



STATUTORY INSTRUMENTS.

S.I. No. 53 of 2019

EUROPEAN COMMUNITIES (ROAD VEHICLES: TYPE-APPROVAL)
(AMENDMENT) REGULATIONS 2019

S.I. No. 53 of 2019

European Communities (Road Vehicles: Type-Approval) (Amendment)
Regulations 2019

I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007¹ and full effect to Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019² in so far as that Regulation applies to the type approval of motor vehicles and their trailers, components, systems and separate technical units specified in Directive 2007/46/EC¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Road Vehicles: Type-Approval) (Amendment) Regulations 2019.

2. The European Communities (Road Vehicles: Type-Approval) Regulations 2009 (S.I. No. 158 of 2009) are amended -

(a) in Regulation 3 -

(i) in paragraph (1) by the insertion of the following definitions:

“ ‘Regulation (EU) 2019/26’ means Regulation (EU) 2019/26 of the European Parliament and of the Council of 8 January 2019²;

‘UK type-approval’ means UK type-approval within the meaning of Article 3 (2) of Regulation (EU) 2019/26;”, and

(ii) by the insertion of the following paragraph after paragraph (1):

“(1A) A reference in these Regulations to the Framework Directive or to an Article of that Directive shall be read as a reference to the Framework Directive or the Article thereof, as the case may be, where applicable, as modified by Regulation (EU) 2019/26.”,

and

¹ O.J. L263, 9.10.2007, p.1

² O.J. L.81, 10.1.2019, p. 1

(b) in Regulation 7, by the insertion of the following paragraph after paragraph (2):

“(2A) Notwithstanding paragraph (2)(b), a manufacturer who has been granted UK type-approval in respect of a vehicle, system, component or separate technical unit may, at any time before the date on which the Framework Directive or any regulatory act of the European Union listed in Annex IV to the Framework Directive or any regulatory act repealed by those regulatory acts cease to apply to and in the United Kingdom, make an application to the Approval Authority under paragraph (1) in respect of the vehicle, system, component or separate technical unit concerned, provided that on the date on which the application is made, the UK type-approval is not invalid under Article 17 of the Framework Directive.”.



GIVEN under my Official Seal,
15 February 2019

SHANE ROSS
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations amend the European Communities (Road Vehicles: Type-Approval Regulations 2009 (S.I. No. 158 of 2009) to allow manufacturers apply for type-approval to the National Standards Authority of Ireland for a vehicle, system, component or separate technical unit approved by the United Kingdom's Type-Approval Authority.

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