

Complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union

2018/0220(COD) - 07/11/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by Marlene MIZZI (S&D, MT) on the proposal for a regulation of the European Parliament and of the Council complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union.

To recap, the proposal aims to complement EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union. Indeed, the EU legislative framework governing the registration of a number of products will no longer apply in the United Kingdom at the date of withdrawal.

In order to remove the legal uncertainty for manufacturers which have been granted British type-approval, the proposal aims to:

- allow the manufacturers concerned to contact the EU-27 type-approval authority of their choice to ensure that the Union recognises approvals previously granted by a UK type-approval authority;
- allow the recognition of previous tests carried out by the UK type-approval authorities, while allowing the EU type-approval authorities to require new tests to be carried out;
- to preserve the Union's safety and quality standards.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission's proposal.

The proposed amendments aim to:

- introduce a reference to applications for approval in the context of systems, components, vehicles and engines in order to ensure that the text will cover all categories that may require Union type approval;
- invite manufacturers to comply with the request of the Union type-approval authority and ensure that the Union type-approval authority receives and analyses all available information before accepting a UK type-approval;
- clarify that the Union type-approval authority referred to is the same as the one that will issue the type-approval certificate;
- specify that the United Kingdom type-approval will become invalid at the latest on the day on which the United Kingdom withdraws from the Union or, if the Union and the United Kingdom agree on a transitional period in the context of the withdrawal agreement, following the last day of the transitional period. Before that date, it shall become invalid on the day on which the Union type-approval takes effect;
- specify that the Union type-approval authority will be responsible for vehicles, systems, components and separate technical units manufactured on the basis of the United Kingdom type-approval and placed or to be placed on the market, registered or put into service in the Union in accordance with the provisions of the Regulation;
- ensure that a market surveillance authority will cover vehicles, systems, components or separate technical units, which may be in an uncertain situation after the invalidation of the United Kingdom approval as a result of the granting of an EU type approval, and specify that manufacturers will have to provide an additional certificate of conformity so that the new type approval authority is in a position to assume responsibility for these vehicles;
- point out that the Union type-approval authority will not be held liable for the acts or omissions of the United Kingdom type-approval authority;
- provide that the Regulation should not exclude the placing on the market, registration or entry into service of engines or non-road vehicles and mobile machinery on which such engines are installed conforming to a type for which British type-approval has lapsed before the day on which Union law ceased to apply to and in the United Kingdom.