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STATUTORY INSTRUMENTS

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**2022 No. 1361**

**The Road Vehicle Carbon Dioxide Emission  
Performance Standards (Cars, Vans and Heavy  
Duty Vehicles) (Amendment) Regulations 2022**

**PART 2**

**Cars and vans**

**CHAPTER 1**

**Regulation (EU) 2019/631**

**Amendments to Regulation (EU) 2019/631**

**3.—(1)** Regulation (EU) 2019/631 is amended as follows.

(2) In Article 1(2) (subject matter and objectives), at the end insert “as it has effect in domestic law<sup>(1)</sup>, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol<sup>(2)</sup>”.

(3) In Article 2 (scope)—

(a) in paragraph 1—

(i) in point (a), for “Annex II to [Directive 2007/46/EC](#) (‘passenger cars’)” substitute “Article 4 of Regulation (EU) 2018/858<sup>(3)</sup>, as it has effect in domestic law (in respect of vehicles with GB type-approval) or, where relevant, Article 4 of Regulation (EU) 2018/858<sup>(4)</sup> as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol (in respect of vehicles with UK (NI) type-approval or EU type-approval) (‘passenger cars’),”;

(ii) in point (b)—

(aa) for “Annex II to [Directive 2007/46/EC](#)” substitute “Article 4 of Regulation (EU) 2018/858, as it has effect in domestic law (in respect of vehicles with GB type-approval) or, where relevant, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol (in respect of vehicles with UK (NI) type-approval or EU type-approval),”;

(bb) after “Article 2(2) of Regulation [\(EC\) No 715/2007](#)” insert “as it has effect in domestic law<sup>(5)</sup> (in respect of vehicles with GB type-approval) or, where relevant, as that Regulation has effect in EU law as amended from time to

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(1) EUR 2017/1151, amended by [S.I. 2022/1273](#).

(2) OJ No. L 175, 07.07.2017, p. 1; amended by Commission Regulation (EU) 2017/1154, 2017/1347 and 2018/1832.

(3) EUR 2018/858, amended by [S.I. 2019/648](#), [2020/818](#) and [2022/1273](#).

(4) OJ No. L 151, 14.06.2018, p. 1; amended by Regulation (EU) 2019/2144 and Commission Delegated Regulation (EU) 2021/1445.

(5) EUR 2007/715.

- time and by virtue of the Northern Ireland Protocol<sup>(6)</sup> (in respect of vehicles with UK (NI) type-approval or EU type-approval)”;
- (cc) for “[Directive 2007/46/EC](#) and Regulation (EC) No 715/2007” substitute “Regulation (EU) 2018/858 and Regulation (EC) No 715/2007, as those Regulations have effect in domestic law (in respect of vehicles with GB type-approval) and, where relevant, as those Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol (in respect of vehicles with UK (NI) type-approval or EU type-approval)”;
- (b) for paragraph 3 substitute—
- “3. This Regulation does not apply to special purpose vehicles as defined in:
- (a) point 5 of Part A of Annex 1 to Regulation (EU) 2018/858, as that Regulation has effect in domestic law, in the case of vehicles with GB type-approval; or
- (b) point 5 of Part A of Annex 1 to Regulation (EU) 2018/858, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol, in the case of vehicles with UK (NI) type-approval or EU type-approval.”.
- (4) In Article 3(1) (definitions)—
- (a) in point (b), for “Article 18 of [Directive 2007/46/EC](#)” substitute “Articles 36 and 37 of Regulation (EU) 2018/858, as it has effect in domestic law, or as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
- (b) in points (c) and (d), for “[Directive 2007/46/EC](#)”, both times it occurs, substitute “Regulation (EU) 2018/858, as it has effect in domestic law, or as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
- (c) for point (f) substitute—
- “(f) “manufacturer” means the person or body responsible to the relevant approval authority for all aspects of:
- (i) the GB type-approval procedure, the UK (NI) type-approval procedure or the EU type-approval procedure; and
- (ii) for ensuring conformity of production.”;
- (d) in point (g), for “Annex I to [Directive 2007/46/EC](#)” substitute “Annex 1 to Commission Implementing Regulation (EU) 2020/683, as it has effect in domestic law<sup>(7)</sup>, or, as the case may be, in point 2.6 of Annex 1 to Commission Implementing Regulation (EU) 2020/683 as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol<sup>(8)</sup>”;
- (e) in point (h)—
- (i) after “Regulation (EC) No 715/2007 and its implementing Regulations” insert “, as that Regulation and its implementing Regulations have effect in domestic law or, as the case may be, as that Regulation and its implementing Regulations have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol.”;

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<sup>(6)</sup> OJ No. L 171, 29.06.2007, p. 1; amended by [Commission Regulation \(EC\) No 692/2008](#), [Regulation \(EC\) No 595/2009](#), [Commission Regulation \(EU\) No 566/2011](#), No 459/2012, and Regulation (EU) 2018/858.

