

2020 No. 964

EXITING THE EUROPEAN UNION

PUBLIC PROCUREMENT, ENGLAND AND WALES

PUBLIC PROCUREMENT, NORTHERN IRELAND

**The Cleaner Road Transport Vehicles (Amendment) (EU Exit)
Regulations 2020**

Sift requirements satisfied 28th July 2020

Made - - - - 8th September 2020

Laid before Parliament 10th September 2020

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018(a).

The requirements of paragraph 3(2) of Schedule 7 to that Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1. These Regulations may be cited as the Cleaner Road Transport Vehicles (Amendment) (EU Exit) Regulations 2020 and come into force on IP completion day.

Amendment of the Cleaner Road Transport Vehicles Regulations 2011

2.—(1) The Cleaner Road Transport Vehicles Regulations 2011(b) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1)—

- (a) in the definition of “economic operator”, in paragraph (b)(iii), for “a relevant State” substitute “the United Kingdom or Gibraltar”;
- (b) at the end of the definition of “public service contract” and “public service obligation” insert “as in force on IP completion day”;

(a) 2018 c.16. Section 8 of the European Union (Withdrawal) Act 2018 (“the 2018 Act”) was amended by section 27 of the European Union (Withdrawal Agreement) Act 2020 (c. 1) (“the 2020 Act”) and paragraph 21 of Schedule 7 to the 2018 Act was amended by paragraph 53 of Schedule 5 to the 2020 Act.

(b) S.I. 2011/1631. The relevant amending instrument is S.I. 2016/275.

(3) In regulation 3 (scope of the Regulations), in paragraph (2), after “such vehicles,” insert “as in force on IP completion day,”.

(4) Regulation 5 (methodology for the calculation of operational lifetime costs) is to be renumbered paragraph (1) of regulation 5 and after that renumbered paragraph insert—

“(2) Any reference in Table 2 in the Annex to the Directive to a specified number of Euros (“EUR”) is to be read, for the purpose of paragraph (1), as that sum converted into pounds sterling (“GBP”) using the exchange rate of GBP1 = EUR1.11003.”.

(5) In regulation 6 (enforcement of duties), in paragraph (4)(a), for “an EEA State” substitute “the United Kingdom or Gibraltar”.

Signed by authority of the Secretary of State for Transport

Rachel Maclean
Parliamentary Under Secretary of State
Department for Transport

8th September 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively (see in particular paragraphs (c) and (g) of section 8(2) of that Act) and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

Regulation 2 amends the Cleaner Road Transport Vehicles Regulations 2011 (S.I. 2011/1631).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen. A copy of the Explanatory Memorandum is published alongside these Regulations on the UK legislation website at www.legislation.gov.uk.

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