

## SCHEDULES

### SCHEDULE 6

#### Consequential amendments and revocations

### PART 1

#### Consequential amendments

#### CHAPTER 1

#### Primary legislation

#### **Amendment of the Public Passenger Vehicles Act 1981**

1.—(1) Section 6 of the Public Passenger Vehicles Act 1981 <sup>M1</sup> (certificate of initial fitness (or equivalent) required for use as public service vehicles) is amended as follows.

(2) In subsection (1)(d)(i), for “EC certificate of conformity”, substitute “ EU certificate of conformity ”.

(3) In subsection (1ZB), for “regulation 6”, substitute “ regulation 21 ”.

(4) For subsection (3), substitute—

“(3) In this section—

“Approval Regulations” means the Road Vehicles (Approval) Regulations 2020;

“EU certificate of conformity” has the same meaning as “certificate of conformity” in Article 3(5) of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;

“individual approval certificate” means a certificate issued under regulation 18(10) of the Approval Regulations;

“national small series certificate of conformity” means a certificate issued under regulation 16(7) of the Approval Regulations.”.

#### **Commencement Information**

**II** Sch. 6 para. 1 in force at 1.9.2020, see reg. 1(b)

#### **Marginal Citations**

**M1** 1981 c.14. Relevant amendments were made by [S.I. 2009/818](#).

#### **Amendment of the Road Traffic Act 1988**

2.—(1) The Road Traffic Act 1988 <sup>M2</sup> is amended as follows.

(2) In section 67<sup>M3</sup> (testing of condition of vehicles on roads), in subsection (3B)(a), for “Annex II to the road vehicles type approval Directive”, substitute “ Article 4 of the road vehicles type approval Regulation ”.

(3) In section 79<sup>M4</sup> (further provisions relating to weighing of motor vehicles)—

(a) in subsection (A2), for “Annex II to Directive 2007/46/EC”, substitute “ Article 4 of the road vehicles type approval Regulation ”;

(b) omit subsection (6).

(4) In section 85(1) (interpretation of Part II), in the definition of “EC certificate of conformity”<sup>M5</sup>—

(a) in paragraph (a)—

(i) in sub-paragraph (iii), omit the second “or”;

(ii) in sub-paragraph (iv), at the end, insert—

“, or

(v) Article 36 or 37 of the road vehicles type approval Regulation;”;

(b) in paragraph (d)—

(i) in sub-paragraph (i), omit “or”;

(ii) in sub-paragraph (ii), at the end, insert—

“, or

(iii) Article 36 or 37 of the road vehicles type approval Regulation;”.

(5) In section 85(1) (interpretation of Part II), after the definition of “the road vehicles type approval Directive”<sup>M6</sup>, insert—

““the road vehicles type approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles,”.

(6) In section 86 (index to Part II), in the table, after the entry relating to “Road vehicles type approval Directive”, insert—

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“Road vehicles type approval Regulation

Section 85”.

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#### Commencement Information

**I2** Sch. 6 para. 2 in force at 1.9.2020, see reg. 1(b)

#### Marginal Citations

**M2** 1988 c.52.

**M3** Subsection (3B) was inserted by [S.I. 2011/996](#) and substituted by [S.I. 2017/849](#).

**M4** Subsections (A2) and (6) were inserted by [S.I. 2011/996](#).

**M5** The definition was inserted by [S.I. 1992/3107](#), substituted by [S.I. 2009/818](#) and partially substituted by [S.I. 2018/235](#) and 236.

**M6** The definition was inserted by [S.I. 2009/818](#).

### **Amendment of the Vehicle Excise and Registration Act 1994**

3.—(1) Schedule 1 to the Vehicle Excise and Registration Act 1994 <sup>M7</sup> (annual rates of duty) is amended as follows.