<sup>(7)</sup> EUR 2020/683, amended by [S.I. 2022/1273](#).

<sup>(8)</sup> OJ No. L 163, 26.05.2020, p. 1; amended by [Commission Implementing Regulation \(EU\) 2022/195](#), [2022/799](#), [2022/1177](#) and [2022/1362](#).

- (ii) after “not type-approved in accordance with Regulation (EC) No 715/2007,” insert “as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
- (iii) after “pursuant to Regulation (EC) No 715/2007,” insert “as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
- (iv) after “Regulation (EU) 2017/1151,” insert “as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
- (f) in point (i), for “Annex I to Directive 2007/46/EC” substitute “Annex 1 to Commission Implementing Regulation (EU) 2020/683, as it has effect in domestic law or, as the case may be, points 2.1 and 2.3 of Annex 1 to Commission Implementing Regulation (EU) 2020/683 as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
- (g) in point (l), after “Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, point 3.2.25 of Annex 11 to Regulation (EU) 2017/1151 as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
- (h) in point (m), after “Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
- (i) in point (n), for “Annex II to Directive 2007/46/EC” substitute “Article 2 of Commission Regulation (EU) 1230/2012<sup>(9)</sup> or, as the case may be, paragraph 1.6 of Section A of Part 2 of Annex 8 to Regulation (EU) 2021/535<sup>(10)</sup>, as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
- (j) after point (p) insert—
  - “(q) “GB type-approval” means the procedure whereby the approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements of Regulation (EU) 2018/858, and “GB type-approved” is to be construed accordingly;
  - (r) “UK (NI) type-approval” means an EU type-approval granted by the Secretary of State in respect of Northern Ireland in accordance with Regulation (EU) 2018/858, as it has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol, and “UK (NI) type-approved” is to be construed accordingly;
  - (s) “EU type-approval” means the procedure whereby an approval authority certifies that a type of vehicle, system, component or separate technical unit satisfies the relevant administrative provisions and technical requirements of Regulation (EU) 2018/858, as it has effect in EU law as amended from time to time, and “EU type-approved” is to be construed accordingly;
  - (t) “approval authority” means the authority or authorities with competence for all aspects of the type-approval of a vehicle, system, component or separate technical unit, or of the individual vehicle approval, for the authorisation process for parts and equipment, for issuing and, if appropriate, for withdrawing or refusing type-

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<sup>(9)</sup> EUR 2012/1230, amended by S.I. 2019/648 and 2022/1273.

<sup>(10)</sup> OJ No. L 117, 06.04.2021, p. 1.

- approval certificates, for designating the technical services, and for ensuring that the manufacturer meets its obligations regarding the conformity of production;
- (u) “type-approval certificate” means the document whereby the approval authority officially certifies that a type of vehicle, system, component or separate technical unit is type-approved;
  - (v) “the Northern Ireland Protocol” means the Protocol on Ireland/Northern Ireland in the EU withdrawal agreement.”.
- (5) In Article 7 (monitoring and reporting of average emissions)—
- (a) in paragraph 1, after “Regulation (EC) No 715/2007” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
  - (b) in paragraph 11—
    - (i) for “Annex II to Directive 2007/46/EC” substitute “Article 4 of Regulation (EU) 2018/858, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
    - (ii) after “Article 2(2) of Regulation (EC) No 715/2007” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”.
- (6) In Article 10(4) (derogations for certain manufacturers), in point (c), after “Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”.
- (7) In Article 12 (real-world CO2 emissions and fuel or energy consumption)—
- (a) in paragraph 1, after “Regulation (EC) No 715/2007” insert “, as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
  - (b) in paragraph 3, after “Regulation (EC) No 715/2007” insert “, as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”.
- (8) In Article 13 (verification of the CO2 emissions of vehicles in-service)—
- (a) in paragraph 1, after “Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
  - (b) in paragraph 2, after “Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol,”;
  - (c) in paragraph 3, after “Chapter XI of Regulation (EU) 2018/858,” insert “as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time or by virtue of the Northern Ireland Protocol,”.
- (9) In Article 15 (review and report)—
- (a) in paragraph 2, after “Regulation (EC) 715/2007” insert “, as it has effect in domestic law, and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
  - (b) in paragraph 7, for the words from “Regulations (EC) No 715/2007” to the end, substitute “Regulation (EC) No 715/2007 and, where applicable, Commission Regulation (EU) 2017/1151, as those Regulations have effect in domestic law, and as those Regulations

