
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 1

Regulation (EU) 2018/858

Amendments to Chapter XV

- 37.**—(1) In Article 67 (type-approval authority responsible for technical services)—
- (a) in paragraph 1—
 - (i) omit the words from “designated by” to “(‘type-approval authority’)”;
 - (ii) for “type-approval” the second time it occurs, substitute “approval”;
 - (b) omit paragraphs 2 and 3;
 - (c) in paragraph 4, for “type-approval” substitute “approval”;
 - (d) omit paragraphs 5 to 10.
- (2) In Article 68 (designation of technical services)—
- (a) in paragraph 1, in the opening words, for “type-approval authorities shall” substitute “approval authority must”;
 - (b) in paragraph 2, for “Each Member State may designate a type-approval authority” substitute “The approval authority may designate itself”;
 - (c) in paragraph 3—
 - (i) after “law of” insert “the United Kingdom or any part of the United Kingdom or of”;
 - (ii) for “type-approval” substitute “approval”;
 - (d) in paragraph 4—
 - (i) for “unless such liability is assumed by its Member State in accordance with national law”, substitute “unless a state has assumed liability for those activities in accordance with its national law”;
 - (ii) for “Member State” the second time it occurs, substitute “Secretary of State”;
 - (e) omit paragraph 5.
- (3) In Article 69 (independence of technical services)—
- (a) in paragraph 2, in the second subparagraph, for “type-approval authority of the relevant Member State”, substitute “approval authority”;

- (b) in paragraph 5—
 - (i) for “type-approval” substitute “approval”;
 - (ii) omit “Union or national”.
- (4) In Article 70 (competence of technical services)—
 - (a) in paragraph 1, in the opening words, for “type-approval” substitute “approval”;
 - (b) in paragraph 3, for the words from “The Commission” to “amending”, substitute “The Secretary of State may by regulations amend”.
- (5) In Article 71 (subsidiaries of and subcontracting by technical services)—
 - (a) for “type-approval” each time it occurs, substitute “approval”;
 - (b) in paragraph 4, omit “designating”.
- (6) In Article 72 (in-house technical service of the manufacturer), in paragraph 3, for the words from “The Commission” to “amending”, substitute “The Secretary of State may by regulations amend”.
- (7) In Article 73 (assessment and designation of technical services)—
 - (a) in paragraph 1—
 - (i) for “type-approval” substitute “approval”;
 - (ii) omit “of the Member State in which it requests to be designated”;
 - (b) in paragraph 2—
 - (i) for “a type-approval” substitute “the approval”;
 - (ii) for “the type-approval” substitute “the approval”;
 - (iii) for “Union” substitute “United Kingdom”;
 - (c) in paragraph 3, for “type-approval” substitute “approval”;
 - (d) omit paragraphs 4 to 7;
 - (e) in paragraph 8, for “The joint assessment team shall” substitute “The personnel of the approval authority carrying out an assessment must”;
 - (f) omit paragraphs 10 to 14;
 - (g) in paragraph 16—
 - (i) for “The type-approval authority that”, substitute “Where the approval authority”;
 - (ii) for “shall” substitute “it must”.
- (8) Omit Article 74 (notification to the Commission concerning designation of technical services).
- (9) In Article 75 (changes to and renewal of designations of technical services)—
 - (a) in paragraph 1—
 - (i) in the first subparagraph, for “type-approval”, both times it occurs, substitute “approval”;
 - (ii) omit the second and third subparagraphs;
 - (b) in paragraph 2—
 - (i) for “type-approval” substitute “approval”;
 - (ii) omit “approval authorities or for the”;
 - (iii) for “authorities” the second time it occurs, substitute “authority”;
 - (c) in paragraph 3—

- (i) in the first subparagraph—
 - (aa) for “type-approval”, the first time it occurs, substitute “approval”;
 - (bb) for “the notification referred to in the second subparagraph of” substitute “restricting, suspending or withdrawing the designation under”;
 - (cc) for “EU” substitute “GB”;
 - (dd) for “the technical service” the second time it occurs, substitute “that technical service”;
 - (ee) omit the words from “subject of the change” to the end;
- (ii) in the second subparagraph—
 - (aa) for “notified the changes to” substitute “restricted, suspended or withdrawn”;
 - (bb) for “type-approval”, the first time it occurs, substitute “approval”;
 - (cc) for “submit” substitute “prepare”;
 - (dd) omit the words “to the Commission and the other type-approval authorities”;
 - (ee) omit “designating type-”;
 - (ff) omit “instruct the type-approval authorities concerned to”;
 - (gg) for “EU” substitute “GB”;
- (d) for paragraph 4, substitute—

“4. Where the designation of a technical service has been restricted, suspended or withdrawn, but the approval authority has decided not to suspend or withdraw, in accordance with the second subparagraph of paragraph 3, the GB type-approval certificates which were issued on the basis of inspection and test reports issued by that technical service, those certificates remain valid unless the type-approvals have been invalidated in accordance with point (f) of Article 35(2).”;
- (e) in paragraph 5, in the second paragraph, omit “, and subject to the notification in Article 74”;
- (f) in paragraph 6, for “type-approval” substitute “approval”.
- (10) In Article 76 (monitoring technical services)—
 - (a) in paragraph 1, omit “designating type-” each time it occurs;
 - (b) in paragraph 2—
 - (i) for “a type-approval” substitute “the approval”;
 - (ii) omit “or by the Commission”;
 - (c) in paragraph 3—
 - (i) in the first subparagraph, omit “designating type-”;
 - (ii) omit the second, third and fourth subparagraphs;
 - (d) in paragraph 4—
 - (i) in the first paragraph, for “designating type-approval authority” substitute “approval authority”;
 - (ii) omit the second subparagraph.
- (11) Omit Articles 77 (challenge to competence of technical services) and 78 (exchange of information on assessment, designation and monitoring of technical services).

- (12) In Article 79 (cooperation with national accreditation bodies)—
 - (a) in paragraph 1, for “type-approval” substitute “approval”;
 - (b) in paragraph 2—
 - (i) for the words from the beginning to “keeps” substitute “The approval authority must keep”;
 - (ii) for “type-approval” the second time it occurs, substitute “approval”;
 - (iii) omit the words from “of the Member State” to “established”.
- (13) In Article 80 (operational obligations of technical services)—
 - (a) in paragraph 2, for “designating type-approval”, both times it occurs substitute “approval”;
 - (b) in paragraph 3, for “type-approval”, each time it occurs, substitute “approval”.
- (14) In Article 81 (information obligations of technical services), omit “designating type-” both times it occurs.