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STATUTORY INSTRUMENTS

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**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 2

Other EU Regulations

**Regulation (EC) No 78/2009: Amendments to Articles**

**50.**—(1) Regulation (EC) No 78/2009 is amended as follows.

(2) In Article 2(1) (scope), for “Article 3(11) of Directive 2007/46/EC and in point 1 of Section A of Annex II thereto”, both times it occurs, substitute “Article 4 of Regulation (EU) 2018/858”.

(3) In Article 3(5) (definitions) for “Directive 2007/46/EC” substitute “Commission Implementing Regulation (EU) 2020/683(1)”.

(4) In Article 4 (technical requirements)—

- (a) in paragraphs 3 and 4, for “approval authorities” substitute “approval authority”;
- (b) for paragraph 6, substitute—

“6. The Secretary of State may by regulations lay down technical provisions for the application of the requirements set out in Annex I.”

(5) In Article 5 (application for EC type-approval), in the heading and each other time it occurs, for “EC”, substitute “GB”.

(6) In the heading of Chapter III (obligations of the authorities of member States), for “the authorities of member States” substitute “the Secretary of State and the approval authority”.

(7) In Article 6 (granting of EC type-approval)—

- (a) in the heading and each time it occurs, for “EC” substitute “GB”;
- (b) in paragraph 1, for “Annex VII to Directive 2007/46/EC” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
- (c) in paragraph 3, for “An approval” substitute “The approval”.

(8) In Article 7 (EC type-approval mark)—

- (a) in the heading, for “EC” substitute “GB”;
- (b) in the Article, for “an EC” substitute “a GB”.

- (9) In Article 8 (modification of the type and amendments to approvals), for “Article 13 of [Directive 2007/46/EC](#)” substitute “Article 33 of Regulation (EU) 2018/858”.
- (10) In Article 9 (timetable for application to vehicles)—
- (a) for “EC type-approval” each time it appears, substitute “GB type-approval”;
  - (b) in paragraph 1—
    - (i) for “national authorities” substitute “the approval authority”;
    - (ii) omit “or national type-approval”;
  - (c) in paragraph 2—
    - (i) for “national authorities” substitute “the Secretary of State”;
    - (ii) for “Article 26 of [Directive 2007/46/EC](#)” substitute “Article 48 of Regulation (EU) 2018/858”;
  - (d) in paragraph 3—
    - (i) for “national authorities” substitute “the approval authority”;
    - (ii) omit “or national type-approval”;
  - (e) omit paragraph 4;
  - (f) in paragraph 5—
    - (i) for “national authorities” substitute “the approval authority”;
    - (ii) omit “or national type-approval”;
  - (g) in paragraphs 6, 7 and 8—
    - (i) for “national authorities” substitute “the Secretary of State”;
    - (ii) for “Article 26 of [Directive 2007/46/EC](#)” substitute “Article 48 of Regulation (EU) 2018/858”;
  - (h) in paragraph 9—
    - (i) for “national authorities” substitute “the approval authority”;
    - (ii) omit “or national type-approval”.
- (11) In Article 10 (application to frontal protection systems)—
- (a) in paragraph 1—
    - (i) for “National authorities” substitute “The approval authority”;
    - (ii) for “EC” both times it occurs, substitute “GB”;
    - (iii) omit “or national type-approval”;
  - (b) in paragraph 2—
    - (i) for “National authorities” substitute “The Secretary of State”;
    - (ii) for “Article 26 of [Directive 2007/46/EC](#)” substitute “Article 48 of Regulation (EU) 2018/858”;
  - (c) in paragraph 3, for “Article 28 of [Directive 2007/46/EC](#)” substitute “Article 50 of Regulation (EU) 2018/858”.
- (12) Omit Articles 11 (collision avoidance systems) to 14 (amendments to [Directive 2007/46/EC](#)).
- (13) After Article 16 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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