

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 for Infrastructure

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?

DfT Response:

The proposal is still subject to the EU's legislative process and the final text is expected to change, so it is not currently possible to provide an assessment of its effect on divergence.

However, based on the original proposal, the broad requirements with regards to vehicle recyclability are set out below highlighting the differences between the EU/UKNI and GB schemes. The proposal extends the scope of application to include buses, heavy duty vehicles, trailers and motorcycles. However, not all of the requirements will apply to them.

The proposal retains the same requirement to produce vehicles that are 85% recyclable and contain 95% recoverable materials by total mass. These are the same as those in the GB scheme and apply to the same vehicles, passenger cars and light-duty vans. It also restricts the use of heavy metals, e.g. mercury, and there are already restrictions on these set by the vehicle end-of-life Directive 2000/53/EC.

The proposal also introduces new requirements, which will update the EU (and UKNI) schemes. All but one of these will apply only to passenger cars and light-duty vans. In brief the new requirements are to:

- Set percentages for the use of recycled materials, e.g. 25% recycled plastic.
- Design the vehicle to enable the safe removal of components, parts and materials.
- Produce a circularity strategy to demonstrate how the materials will be recovered.

- Declare the share of recycled materials present in vehicles, e.g. neodymium, aluminium, and steel.
- Provide information on how components, parts etc can be removed/replaced.*
- Label parts, components, and material present in the vehicles, in particular those containing motors in EVs containing permanent magnets.
- Establish a digital circularity passport to provide the information on how parts etc. can be removed/replaced.

*Applies to all vehicles in scope.

DfT is continuing to track the progress of the proposal and talk to industry/stakeholders on understanding potential impacts of the Regulation.

- 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?

DfT Response:

Manufacturers in GB producing only for the UK market will likely be using the small series multi-stage approval routes, which are exempt from the requirements, and would therefore be unaffected.

Those in GB approving vehicles under the UKNI and EU schemes are also unlikely to switch to approving vehicles from the UKNI (or EU) to the GB scheme, as these would essentially be the same vehicles.

In addition, we expect those manufacturers currently dual marking vehicles for sale in NI and GB to continue to do so.

- If it appears likely, how would you expect that to impact the availability of cars for sale in NI?

DfT Response:

We are still awaiting the details of the final requirements. However, given the exemptions for low volume and multi-stage manufacturers, and the ability for manufacturers to dual mark vehicles we do not expect this to affect the availability of cars for sale in NI.

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?

DfT Response:

No, the UK govt continues to monitor the development of the proposal, any future proposal to align the GB scheme would be the subject of a public consultation.

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 after 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?

DAERA have provided a response separately.

- Which stakeholders have been consulted and what views have been expressed in relation to the likely impact of applying/not applying the proposal?

DAERA have provided a response separately.

- Are you aware of any plans to reconvene the ELV Stakeholder Consultation group?

DAERA have provided a response separately.