
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 2

Other EU Regulations

Commission Regulation (EU) No 109/2011

63.—(1) [Commission Regulation \(EU\) No 109/2011](#) is amended as follows.

(2) In Article 1 (scope), for “Annex II to [Directive 2007/46/EC](#)” substitute “Article 4 of Regulation (EU) 2018/858”.

(3) In Article 2 (definitions)—

- (a) in point (11), for the words from “point 2.15” to the end, substitute “point 35 of Article 2 of [Commission Regulation \(EU\) No. 1230/2012\(1\)](#)”;
- (b) in point (12), for the words from “point 2.6” to the end, substitute “point 4 of Article 2 of [Commission Regulation \(EU\) No. 1230/2012](#)”;
- (c) in point (13), for the words from “as defined” to the end, substitute “which comes into contact with the ground”;
- (d) in point (15), for “as defined in point 2.1.1.2.2 of Annex I to [Directive 97/27/EC](#)” substitute “which is designed and constructed exclusively or principally to tow semi-trailers”;
- (e) in point (16), for “point 2.8 of Annex I to [Directive 2007/46/EC](#)”, substitute “point 7 of Article 2 of [Commission Regulation \(EU\) No. 1230/2012](#)”.

(4) In Article 3 (EC type-approval of a vehicle re spray suppression systems)—

- (a) in the heading, and in paragraph 1, for “EC type-approval” substitute “GB type-approval”;
- (b) in paragraphs 3 and 4, for “an EC type-approval” substitute “a GB type-approval”;
- (c) in paragraph 3—
 - (i) in the first subparagraph, for “Annex VII to [Directive 2007/46/EC](#)” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
 - (ii) in the second subparagraph, for “An approval” substitute “The approval”.

(5) In Article 4 (EC separate technical unit type-approval of spray suppression systems)—

- (a) in the heading, and in paragraph 1 for “EC separate” substitute “GB separate”;

- (b) in paragraph 2—
 - (i) in the first subparagraph—
 - (aa) for “an EC” substitute “a GB”;
 - (bb) for “Annex VII to [Directive 2007/46/EC](#)” substitute “Annex IV to Commission Implementing Regulation (EU) 2020/683”;
 - (ii) in the second subparagraph, for “An approval” substitute “The approval”;
 - (c) in paragraph 3, for “EC type-approval” substitute “GB type-approval”.
- (6) In Article 5 (EC separate technical unit type-approval mark)—
- (a) for “EC separate”, in the heading and the first other time it occurs, substitute “GB separate”;
 - (b) for “an EC” substitute “a GB”;
 - (c) at the end, insert as a new subparagraph—

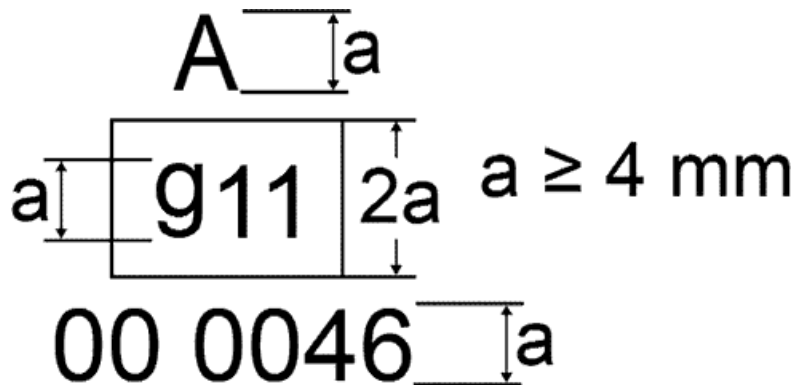
“This Article does not apply to a separate technical unit which was manufactured before 1 February 2026 and is of a type which has been approved by an approval authority of a member State in accordance with Commission Regulation (EU) 109/2011(2) or Annex VIII of Commission Implementing Regulation (EU) 2021/535(3), in each case as they have effect in EU law.”.
- (7) In Article 6—
- (a) omit “National authorities shall permit”;
 - (b) for “2012 and” substitute “2012 is permitted, and the approval authority must”.
- (8) After Article 7 (entry into force), omit “This Regulation shall be binding in its entirety and directly applicable in all Member States.”
- (9) In Annex I (administrative documents for EC type approval of vehicles re their spray suppression systems)—
- (a) in the heading and in the first paragraph of Part 1, for “EC type-approval” substitute “GB type-approval”;
 - (b) in Part 2—
 - (i) in the certificate heading, and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
 - (ii) in the opening section, for “Regulation (EU) ... / ... , as last amended by Regulation (EU) No .../...” substitute “Regulation (EU) No 109/2011, as it has effect in domestic law, and as last amended by S.I. /.....”;
 - (c) in note (3) after Part 2, for “[Directive 2007/46/EC](#), Annex II, Section A” substitute “Article 4 of Regulation (EU) 2018/858”;
 - (d) in the heading to the Addendum to Part 2, for “EC type-approval” substitute “GB type-approval”.
- (10) In Annex II (administrative documents for EC type-approval of spray suppression systems as separate technical units)—
- (a) in the heading and each time it occurs, for “EC type-approval” substitute “GB type-approval”;
 - (b) in Part 1—
 - (i) in point 0.7, for “EC approval” substitute “GB approval”;

(2) OJ L 34, 9.2.2011, p. 2.

(3) OJ L 117, 6.4.2021, p. 1.

- (ii) in point 1.3, for “EC component” substitute “GB component”;
- (c) in Part 2—
 - (i) in the opening section, for “Regulation (EU) No ... / ..., as last amended by Regulation (EU) No .../...” substitute “Regulation (EU) No 109/2011, as it has effect in domestic law, and as last amended by S.I./.....”;
 - (ii) in point 0.7 of section I, for “EC approval” substitute “GB approval”;
- (d) in Part 3—
 - (i) for point 1.1, substitute—

“1.1. A rectangle surrounding the lower-case letter “g” followed by the number “11”.”
 - (ii) in point 3, for the example of a separate technical unit type-approval mark, substitute—



- (iii) in the legend following the example, omit “by The Netherlands”.
- (11) In Annex III (requirements and tests for spray suppression devices)—
 - (a) in the heading to point 2, for “EC component” substitute “GB component”;
 - (b) in point 2.1—
 - (i) for “EC component” substitute “GB component”;
 - (ii) for “Article 7 of [Directive 2007/46/EC](#)” substitute “Article 23 of Regulation (EU) 2018/858”;
 - (c) in point 2.4.1, for “EC component” substitute “GB component”;
 - (d) in point 2.4.2, for “the Appendix of Annex VII to [Directive 2007/46/EC](#)” substitute “Annex V to Commission Implementing Regulation (EU) 2020/683”.
- (12) In Annex IV (requirements for type-approval of vehicles re their spray suppression systems), in point 0.1, for “Annex II to [Directive 2007/46/EC](#)” substitute “Annex I to Regulation (EU) 2018/858”.
- (13) In Annex V (conformity of production and cessation of production)—
 - (a) in point 1.1, 1.2 and 2, for “EC component” each time it occurs, substitute “GB component”;
 - (b) in point 1.1 for “EC type-approval” substitute “GB type-approval”.