

SCHEDULES

SCHEDULE 2

Technical and administrative requirements for grant of individual approval

PART 1

General provisions

Requirements applicable

1. The technical requirements which must be met by Part 2 vehicles are the requirements specified in Part 2 of this Schedule.

Commencement Information

I1 Sch. 2 Pt. 1 para. 1 in force at 1.9.2020, see [reg. 1\(b\)](#)

2. The technical requirements which must be met by Part 3 vehicles are—
- (a) the requirements specified in Part 3 of this Schedule, and
 - (b) the requirements specified in Part 2 of this Schedule in the subject areas which are not listed in Part 3.

Commencement Information

I2 Sch. 2 Pt. 1 para. 2 in force at 1.9.2020, see [reg. 1\(b\)](#)

3. The technical requirements which must be met by vehicles other than Part 2 or Part 3 vehicles are the requirements specified in Part 4 of this Schedule.

Commencement Information

I3 Sch. 2 Pt. 1 para. 3 in force at 1.9.2020, see [reg. 1\(b\)](#)

Interpretation

- 4.—(1) In this Schedule—
- “approval”, “certificate of conformity” and “test report” have the meanings respectively given in Part 1 of Schedule 1;
 - “effective date” means—
 - (a) in the case of an amateur built vehicle, a vehicle manufactured using parts from a registered vehicle or a rebuilt vehicle (as respectively defined below), the 1st January

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immediately preceding the date of manufacture of the engine by which the vehicle is propelled, if that date is earlier;

- (b) in any other case, the date of manufacture of the vehicle;

“multi-purpose vehicle” means a vehicle intended for the carriage of both passengers and their luggage or goods and falling within category M₁ or N (subject however to paragraph 10);

“Part 2 vehicle” means a relevant vehicle of a class which falls within category M₁ or N₁ and is—

- (a) a personally imported vehicle within the meaning of paragraph 5,
- (b) an amateur built vehicle within the meaning of paragraph 6,
- (c) a vehicle manufactured in very low volume within the meaning of paragraph 7,
- (d) a vehicle manufactured using parts from a registered vehicle within the meaning of paragraph 8,
- (e) a rebuilt vehicle within the meaning of paragraph 9,
- (f) a left hand drive vehicle,
- (g) a motor caravan,
- (h) an armoured vehicle,
- (i) an ambulance, or
- (j) a hearse;

“Part 3 vehicle” means a relevant vehicle of a class which falls within category M₁ or N₁ but is not a Part 2 vehicle.

(2) A reference in a table in this Schedule to any numbered item is, except where otherwise provided, a reference to the item so numbered in that table.

(3) A reference in column 1 of a table in this Schedule to any Directive, Regulation (other than a UNECE Regulation) or Decision is a reference to the version of that Directive, Regulation or Decision—

- (a) as at the date of any specified last amendment, or
- (b) where it has been revoked and no last amendment is specified, immediately before that revocation,

[^{F1}as that Directive, Regulation or Decision has effect in EU law].

(4) A reference in column 2 or 3 of a table in this Schedule to any Directive, Regulation or Decision is a reference to the version of that Directive, Regulation or Decision mentioned in the corresponding entry in column 1 of the table concerned.

Textual Amendments

- F1** Words in [Sch. 2 para. 4\(3\)](#) inserted (31.12.2022 at 11.00 p.m.) by The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment and Transitional Provisions) (EU Exit) Regulations 2022 (S.I. 2022/1273), [regs. 1\(2\), 19\(a\)](#)

Commencement Information

- I4** Sch. 2 Pt. 1 para. 4 in force at 1.9.2020, see [reg. 1\(b\)](#)

5.—(1) A vehicle is a personally imported vehicle if either the conditions in sub-paragraph (2) or those in sub-paragraph (3) are satisfied (“A” being, in the following sub-paragraphs, the applicant for individual approval).

- (2) The conditions in this sub-paragraph are satisfied if—
- (a) the vehicle has been imported by A upon entry into the United Kingdom,
 - (b) A had, prior to the time the vehicle was imported, been normally resident in a country other than the United Kingdom for a continuous period of at least 12 months,
 - (c) A intends to become normally resident in the United Kingdom,
 - (d) the vehicle has been in the possession of and used by A in the country where A was normally resident for a period of at least 6 months before its importation, and
 - (e) the vehicle is intended for A's personal or household use in the United Kingdom.
- (3) The conditions in this sub-paragraph are satisfied if—
- (a) A is a serving member of the Armed Forces and intends to import it into the United Kingdom within 12 months of the date of the application for individual approval,
 - (b) at the time of that application A has been normally resident in a country other than the United Kingdom for a continuous period of at least 12 months, and
 - (c) paragraphs (c) to (e) of sub-paragraph (2) are satisfied.
- (4) Subject to sub-paragraphs (5) to (7), for the purposes of this paragraph A is to be treated as being normally resident in a country if—
- (a) A usually lives in that country for a period of, or periods together amounting to, at least 185 days in a period of 12 months, and
 - (b) that period, or those periods, of residence occur because of A's occupational and personal ties to that country.
- (5) Where A has no occupational ties, sub-paragraph (4)(b) does not apply provided that A's personal ties show close links with that country.
- (6) Where A has occupational ties in one country and personal ties in a second country, A is to be treated, for the purposes of this paragraph, as being normally resident in that second country if either—
- (a) A's stay in the first country is in order to carry out a task of a definite duration, or
 - (b) A returns regularly to the second country.
- (7) But if A is a United Kingdom citizen whose personal ties are in the United Kingdom and whose occupational ties are in a country other than the United Kingdom, A is to be treated as normally resident in that other country if A has lived there for a period of, or periods together amounting to, at least 185 days in the period of 12 months immediately preceding the date of entry into the United Kingdom.
- (8) In this paragraph, “serving member of the Armed Forces” means a person who is employed by Her Majesty's air forces, Her Majesty's military forces or Her Majesty's naval forces but who is not a serving member of any of the reserve forces.

