
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under paragraphs (a), (d) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to retained EU law relating to carbon dioxide emission performance standards for cars, vans and heavy-duty vehicles.

Part 2 amends Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO₂ emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (Regulation (EU) 2019/631). It also amends Commission Regulations and Decisions made under Regulation (EU) 2019/631 concerning:

- (a) monitoring and reporting of data on the registration of new passenger cars and vans;
- (b) derogations from carbon dioxide emissions targets for manufacturers of new cars and vans;
- (c) approval and certification of innovative technologies for reducing carbon dioxide emissions from new cars and vans; and
- (d) methodology for determining the correlation parameters necessary for reflecting the change in the regulatory test procedure for new cars and vans.

In addition, using powers conferred by Article 10(8) of Regulation (EU) 2019/631, regulation 3(10)(b) of these Regulations amends the calculation formula of the carbon dioxide emission derogation targets set out in Part A of Annex 1 to that Regulation. This corrects an error introduced by regulation 2(2)(f) of the Road Vehicle Carbon Dioxide Emission Performance Standards (Cars and Vans) (Miscellaneous Amendments) Regulations 2021 (S.I. 2021/1242) (“the 2021 Regulations”). Accordingly, these Regulations are being issued free of charge to all known recipients of the 2021 Regulations.

Part 3 amends Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles. That Part also amends Regulation (EU) 2019/1242 of the European Parliament and of the Council of 20 June 2019 setting CO₂ emission performance standards for new heavy-duty vehicles and amending Regulations (EC) No 595/2009 and (EU) 2018/956 of the European Parliament and of the Council and Council Directive 96/53/EC.

The net costs imposed on business, the voluntary sector and the public sector by these Regulations have been assessed as being less than £5m in any year and therefore a full impact assessment has not been prepared.

An Explanatory Memorandum has been prepared and is available alongside this instrument at www.legislation.gov.uk, or from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR.