
STATUTORY INSTRUMENTS

2006 No. 2565

**The Road Vehicles (Construction and Use) and
Motor Vehicles (Type Approval for Goods Vehicles)
(Great Britain) (Amendment) Regulations 2006**

Amendment of Schedule 7XA

- 6.—(1) Schedule 7XA to the 1986 Regulations shall be amended as follows.
- (2) Sub-paragraph (4A) of paragraph 1 shall be replaced with the following—
- “(4A) No provision of any Community Directive specified in an item numbered 1 or 2 in the Table in regulation 61A shall be deemed to be a design, construction or equipment requirement applying to, or to impose limit values in relation to, a vehicle by virtue of paragraphs (2) and (3) of regulation 61A, if the vehicle is—
- (a) a type approval end of series vehicle,
 - (b) a non-type-approval end of series vehicle, or
 - (c) a late entry into service vehicle,
- in relation to such a provision, and the vehicle is first used before the first anniversary of the date as is specified (as defined in regulation 61A) by the relevant Community Directive in item 1 or 2 in the Table in regulation 61A.”
- (3) In paragraph 2(2)—
- (a) the words “or an item numbered 1 or 2 in the Table in regulation 61A” shall be replaced with “or any provision of any Community Directive specified in item 1 or 2 in the Table in regulation 61A”;
 - (b) the words “or, in relation to item 1 or 2 of the Table in regulation 61A, on the date as is specified (as defined in regulation 61A) by the relevant Community Directive” shall be replaced with “or, in relation to any provision of any Community Directive specified in item 1 or 2 in the Table in regulation 61A, on the date as is specified (as defined in regulation 61A) by the relevant Community Directive”;
 - (c) at the end of paragraph 2(2), the words “or in relation to item 1 or 2 of regulation 61A, the date as is specified by the relevant Community Directive” shall be replaced with “or in relation to any provision of any Community Directive specified in item 1 or 2 in the Table in regulation 61A, the date as is specified by the relevant Community Directive”;
 - (d) the word “or” after paragraph (a) shall be omitted;
 - (e) after paragraph (b), the following shall be inserted—
 - “or
 - (c) by virtue of regulations 12 and 13 of, and Schedule 2 to, the EC Whole Vehicle Type Approval Regulations,”; and
 - (f) after paragraph (c) (as inserted by this regulation), the words “both of which Schedules” shall be replaced with “which”.
- (4) After sub-paragraph (2) of paragraph 2, the following sub-paragraph shall be inserted—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Road Vehicles (Construction and Use) and Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) (Amendment) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“(2A) For the purposes of paragraph 1, a vehicle is a type-approval end of series vehicle in relation to an item in the Table in regulation 55A, or in Table II in regulation 61, or any provision in any Community Directive specified in item 1 or 2 in the Table in regulation 61A, if it has been exempted from that item or provision under—

(a) the laws of a relevant State (as defined by paragraph 5(1)(c)) other than the United Kingdom, or

(b) the laws applicable in Northern Ireland, pursuant to Article 8(2)(b) of the Framework Directive.”.

(5) Sub-paragraph (1) of paragraph 7 shall be replaced with the following—

“(1) For the purposes of paragraph 1, a vehicle is a non-type approval end of series vehicle in relation to an item or provision if it meets the requirements of sub-paragraph (2) in relation to the item or provision.”.

(6) In sub-paragraph (2) of paragraph 7, the words from the beginning of the sub-paragraph to the word “if” shall be replaced with the following—

“(2) A vehicle meets the requirements of this sub-paragraph in relation to an item or provision if—”.

(7) In paragraph 7(2)(a), after the words “nor the Type Approval for Goods Vehicles Regulations”, there shall be inserted “nor the EC Whole Vehicle Type Approval Regulations”.

(8) In paragraph 7(2)(e)(ii), the words from “or in relation to” to the end shall be replaced with “or in relation to any provision of any Community Directive specified in item 1 or 2 in the Table in regulation 61A, on the date as is specified (as defined in regulation 61A) by the relevant Community Directive, is less than the specified number, or 100, whichever is the greater.”.

(9) In paragraph 8, after the words “and a particular item”, there shall be inserted “, or provision”.

(10) Sub-paragraph (b) of paragraph 8 shall be replaced with the following—

“(b) is a “vehicle” within the meaning of Community Directive 70/220 (as amended by Community Directive 83/351) or Community Directive 2005/55 (as amended by Community Directives 2005/78 and 2006/51);”.

(11) In paragraph 9(1), after the words “and a particular item”, there shall be inserted “or provision” and for “10%” there shall be substituted “30%”.

(12) In paragraph 9(1)(a), after the words “nor the Type Approval for Goods Vehicles Regulations”, there shall be inserted “nor the EC Whole Vehicle Type Approval Regulations”.

(13) Paragraph 9(2)(a) shall be replaced with the following—

“(a) is a “vehicle” within the meaning of Community Directive 70/220 (as amended by Community Directive 83/351) or Community Directive 2005/55 (as amended by Community Directives 2005/78 and 2006/51);”.

(14) In paragraph 9(2)(c), after the words “or, in relation to”, there shall be inserted “any provision of any Community Directive specified in”.

(15) In paragraph 11(c), after the words “in relation to”, there shall be inserted “any provision of any Community Directive specified in”.

(16) In paragraph 12, after the words “in relation to an item”, there shall be inserted “or provision”.

(17) In paragraph 12(b), after the words “or, in relation to”, there shall be inserted “any provision of any Community Directive specified in”.

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Commencement Information

- I1** Reg. 6(1)-(9)(11)(12)(14)-(17) in force at 20.10.2006, see [reg. 1\(2\)](#)
- I2** Reg. 6(10)(13) in force at 9.11.2006, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- reg. 6(10)(13) coming into force by [S.I. 2006/2565 reg. 1\(2\)](#)