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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 3**

Amendments to secondary legislation

**Amendments to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999**

6.—(1) The Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1999<sup>(1)</sup> are amended as follows.

(2) In regulation 3(2)—

- (a) in the definition of “applicant”—
  - (i) in paragraph (a), after “EU instrument” insert “, GB type-approval enactment”;
  - (ii) in paragraph (b), at the end, insert “or for the GB small series type-approval scheme”;
- (b) in the definition of “approval requirements”, in paragraph (a), after sub-paragraph (iv) insert—
  - “(iva) a GB type-approval enactment”;
- (c) in the definition of “EU instrument”—
  - (i) in paragraph (a), before “Type” insert “EU”;
  - (ii) in paragraph (b), before “tractor” insert “EU”;
  - (iii) in paragraph (c), before “motorcycle” insert “EU”;
- (d) in the definition of “ECE Regulation”—
  - (i) in paragraph (a), at the end insert “or the “EU Type Approval Regulation”;
  - (ii) in paragraph (b)(i), at the end, insert “or the “EU tractor type approval regulation”;
  - (iii) in paragraph (b)(ii), at the end, insert “or the “EU motorcycle type approval regulation”;
- (e) after the definition of “ECE Regulation”, insert—
  - ““EU Type Approval Regulation” has the meaning given in regulation 2(1) of the Approval Regulations;
  - “EU motorcycle type-approval Regulation” means Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles, as that Regulation applies in the

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<sup>(1)</sup> S.I. 1999/2149, amended by S.I. 2020/818.

European Union and in Northern Ireland under the Northern Ireland Protocol, and as amended from time to time<sup>(2)</sup>;

“EU tractor type approval regulation” means Regulation (EU) No 167/2013 of the European Parliament and of the Council on the approval and market surveillance of agricultural and forestry vehicles, as that Regulation applies in the European Union and in Northern Ireland under the Northern Ireland Protocol, and as amended from time to time<sup>(3)</sup>”;

(f) after the definition of “examination”, insert—

““GB small series type-approval” has the meaning given in regulation 2(1) of the Approval Regulations;

“GB type-approval enactment” means any enactment or regulatory act listed in a table in—

(a) Part I or Part III of Annex II to the Type Approval Regulation;

(b) Annex I to the tractor type approval Regulation, or

(c) Annex II to the motorcycle type approval Regulation;”;

(g) in the definition of “national small series type approval” before “Type” insert “EU”;

(h) after the definition of “the Type Approval Regulation”, insert—

““UK (NI) type-approval” has the meaning given in regulation 2(1) of the Approval Regulations.”.

(3) In regulation 3(4), at the end insert, “or, for the purposes of a UK (NI) type-approval or a national small series type-approval, in Article 4 of the EU Type Approval Regulation”.

(4) In regulation 5A—

(a) in the heading, at the end, insert “or the GB small series type approval scheme”;

(b) in paragraph (1)—

(i) after “Approval Regulations” insert “, whether in respect of a national small series type-approval or a GB small series type-approval,”;

(ii) after “Type Approval Regulation” insert “in the case of a GB small series type-approval or, in the case of the national small series type-approval scheme, the EU Type-Approval Regulation”;

(c) in paragraph (2), at the beginning, insert “Subject to paragraph (2A)”;

(d) after paragraph (2), insert—

“(2A) In the case of the national small series type-approval scheme only, expressions used in this regulation or in Part 3 of Schedule 1 which are also used in the EU Type-Approval Regulation have the same meaning as in that Regulation and cognate expressions are to be construed accordingly.”.

(5) In regulation 6—

(a) in the heading, for “an EU” substitute “a GB or a UK (NI)”;

(b) for paragraph (1), substitute—

“(1) In this regulation—

“GB vehicle type approval certificate” means a type approval certificate issued under Article 26(2) of the Type Approval Regulation in relation to a complete, incomplete or completed vehicle (being expressions used in the Type Approval Regulation);

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(2) OJ L 60, 2.3.2013, p. 52.

(3) OJ L 60, 2.3.2013, p. 1.

- “UK (NI) vehicle type approval certificate” means a type approval certificate issued under Article 26(2) of the EU Type Approval Regulation in relation to a complete, incomplete or completed vehicle (being expressions used in the EU Type Approval Regulation);”;
- (c) in paragraph (2), for “Expressions”, substitute “Where the examination is conducted with a view to the issue of a GB vehicle type approval certificate, expressions”;
- (d) after paragraph (2), insert—
- “(2A) Where the examination is conducted with a view to the issue of a UK (NI) vehicle type approval certificate, expressions used in this regulation or in Part 4 of Schedule 1 which are also used in the EU Type Approval Regulation have the same meaning as in that Regulation and cognate expressions are to be construed accordingly.”;
- (e) in paragraph (3), for “EU vehicle type approval certificate”, substitute “GB vehicle type approval certificate or UK (NI) vehicle type approval certificate”;
- (f) in paragraphs (4) to (7), for “an EU vehicle type approval certificate”, each time it occurs, substitute “a GB vehicle type approval certificate or a UK (NI) vehicle type approval certificate”;
- (g) in paragraph (6), for “the EU vehicle type approval certificate” substitute “the GB vehicle type approval certificate or the UK (NI) vehicle type approval certificate”.
- (6) In regulation 7(4)—
- (a) in sub-paragraph (b)—
- (i) at the end of paragraph (i), omit “or”;
- (ii) after paragraph (i), insert—
- “(ia) a GB type-approval enactment;”;
- (b) in sub-paragraph (c), at the end, insert “or a GB small series type-approval”.
- (7) In regulation 8—
- (a) after “for the purposes of” the first time it occurs, insert “a GB type-approval enactment;”;
- (b) after “for the purposes of” the second time it occurs, insert “a GB small series type-approval or”.
- (8) In regulation 16(1)—
- (a) after “for the purposes of” the first time it occurs, insert “a GB small series type-approval or”.
- (b) after “for the purposes of” the second time it occurs, insert “a GB type-approval enactment,”.
- (9) In regulation 17(1)—
- (a) after “for the purposes of” the first time it occurs, insert “a GB small series type-approval or”;
- (b) after “for the purposes of any” insert “GB type-approval enactment,”.
- (10) In Schedule 1—
- (a) in the heading to Part III, after “Regulations—” insert “GB Small Series Type-Approval and”;
- (b) in the heading to Part IV, for “EU” substitute “GB or UK (NI)”.
- (11) In Schedule 3, in the Table—
- (a) in the heading to entry (B), after “(B) insert “GB TYPE-APPROVAL ENACTMENTS OR”;

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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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- (b) in the description for fees 80003 and 80004, after “Regulation” insert “(or in the case of a UK (NI) type-approval, the EU Type-Approval Regulation)”;
  - (c) in entry (D), in the description for fee 80007, before “EU” insert “GB, UK (NI),”;
  - (d) in entry (E), in sub-paragraph (ii) of the description for fee 80008, for “EU” substitute “GB, UK (NI),”;
  - (e) in Note NB at the end of the Table, for “both EU and ECE certificates” substitute “both GB and ECE or both UK (NI) and ECE”.
- (12) In the Table in Part 3 of Schedule 4, in the description in column 1, after “Type Approval Regulation” insert “(or in the case of a UK (NI) type-approval, the EU Type-Approval Regulation)”.