(2) In Part IA (light passenger vehicles registered before 1 April 2017: graduated rates of duty)—

(a) in paragraph 1A, for sub-paragraph (2), substitute—

“(2) In sub-paragraph (1)(b)(i) a “light passenger vehicle” means, as the case may be, a vehicle—

- (a) within Category M<sub>1</sub> of Annex II to Council Directive [70/156/EEC](#) (vehicle with at least four wheels used for carriage of passengers and comprising no more than 8 seats in addition to the driver's seat),
- (b) within Category M<sub>1</sub> of Annex II to Directive [2007/46/EC](#) (vehicle designed and constructed primarily for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat), or
- (c) within Category M<sub>1</sub> of Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (vehicle designed and constructed primarily for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat).”;

(b) in paragraph 1G, for sub-paragraph (1), substitute—

“(1) References in this Part of this Schedule to an “EU certificate of conformity” are to a certificate of conformity within the meaning of—

- (a) Council Directive [70/156/EEC](#),
- (b) Directive [2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007, or
- (c) Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”.

(3) In Part 1AA (light passenger vehicles registered on or after 1 April 2017), in paragraph 1GA—

(a) for sub-paragraph (2), substitute—

“(2) In sub-paragraph (1)(b)(i) a “light passenger vehicle” means—

- (a) a vehicle within Category M<sub>1</sub> of Annex II to Directive [2007/46/EC](#) (vehicle designed and constructed primarily for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat), or
- (b) a vehicle within Category M<sub>1</sub> of Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (vehicle designed and constructed primarily for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat).”;

(b) for sub-paragraph (2A) <sup>M8</sup>, substitute—

“(2A) For the purposes of sub-paragraph (1A) a vehicle is a “motor caravan” if the certificate mentioned in sub-paragraph (1)(b) identifies the vehicle as a motor caravan within the meaning of—

- (a) Annex II to Directive [2007/46/EC](#), or
  - (b) Part A of Annex I to Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”;
- (c) for sub-paragraph (4), substitute—
- “(4) References in this Part of this Schedule to an “EU certificate of conformity” are to a certificate of conformity within the meaning of—
- (a) Directive [2007/46/EC](#), or
  - (b) Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”.
- (4) In Part IB (light goods vehicles), in paragraph 1H, for sub-paragraph (2), substitute—
- “(2) In sub-paragraph (1)(b) a “light goods vehicle” means, as the case may be, a vehicle—
- (a) within Category N<sub>1</sub> of Annex II to Council Directive [70/156/EEC](#) (vehicle with four or more wheels used for carriage of goods and having a maximum mass not exceeding 3.5 tonnes),
  - (b) within Category N<sub>1</sub> of Annex II to Directive [2007/46/EC](#) (vehicle designed and constructed primarily for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes), or
  - (c) within Category N<sub>1</sub> of Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (vehicle designed and constructed primarily for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes).”.

**Commencement Information**

**I3** Sch. 6 para. 3 in force at 1.9.2020, see reg. 1(b)

**Marginal Citations**

**M7** [1994 c.22](#). Part IA and Part IB were inserted into Schedule 1 by section 22 of, and Schedule 3 to, the [Finance Act 2000 \(c.17\)](#). Part 1AA was inserted by section 46 of the [Finance \(No 2\) Act 2015 \(c.33\)](#).

**M8** Sub-paragraph (2A) was inserted by section 86(3) of the [Finance Act 2020 \(c.14\)](#).

**Amendment of the Income Tax (Earnings and Pensions) Act 2003**

4.—(1) Section 171(1) of the Income Tax (Earnings and Pensions) Act 2003<sup>M9</sup> (minor definitions: general) is amended as follows.

(2) For the definition of “EC certificate of conformity”, substitute—

““EC certificate of conformity” means a certificate of conformity within the meaning of—

- (a) Council Directive [70/156/EEC](#),
- (b) Directive [2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007, or

- (c) Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;”.

(3) For the definition of “EC type-approval certificate”, substitute—

““EC type-approval certificate” means—

- (a) a type-approval certificate issued under any provision of the law of a Member State implementing Council Directive [70/156/EEC](#),
- (b) an EC type-approval certificate within the meaning of Council Directive [2007/46/EC](#), or
- (c) an EU type-approval certificate within the meaning of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;”.

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**Commencement Information**

**I4** Sch. 6 para. 4 in force at 1.9.2020, see reg. 1(b)

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**Marginal Citations**

**M9** [2003 c.1](#). Relevant substitutions were made by section 48 of the [Finance Act 2018 \(c.3\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Vehicles (Approval) Regulations 2020, CHAPTER 1.