Commencement Information

I5 Sch. 2 Pt. 1 para. 5 in force at 1.9.2020, see [reg. 1\(b\)](#)

- 6.—(1) A vehicle is an amateur built vehicle if—
- (a) the vehicle was—
 - (i) constructed or assembled, or
 - (ii) having previously been registered under the 1994 Act, structurally modified,for the personal use of a person (R) who is a relevant individual, and

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- (b) the whole, or a substantial part, of the construction, assembly or modification was carried out—
 - (i) by R,
 - (ii) by one or more relevant individuals acting on behalf, and under the direction, of R, or
 - (iii) by R and one or more relevant individuals acting on behalf, and under the direction, of R.

(2) For the purposes of this paragraph, a relevant individual in relation to a motor vehicle is an individual who does not, at any time during the period when the construction or assembly of the vehicle was being carried out, carry on a business in the course of which motor vehicles are normally constructed, assembled or modified.

Commencement Information

I6 Sch. 2 Pt. 1 para. 6 in force at 1.9.2020, see [reg. 1\(b\)](#)

7.—(1) A vehicle is a vehicle manufactured in very low volume if the condition in subparagraph (2) is satisfied.

(2) The condition is that the total number of vehicles of the family of types to which the vehicle in question belongs which are manufactured in the world during any period of 12 months falling within the period of 36 months immediately preceding the month in which the vehicle was manufactured does not exceed 500.

Commencement Information

I7 Sch. 2 Pt. 1 para. 7 in force at 1.9.2020, see [reg. 1\(b\)](#)

8. A vehicle is a vehicle manufactured using parts of a registered vehicle if—
- (a) it is constructed or assembled by a person carrying on a business in the course of which motor vehicles are normally constructed or assembled,
 - (b) it is equipped with an engine which has previously been used as the engine of another vehicle which had been registered under the 1994 Act or any earlier Act providing for the licensing and registration of mechanically propelled vehicles, and
 - (c) it is equipped with one or more of the following components taken from the same vehicle as the engine—
 - (i) chassis,
 - (ii) body,
 - (iii) suspension,
 - (iv) an axle,
 - (v) transmission, or
 - (vi) steering assembly.

Commencement Information

I8 Sch. 2 para. 8 in force at 1.9.2020, see [reg. 1\(b\)](#)

9.—(1) A vehicle is a rebuilt vehicle if it—

- (a) is a vehicle to which the approval authority is required to assign a vehicle identification number,
 - (b) is not an amateur built vehicle or a vehicle manufactured using parts of a registered vehicle, and
 - (c) has been rebuilt using a replacement chassis, or an integral chassis body, which is of the same design and construction as that of the original vehicle and which—
 - (i) was supplied for the purpose without having been previously used, or
 - (ii) previously formed part of a vehicle registered under the 1994 Act or any earlier Act providing for the licensing and registration of mechanically propelled vehicles.
- (2) For the purposes of sub-paragraph (1) the approval authority is required to assign a vehicle identification number to a vehicle where it appears to the authority upon receipt of an application under regulation 18 that the vehicle does not have a vehicle identification number which—
- (a) satisfies the requirements set out in paragraph 3 of the Annex to Council Directive [76/114/EEC^{M1}](#),
 - (b) has previously been assigned under this Schedule, or
 - (c) if it does not fall within paragraph (a) or (b), is adequate for the purpose of enabling the vehicle to be identified.

Commencement Information

I9 Sch. 2 para. 9 in force at 1.9.2020, see [reg. 1\(b\)](#)

Marginal Citations

M1 OJ No. L 24, 30.1.1976, p. 1, as last amended by Directive 2013/15/EU (OJ No. L 158, 10.6.2013, p. 172). This Directive was revoked by Regulation (EC) No 661/2009 (OJ No. L 200, 31.7.2009, p. 1) with effect from 31st October 2010.

10. For the purpose of determining whether a multi-purpose vehicle falls into category M₁ or N, if the manufacturer so requests a vehicle which has—

- (a) 4 or more seats,
- (b) a load area not exceeding 40% of its length, and
- (c) a maximum technically permissible mass not exceeding 6500kg,

may be categorised as M₁.

Commencement Information

I10 Sch. 2 para. 10 in force at 1.9.2020, see [reg. 1\(b\)](#)

Changes to legislation:

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