

## STATUTORY INSTRUMENTS

# 2019 No. 648

## The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019

### PART 5

#### Amendment of subordinate legislation

#### Amendment of the Road Vehicles (Approval) Regulations 2009

<sup>F1</sup>6. ....

#### Textual Amendments

**F1** Reg. 6 omitted (1.9.2020) by virtue of [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), [Sch. 6 para. 39\(5\)](#) (with [Sch. 4 paras. 16, 17](#))

#### Amendment of the Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018

7.—(1) The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018 <sup>M1</sup> are amended as follows.

[<sup>F2</sup>(2) After regulation 10 (withdrawal and suspension of approvals: effect), insert—

#### “Products approved in member States or in Northern Ireland

**10A.**—(1) Paragraphs (2) to (4) apply notwithstanding anything in these Regulations or the NRMM Regulation.

(2) A manufacturer or an importer may place a qualifying relevant product on the market in Great Britain.

(3) A distributor may make a qualifying relevant product available on the market in Great Britain.

(4) In this regulation—

“qualifying relevant product” means a relevant product in respect of which the manufacturer of the product holds a relevant EU approval or a relevant NI approval;

“relevant EU approval” means a valid EU-type approval issued—

(a) before IP completion day (other than in the United Kingdom) in accordance with the NRMM Regulation, or

(b) on or after IP completion day in a member State in accordance with the NRMM Regulation as it has effect in EU law, and includes any such approval which is revised or extended;

“relevant NI approval” means a valid EU-type approval issued on or after IP completion day in Northern Ireland in accordance with the NRMM Regulation as it has effect by virtue of the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement and includes any such approval which is revised or extended.”.]

#### Textual Amendments

- F2** Reg. 7(2) substituted (31.12.2020 immediately before IP completion day) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1393\)](#), regs. 1(2), **2(5)**

#### Commencement Information

- II** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(b\)\(ii\)](#)

#### Marginal Citations

- M1** [S.I. 2018/764](#).

### [<sup>F3</sup>Amendment of the Road Vehicles Approval Regulations 2020

**7A.—**(1) The Road Vehicle Approval Regulations 2020 are amended as follows.

(2) After regulation 1, insert—

#### “Application

**1A.** The following provisions of these Regulations do not apply in England and Wales or Scotland—

- (a) in regulation 16, paragraphs (4) and (5);
- (b) in regulation 17, paragraphs (4) to (6);
- (c) in regulation 18, paragraphs (8)(b) and (9).”.

(3) In regulation 8(1), for sub-paragraph (b) (but not the “and” at the end of that sub-paragraph) substitute—

- “(b) the remedies available to the party concerned—
- (i) where the application is made in respect of Great Britain, under the laws in force in Great Britain;
  - (ii) where the application is made in respect of Northern Ireland, under the laws in force in Northern Ireland.”.

(4) In regulation 14(1)(a), for “the United Kingdom” substitute “Great Britain or, as the case may be, Northern Ireland”.

(5) In regulation 16, in paragraphs (4) and (5), omit “other than the United Kingdom”.

(6) In regulation 17—

- (a) in the heading, omit “other”;
- (b) in paragraph (1), omit “other than the United Kingdom”;
- (c) in paragraphs (4) and (6), for “the United Kingdom”, in each place it occurs, substitute “Northern Ireland”.

(7) In regulation 18—

- (a) in paragraph (4)(a), omit “other than the United Kingdom”;

- (b) in paragraphs (8)(b) and (9) for “the United Kingdom” substitute “Northern Ireland”;
- (c) in paragraph (16), in the definition of “non-UK approval”—
  - (i) in paragraphs (a) and (c), omit “other than the United Kingdom”;
  - (ii) in paragraph (b), for “or the United” substitute “or any part of the United”.
- (8) In regulation 20, in paragraph (3), for sub-paragraph (a) substitute—
  - “(a) the certificate must carry the heading “National Small Series Certificate of Conformity (Great Britain)” or, as the case may be, “National Small Series Certificate of Conformity (Northern Ireland)”.”.
- (9) In regulation 21—
  - (a) in paragraph (5), in sub-paragraph (a), omit “other than the United Kingdom”;
  - (b) in paragraph (9), in the definition of “EU certificate of conformity”, in sub-paragraph (c), the words before paragraph (i), omit “other than the United Kingdom”.
- (10) In Schedule 1, in paragraph 1—
  - (a) in the definition of “approval”, in paragraph (a), for “other” substitute “a”;
  - (b) in the definition of “certificate of conformity” for “other” substitute “a”.]

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#### Textual Amendments

- F3** Reg. 7A inserted (31.12.2020 immediately before IP completion day) by [The Road Vehicles and Non-Road Mobile Machinery \(Type-Approval\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1393\)](#), regs. 1(2), **2(6)**
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#### Commencement Information

- I2** Reg. 7A in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(b\)\(ii\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019, PART 5.