STATUTORY INSTRUMENTS

2019 No. 1156

EXITING THE EUROPEAN UNION

ROAD TRAFFIC

ENVIRONMENTAL PROTECTION

The Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) (No. 3) Regulations 2019

Sift requirements satisfied	*18th July 2019*
Made - - - -	*20th July 2019*
Laid before Parliament	*24th July 2019*
Coming into force in accordance with regulation 1	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018(**a**).

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) (No. 3) Regulations 2019 and come into force on the twenty-second day after these Regulations are laid.

Amendment of the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019

2. In the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019(**b**)—

(a) for regulation 6(3)(c), substitute—

"(c) after paragraph (12), insert—

"(13) During the period beginning with exit day and ending with the 31st December next following the end of the relevant period—

(**a**) 2018 c. 16.
(**b**) S.I. 2019/648, as amended by S.I. 2019/691.

(a) the figures shown in column (2) of Table 1 in paragraph (12) corresponding to vehicle categories M_1 and N_1 in column (1) are to be read as though they were "1000"; and

(b) the figures shown in column (2) of Table 1 and Table 2 in paragraph (12) corresponding to all other vehicle categories in column (1) are to be read as though they were multiplied by a factor of two.

(14) In paragraph (13), the "relevant period" means the period of six months beginning with the day on which exit day falls.".";

(b) after regulation 10, insert—

"PART 6A

Revocation of retained direct EU legislation and transitional provision

Revocation of Regulation (EU) 2019/26 and transitional provision

10A.—(1) Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019 complementing Union type-approval legislation with regard to the withdrawal of the United Kingdom from the Union—

(a) is revoked; and

(b) is to be treated as though it never formed part of retained EU law.

(2) Any valid UK type-approval (as defined in Article 3(2) of Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019 complementing Union type-approval legislation with regard to the withdrawal of the United Kingdom from the Union(**a**), as it had effect in EU law before exit day) existing immediately before exit day—

(a) to the extent it is rendered invalid by—

(i) the third sentence of Article 5(5) of that Regulation; or

(ii) the third sentence of Article 5(5) of that Regulation as it formed part of retained EU law (but for the operation of paragraph (1)) on exit day,

is revived; and

(b) continues to be valid on and after exit day.".

Signed by authority of the Secretary of State for Transport

Michael Ellis
Minister of State
Department for Transport

20th July 2019

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) and (g) of section 8(2)) arising from the withdrawal of the United Kingdom from the European Union. They amend the Road Vehicles and Non-Road Mobile Machinery (Type-Approval) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/648) ("the principal Regulations") to—

(**a**) OJ L 8I , 10.1.2019, p. 1.

— vary the period during which the increase in permitted production limits for National Small Series Type Approval provided for by the principal Regulations applies. This is necessary due to the change in exit day from the original 29th March 2019. (See regulation 2(a).)

— replace the multiplication factor applied to the figures in Table 1 of Regulation 25 of the Road Vehicles (Approval) Regulations 2009 (S.I. 2009/717) by the principal Regulations relating to vehicle categories M_1 and N_1 with a limit of 1000 vehicles. (See regulation 2(a).) The multiplication factor applied to figures relating to all other vehicle categories remains as provided for by the Principal Regulations.

— revoke Regulation (EU) 2019/26 (which makes provision in EU legislation for the United Kingdom's withdrawal from the European Union) and make transitional provision in respect of that revocation. (See regulation 2(b).)

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.

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