- have effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”.
- (10) In Part A of Annex 1 (specific emissions targets for passenger cars)—
- (a) in point 3—
    - (i) after “Annex XXI to Regulation (EU) 2017/1151” insert “, as it had effect in EU law immediately before IP completion day,”;
    - (ii) after “Implementing Regulation (EU) 2017/1153” insert “, as it had effect in EU law immediately before IP completion day(11),”;
  - (b) in point 5, in point (a), for “NEDCCO2 is WLTPCO2 as defined in point 3” substitute “NEDCCO2 is NEDCCO2 as defined in point 3”;
  - (c) in point 6.0, after “Article 7a of Implementing Regulation (EU) 2017/1153” insert “, as it had effect in EU law immediately before IP completion day”.
- (11) In Part B of Annex 1 (specific emissions targets for light commercial vehicles)—
- (a) in point 3—
    - (i) after “Annex XXI to Regulation (EU) 2017/1151” insert “, as it had effect in EU law immediately before IP completion day,”;
    - (ii) after “Implementing Regulation (EU) 2017/1152,” insert “as it had effect in EU law immediately before IP completion day(12),”;
  - (b) in point 6.0, after “Article 7a of Implementing Regulation (EU) 2017/1152” insert “, as it had effect in EU law immediately before IP completion day”.
- (12) In Part A of Annex 2 (collection of data on new passenger cars and determination of CO2 emissions monitoring information)—
- (a) in point 3(a), for “EC type-approval” substitute “GB type-approval, UK (NI) type-approval and EU type-approval”;
  - (b) in point 3(c), before “national type-approval of small series” insert “GB type-approval of small series and”;
- (13) In Section 1 of Part B of Annex 2 (aggregated monitoring data), in the first column of the table—
- (a) for “EC type-approval” substitute “GB type-approval, UK (NI) type-approval and EU type-approval”;
  - (b) before “national type-approval of small series” insert “GB type-approval of small series and”.
- (14) In Section 2 of Part B of Annex 2 (detailed monitoring data – one vehicle record), in note (1), for “In the case of national type-approval of small series (NSS) or individual approval (IVA),” substitute “In the case of GB type-approval of small series or national type-approval of small series (both to be labelled as NSS), or individual approval (IVA),”.
- (15) In Part A of Annex 3 (collection of data on new light commercial vehicles and determination of CO2 emissions monitoring information)—
- (a) in point 1.1—
    - (i) in the words before point (a), for “EC type-approved” substitute “GB type-approved, UK (NI) type-approved and EU type-approved”;

(11) OJ No. L 175, 07.07.2017, p. 679; amended by Commission Implementing Regulation (EU) 2017/1231, 2018/1002, 2018/2043 and 2019/1840.

(12) OJ No. L 175, 07.07.2017, p. 644; amended by Commission Implementing Regulation (EU) 2018/1003, 2018/2042 and 2019/1839.

- (ii) in point (q), at the end insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
  - (b) in point 1.2.1.2, after “Annex XXI to Regulation (EU) 2017/1151” insert “, as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol”;
  - (c) in point 1.2.2, after “Annex XXI to Regulation (EU) 2017/1151”, both times it occurs, insert “(as it has effect in domestic law or, as the case may be, as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol)”;
  - (d) in point 1.2.4—
    - (i) after “Annex XXI of Regulation (EU) 2017/1151”, each time it occurs, insert “(as it has effect in domestic law and as that Regulation has effect in EU law as amended from time to time and by virtue of the Northern Ireland Protocol)”;
    - (ii) for “EC type-approval” substitute “GB type-approval, UK (NI) type-approval or EU type-approval”;
    - (iii) in the key to Formula 2, after “Section 5 of Annex XII to Regulation (EC) No 692/2008” insert “, as it had effect in EU law immediately before IP completion day(13)”;
  - (e) in point 3—
    - (i) in point (a), for “EC type-approval” substitute “GB type-approval, UK (NI) type-approval and EU type-approval”;
    - (ii) in point (d), before “national type-approval of small series” insert “GB type-approval of small series and”.
- (16) In Part B of Annex 3 (methodology for determining CO2 monitoring information for new light commercial vehicles), in paragraph 1—
- (a) for “EC type-approval” substitute “type-approval (that being the total number of vehicles subject to GB type-approval, UK (NI) type-approval and EU type-approval)”;
  - (b) before “and national type-approval of small series” insert “, GB type-approval of small series”.
- (17) In Part C of Annex 3 (formats for transmission of data)—
- (a) in Section 1, in the table entitled “aggregated monitoring data”—
    - (i) for “EC type-approval” substitute “GB type-approval, UK (NI) type-approval and EU type-approval”;
    - (ii) before “national type-approval of small series” insert “GB type-approval of small series and”;
  - (b) in Section 2—
    - (i) in the table entitled “detailed monitoring data — one vehicle record”, omit the row after row (w);
    - (ii) in note (2), for “In the case of national type-approval of small series (NSS) or individual approval (IVA),” substitute “In the case of GB type-approval of small series or national type-approval of small series (both to be labelled as NSS), or individual approval (IVA),”.

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(13) OJ No. L 199, 28.7.2008, p. 1; amended by [Commission Regulation \(EU\) No 566/2011](#), No 459/2012, No 630/2012, No 143/2013, No 171/2013, No 195/2013, No 519/2013, No 136/2014, 2015/45, 2016/427, 2016/646, 2017/1151, 2017/1221, and 2018/1832.

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