
STATUTORY INSTRUMENTS

2022 No. 1273

**The Road Vehicles and Non-Road Mobile
Machinery (Type-Approval) (Amendment and
Transitional Provisions) (EU Exit) Regulations 2022**

PART 3

Amendments to secondary legislation

Insertion of Schedule A1

17. Before Schedule 1, insert—

“SCHEDULE A1

Regulation 6A

Reusability, recycling and recovery

Exemptions

1. Without prejudice to the application of the provisions of paragraph 6, this Schedule does not apply to—

- (a) special purpose vehicles as defined in part A, point 5, of Annex I to the Type Approval Regulation;
- (b) multi-stage built vehicles belonging to category N1, provided that the base vehicle complies with this Schedule;
- (c) vehicles produced in medium or small series, referred to in Articles 41 and 42 of the Type Approval Regulation.

Definitions

2.—(1) Terms used in this Schedule and in the Annexes to UNECE Regulation 133 have the definitions given in paragraph 2 of UNECE Regulation 133 unless otherwise stated.

(2) In this Schedule—

“base vehicle” means a vehicle as defined in Article 3(24) of the Type Approval Regulation, which is used at the starting stage of a multi-stage construction;

“competent body” has the meaning given in sub-paragraph (3);

“end-of-life vehicle” means a vehicle as defined in regulation 2 of the End-of-Life Vehicles Regulations 2003(1);

(1) *S.I. 2003/2635*, amended by *S.I. 2019/188*. There are other amendments to these Regulations which are not relevant for this instrument.

“mass” means the mass of the vehicle in running order as defined in Article 2 of [Commission Regulation \(EU\) No 1230/2012](#) of 12 December 2012 implementing Regulation (EC) No 661/2009 with regard to type-approval requirements for masses and dimensions of motor vehicles and their trailers⁽²⁾, but excluding the driver, whose mass is assessed at 75 kg;

“multi-stage construction” means the process by which a vehicle is produced in several stages by adding component parts to a base vehicle or by modifying those component parts;

“the Directive” means [Directive 2000/53/EC](#) of the European Parliament and of the Council on end-of-life vehicles⁽³⁾, as last amended by Commission Delegated Directive (EU) 2020/363⁽⁴⁾;

“UNECE Regulation 133” means UNECE Regulation 133.00⁽⁵⁾, with the modifications set out in paragraph 6;

“vehicle type” means the type of a vehicle as defined in Part B, points 1 and 3, of Annex I to the Type Approval Regulation.

(3) In this Schedule, “competent body” means an entity, such as a technical service or another body that complies with the competency criteria specified in paragraph 2.1 of Annex 5 to UNECE Regulation 133, authorised by the Secretary of State for the purposes of this Schedule to carry out preliminary assessment of the manufacturer and to issue a certificate of compliance, in accordance with the prescriptions of this Schedule.

(4) The approval authority may act as the competent body under sub-paragraph (3), provided its competence in this field is demonstrated in accordance with Chapter XV of the Type Approval Regulation.

Type-approval provisions

3.—(1) The approval authority may only grant a GB type-approval, with regard to reusability, recyclability and recoverability, to such vehicle types that satisfy the requirements of this Schedule.

(2) For the application of sub-paragraph (1), the manufacturer shall make available to the approval authority the detailed technical information necessary for the purposes of the calculations and checks referred to in Annex 1 to UNECE Regulation 133, relating to the nature of the materials used in the construction of the vehicle and its component parts.

(3) In cases where such information is shown to be covered by intellectual property rights or to constitute specific know-how of the manufacturer (“M”) or of M’s suppliers, M or M’s suppliers must supply sufficient information to enable those calculations to be made properly.

(4) With regard to reusability, recyclability and recoverability, the approval authority must ensure, subject to sub-paragraph (5), that the manufacturer uses the model of the information document set out in Annex 2 to UNECE Regulation 133, when submitting an application for GB vehicle type-approval, pursuant to Article 23 of the Type Approval Regulation.

(5) In the case of applications for GB type-approval made on or before 31 July 2026, the numbered entries in the model information document referred to in sub-paragraph (4) (“the specified model”) may be replaced by corresponding entries with a different numbering taken from Annex II to Directive 2005/64 of the European Parliament and of the Council of 26 October 2005 on the type approval of motor vehicles with regard to their reusability, recyclability and

(2) EUR 2012/1230.

(3) OJ L 268, 21.10.2000, p. 34.

(4) OJ L 67, 5.3.2020, p. 119.

(5) A copy of UNECE Regulation 133.00 is available at <https://unece.org/fileadmin/DAM/trans/main/wp29/wp29regs/2015/R133e.pdf>. A hard copy may be obtained from the Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR.

recoverability⁽⁶⁾ or Annex I to Regulation (EU) 2020/683, as that Regulation has effect in EU law, provided that all the information in the specified model is provided.

