
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 167/2013

73.—(1) Regulation (EU) No 167/2013 is amended as follows.

(2) In Article 40 (making available on the market or entry into service: components and separate technical units)—

- (a) in paragraph 1, for the words after “service” to the end, substitute “if paragraph 1A applies to the components or separate technical units”;
- (b) after paragraph 1, insert—

“1A. This paragraph applies to components or separate technical units if they—

- (a) comply with the requirements of the relevant regulatory acts listed in Annex I and are properly marked in accordance with Article 34;
- (b) comply with the requirements of the relevant regulatory acts listed in Annex I to Regulation (EU) No 167/2013⁽¹⁾ as it has effect in EU law, provided that the component or separate technical unit—
 - (i) has approval under section 55(1A) or (1D) of the Road Traffic Act 1988⁽²⁾,
 - (ii) was in the United Kingdom before 1st January 2023, or
 - (iii) is a qualifying Northern Ireland good; or
- (c) comply with the requirements of the relevant regulatory acts listed in Annex I to Regulation (EU) No 167/2013 as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU Withdrawal Agreement, provided that—
 - (i) they are properly marked in accordance with Article 34 of that Regulation, and
 - (ii) they have approval under that Regulation from the Secretary of State.”;

⁽¹⁾ OJ L 60, 2.3.2013, p. 1.

⁽²⁾ 1988 (c. 52). Subsection (1A) (S.I. 2020/1393) was inserted, with (1B) and (1C), into section 55 by S.I. 2019/648, as amended by S.I. 2020/818 and 1393. Subsection (1D) is inserted by these Regulations.

(c) after paragraph 4, insert—

“5. By way of derogation from paragraph 1, replacement components and separate technical units that were EU type-approved before 1st January 2023 in accordance with the requirements listed in Annex I to Regulation (EU) No 167/2013 as it has effect in EU law may be made available on the market or entered into service.”.