



STATUTORY INSTRUMENTS.

S.I. No. 656 of 2025

EUROPEAN UNION (MOTOR VEHICLE TYPE-APPROVAL – CRITERIA
FOR IO APPROVAL AND IO EMPLOYEE AUTHORISATION)
REGULATIONS 2025

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I, DARRAGH O'BRIEN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving full effect to Annex X, Appendix 3, to Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018¹, as amended by Commission Delegated Regulation (EU) 2021/1244 of 20 May 2021², hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Motor Vehicle Type-Approval – Criteria for IO Approval and IO Employee Authorisation) Regulations 2025.

Interpretation

2. (1) In these Regulations—

“CAB” or “conformity assessment body” means a body accredited by the Irish National Accreditation Board that performs conformity assessment activities including calibration, testing, certification and inspection for the purposes of Regulation (EU) 2018/858;

“conformity assessment” means the process demonstrating whether specified requirements relating to a product, process, service, system, person or body have been fulfilled;

“criminal offence” includes an offence under the law of a state other than the State that corresponds to an offence under the law of the State, where the act or omission constituting the offence under the law of the other state would, if committed in the State, constitute an offence under the law of the State;

“criminal record”, in relation to a person, means—

- (a) a record of the person’s convictions, whether within or outside the State, for any criminal offences, together with any ancillary or consequential orders made pursuant to the convictions concerned, or
- (b) a record of any prosecutions pending against the person, whether within or outside the State, for any criminal offence,

or both;

¹ OJ No. L 151, 14.6.2018, p. 1

² OJ No. L 272, 30.7.2021, p. 16

“Regulation (EU) 2018/858” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018¹, as amended by Commission Delegated Regulation (EU) 2021/1244 of 20 May 2021².

(2) A word or expression which is used in these Regulations and which is also used in Regulation (EU) 2018/858 has, unless the context otherwise requires, the same meaning in these Regulations as it has in Regulation (EU) 2018/858.

Request by CAB to An Garda Síochána for criminal record check

3. A conformity assessment body (“CAB”) shall when —
- (a) checking, before approving an independent operator, whether the independent operator or the IO employees have a clean criminal record for the purpose of point 4.3.3(h), or
 - (b) verifying, before authorising an employee as an IO employee, whether the employee has a clean criminal record for the purpose of point 4.3.4(b),

of Appendix 3, Annex X to Regulation (EU) 2018/858, make a request to a member of An Garda Síochána, authorised in that behalf, for a criminal record check and disclosure in respect of the independent operator or the IO employee or the employee for IO employee authorisation.

Disclosure by An Garda Síochána to CAB of criminal record check

4. (1) Where a member of An Garda Síochána receives a request from a CAB, made under Regulation 3, for a criminal record check and disclosure, in respect of a person referred to in that Regulation, the member shall—

- (a) make such enquiries he or she deems necessary to establish whether there is any criminal record relating to the person, and
- (b) upon completion of his or her enquiries, make a disclosure to the CAB, in the form (including electronic form) specified under paragraph (2).

(2) A disclosure made under paragraph (1)(b) shall be in such form (including electronic form) as An Garda Síochána may specify. The disclosure, in respect of the criminal record check of the person who is the subject of the request for a criminal record check and disclosure, shall—

- (a) where there is a criminal record relating to the person, give particulars of the criminal record, or
- (b) where there is no criminal record relating to the person, state that there is no such criminal record.



GIVEN under my Official Seal,
19 December, 2025.

DARRAGH O'BRIEN,
Minister for Transport.

EXPLANATORY NOTE

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

These Regulations provide for an application to be made by a conformity assessment body (CAB) to An Garda Síochána for a criminal record check and disclosure of a person to ascertain if the person or his or her employees, for the purpose of IO approval, or the person, for the purpose of IO employee authorisation, has a clean criminal record.

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