

COM(2023)451 Proposal for a Regulation on circulatory requirements for vehicle design and on management of end-of-life vehicles

Written answers from the Department of Agriculture, Environment and Rural Affairs

Regulatory alignment / divergence and GB-NI Movement

The UK Government's [Explanatory Memorandum](#) (EM) dated 11 April 2024 states "UKNI approval will continue to be sufficient to sell into both the NI and GB markets". Manufacturers in GB can also choose to follow the [GB type approval scheme](#) if they do not wish to place vehicles on the market in NI or the EU. A Department for Transport [policy paper](#) on type approval, published in May 2024, stated that "we seldom expect manufacturers to seek a GB type approval exclusively."

- How would this proposal, if applied in NI, effect regulatory divergence between the UKNI and GB type approval regimes?
 - The provisions of the proposed EU Regulation concerned with type approval are reserved to the UK Government; however, the Department for Infrastructure will have an interest from a Northern Ireland perspective. DAERA is solely concerned with the waste aspect of the EU Proposal.
- In your view, is it likely that any manufacturers in GB would switch from UKNI to GB type approval as a result of this proposal being applied in NI?
 - As noted above, type approval and vehicle design are reserved to the UK Government. DAERA is solely concerned with the waste aspect of the EU Proposal.
- If it appears likely, how would you expect that to impact the availability of cars for sale in NI?
 - As noted above, type approval and vehicle design are reserved to the UK Government. DAERA is solely concerned with the waste aspect of the EU Proposal.

Engagement with UKG

DAERA's initial assessment of impact states that UKG recognises the merits of the policy intent of the proposed Regulation and "already has similar policy plans." DfI's initial assessment of impact states that it continues to engage DfT on the creation of an updated EM.

- Has UKG provided any further indication of whether, and how, it intends to align the GB type approval regime with the requirements in this proposal?
 - (DAERA) As noted previously type approval is reserved to the UK Government. DAERA is solely concerned with the waste aspect of the EU Proposal.

Engagement with stakeholders

DAERA's initial assessment of impact states officials attended the (DEFRA led) ELV Stakeholder Consultation group, which met quarterly throughout 2023 & 2024 and was attended by a broad range of representatives from the metals, waste and motor

(sales & manufacturing) industry. DAERA states meetings of the review group were paused before the general election in July 2024 and have not yet reconvened.

- Can you provide a summary of discussions with relevant stakeholders (including through the ELV Stakeholder Consultation group) in relation to the proposed Regulation?
 - The EU's proposal was discussed at two meetings (Nov 2023 and Feb 2024) largely comparing the proposal to the current UK ELV regulatory regime to determine the differences between them. There have been no meaningful discussions on the potential for divergence and how this would be managed on a UK basis.
- Which stakeholders have been consulted and what views have been expressed in relation to the likely impact of applying/not applying the proposal?
 - The ELV Consultation Group included the four UK Governments, environmental regulators, OPSS, DVLA and trade bodies (SMMT, BMRA, Vehicle Recyclers Association and British Vehicle Salvage Federation). The EU's proposed approach to waste was discussed comparatively to better understand the future international landscape. The UK Government does not have a position on regulatory consistency with the EU, and so Government intent was not something on which officials could comment.
- Are you aware of any plans to reconvene the ELV Stakeholder Consultation group?
 - There are no plans, at this time, to reconvene the ELV Stakeholder Consultation Group meetings.