(7) In Article 10 (type approval)—

- (a) for “EC type approval or national type approval”, each time it occurs, substitute “GB type-approval”;
- (b) in paragraph 1, for “national authorities” substitute “Secretary of State”;
- (c) in paragraphs 2 and 4, for “national authorities”, substitute “approval authority”;
- (d) in paragraphs 3 and 5—

- (i) for “Article 7(1) of Directive 70/156/EEC” substitute “Article 48 of Regulation (EU) 2018/858”;
 - (ii) for “national authorities” substitute “the Secretary of State”;
 - (e) in paragraph 6, for “the Community” substitute “Great Britain”.
- (8) In Article 11 (type approval of replacement parts)—
- (a) for “national authorities” each time it occurs, substitute “the approval authority”;
 - (b) in paragraph 2, for “EC” substitute “GB”.
- (9) Omit Articles 12 (financial incentives) and 13 (penalties).
- (10) In Article 14 (redefinition of specifications)—
- (a) in paragraph 1—
 - (i) in the first sentence, for “Commission” substitute “Secretary of State”;
 - (ii) for the second sentence, substitute “The Secretary of State may make regulations to account for, or limit, methane emissions.”;
 - (b) omit paragraphs 2 and 3;
 - (c) in paragraph 4—
 - (i) in the first sentence, for “Commission” substitute “Secretary of State”;
 - (ii) for the second sentence, substitute “If the Secretary of State considers that it is necessary to regulate the emissions of additional pollutants, the Secretary of State may make regulations amending these Regulations accordingly.”;
 - (d) in paragraph 5—
 - (i) for “Commission” substitute “Secretary of State”;
 - (ii) for the words from “shall present” to the end, substitute “may make regulations if the Secretary of State considers that it is appropriate to do so to tighten the emission limits”.
- (11) For Article 15 (committee procedure), substitute—

“Article 15

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. Regulations to which paragraph 4 applies may not be made unless the Secretary of State has consulted with such representative organisations as they think fit.
4. This paragraph applies to regulations made under Article 4(4), 5(3) or 14.
5. A statutory instrument containing regulations under Article 14 may not be made unless a draft of the instrument containing them has been laid before Parliament and approved by a resolution of each House.
6. A statutory instrument containing regulations made under any other provision of this Regulation is subject to annulment in pursuance of a resolution of either House of Parliament.”.

- (12) Omit Article 16 (amendments to Directives [70/156/EC](#) and [2005/55/EC](#)) and Annex II.
- (13) In Article 18, omit paragraph 3.
- (14) After Article 18 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”