(6) When granting a GB type-approval pursuant to Article 26 of the Type Approval Regulation, the approval authority must use the model of the GB type-approval certificate set out in Annex 3 to UNECE Regulation 133.

Assessment of the manufacturer

4.—(1) The approval authority must not grant a GB type approval without first ensuring that the manufacturer has put in place satisfactory arrangements and procedures, in accordance with point 3 of Annex 5 to UNECE Regulation 133, to manage properly the reusability, recyclability and recoverability aspects covered by this Schedule.

(2) When this preliminary assessment has been carried out, a certificate named “Certificate of Compliance with Annex 5” (the “certificate of compliance”) must be granted to the manufacturer.

(3) For the purposes of sub-paragraph (1), the approval authority must ensure that the materials used for the construction of a vehicle type comply with the provisions of Article 4(2)(a) of the Directive, taking into account the exemptions set out in Annex II to the Directive, and for this purpose, references in the table in Annex II to vehicles type-approved before a stated date are to be read as referred to vehicles which have received EU type-approval pursuant to Directive 2005/64 before the stated date.

(4) For the purpose of sub-paragraph (1), the manufacturer must recommend a strategy to ensure the dismantling, recycling and recovery of materials used in the vehicle type, and the reuse of any component parts.

(5) The strategy must take into account the technologies available or in development at the time of the application for a GB whole-vehicle type-approval.

(6) The Secretary of State must appoint a competent body, in accordance with point 2 of Annex 5 to UNECE Regulation 133, to carry out the any assessment of the manufacturer required by this paragraph and to issue the certificate of compliance.

(7) The certificate of compliance must include the appropriate documentation and describe the strategy recommended by the manufacturer.

(8) The competent body must use the model set out in the Appendix to Annex 5 to UNECE Regulation 133 for the certificate of compliance.

(9) A certificate of compliance issued under this paragraph, including a new certificate of compliance issued pursuant to sub-paragraphs (12) or (13), must remain valid for two years from the date of issue to the manufacturer.

(10) The manufacturer must inform the competent body immediately in the event of any significant changes which are relevant to the competent body’s decision to issue a certificate of compliance under this paragraph.

(11) After receiving that notification, and after consulting the manufacturer, the competent body must carry out a further assessment where it is no longer satisfied that the manufacturer complies with the requirements of this Schedule.

(12) Following any assessment conducted pursuant to sub-paragraph (11), the competent body must cancel the existing certificate of compliance and may only issue a new certificate of compliance if it is satisfied that the manufacturer continues to comply with the requirements of this Schedule.

(13) At the end of the period of validity of the certificate of compliance, the competent body must not issue a new certificate of compliance unless it is satisfied the manufacturer continues

(6) OJ L 310, 25.11.2005, p. 10.

to comply with the requirements of this Schedule, and for this purpose, the competent body may decide to carry out a further assessment of the manufacturer in accordance with this paragraph.

(14) Where the certificate of compliance is no longer valid or has been cancelled in accordance with this paragraph, and no new certificate of compliance has been issued under sub-paragraph (12) or (13), the competent body must inform the approval authority of this fact.

(15) The approval authority must cancel any GB type-approval issued in accordance with this Schedule where the certificate of compliance is no longer valid or has been cancelled in accordance with sub-paragraph (12) and no new certificate of compliance has been issued under sub-paragraph (12) or (13).

Reuse of component parts

5. The component parts listed in Annex 6 to UNECE Regulation 133 must—
- (a) be deemed to be non-reusable for the purposes of calculating the recyclability and recoverability rates;
 - (b) not be reused in the construction of vehicles falling within the scope of the Type Approval Regulation by virtue of Article 2 of that Regulation.

Modifications of UNECE Regulation 133

6.—(1) For the purposes of this Schedule, UNECE Regulation 133 is to be read with the following modifications.

(2) In Annex 1, in paragraph 8, as if the reference to “paragraph 6.3 of this Regulation” were to “paragraph 4.2 of this Schedule”.

- (3) In Annex 3, as if—
- (a) in the heading, the reference to “Communication” were to “Communication: GB type-approval”;
 - (b) the image below the heading were omitted;
 - (c) explanatory note 1 were omitted.
- (4) In Annex 5, as if—
- (a) in the certificate heading, the reference to “ANNEX 5 TO REGULATION No 133.”, were to “PARAGRAPH 4(1) OF SCHEDULE A1 TO THE ROAD VEHICLES (APPROVAL) REGULATIONS 2020”;
 - (b) the reference in the certificate to “complies with the provisions of Annex 5 to Regulation No.133” were to “complies with the provisions of paragraph 4(1) of Schedule A1 to the Road Vehicles (Approval) Regulations 2020”.