

**EXPLANATORY MEMORANDUM FOR EUROPEAN UNION LEGISLATION  
WITHIN THE SCOPE OF THE UK/EU WITHDRAWAL AGREEMENT AND  
WINDSOR FRAMEWORK**

**Regulation 2025/14 of the European Parliament and of the Council of  
19 December 2024 on the approval and market surveillance of non-road mobile  
machinery circulating on public roads and amending Regulation (EU)  
2019/1020**

Submitted by the Department for Transport

8 January 2025

**SUBJECT MATTER**

1. On 8 January 2025 the EU adopted Regulation (EU) 2025/14 creating a type-approval regime for machinery intended for use on the road. This framework is based on existing type-approval regimes, such as those for road vehicles and tractors and will operate in much the same way. The products within its scope include combine harvesters, ride on mowers, some street sweepers, and diggers.
2. Under type-approval new types, or models, of machinery will have to be tested to demonstrate compliance with the relevant technical requirements and approved before being placed on the market. The technical requirements will be those related to road safety, such as lighting, braking and steering. There will be no change for used types or models, which will not be captured by these requirements.
3. Emissions are not included in the Regulation since those are already covered under an existing type-approval regime for engines intended for use in machinery.
4. The regulatory framework will impose a range of obligations on manufacturers, suppliers and member states. These include ensuring subsequent production is in conformity with the original approval, and this will be monitored by the member state's approval authority responsible for issuing the approval.
5. This represents a change from the current arrangements whereby individual member states may set their own requirements regarding the use of such machinery on the roads and operate their own approval schemes should they wish to do so.
6. The framework does not include technical requirements that will apply to such machinery, which will be set in subsequent delegated acts by the European Commission.
7. Article 51 of the Regulation amends legislation listed in Annex 2 of the Windsor Framework and therefore in force in Northern Ireland. Any application of aspects of the Regulation in Northern Ireland is therefore subject to the democratic scrutiny process set out in Schedule 6B to the

Northern Ireland Act 1998 and Article 13(3a) of the Windsor Framework.  
These amendments are expected to have no practical impact in isolation.

## **SCRUTINY HISTORY**

8. An EM was provided to the Parliamentary scrutiny committees in June 2023 and a letter in September 2023.

## **MINISTERIAL RESPONSIBILITY**

9. The Secretary of State for Transport is responsible for vehicle type-approval.
10. The Secretary of State for Business and Trade is responsible for consumer product market surveillance.

## **INTEREST OF THE DEVOLVED ADMINISTRATIONS.**

11. The topic of type approval for other products is a reserved matter. The use of machinery on roads is reserved in GB and devolved in NI.

## **LEGAL AND PROCEDURAL ISSUES**

### **12. Legal Base**

Article 114 of the Treaty of the Functioning of the European Union.

### **13. Voting Procedure**

Ordinary legislative procedure (Co-decision).

### **14. Timetable for adoption and implementation**

The regulation was published in the Official Journal of the EU on 8 January 2025 and will come into force on 28 January 2025. Type-approval will be available on its entry into force and will become mandatory from 29 January 2028. In practice, type-approval can only take place once the delegated acts are in place, and there is a two-year deadline from date of entry into force for the Commission to make them.

## **POLICY IMPLICATIONS**

15. To secure dual access to both the UK Internal Market and EU Single Market, Northern Ireland continues to apply certain EU rules on type approval under the terms of the Windsor Framework. The current UK requirements are set in domestic legislation; principally though the Road Vehicles (Construction and Use) Regulations and Road Vehicle Lighting Regulations. As the policy for such vehicles is devolved in Northern Ireland the legislation is also devolved but the requirements are the same in both Great Britain and NI. The current

regime places the onus on the end user to ensure the vehicle is compliant. The enforcement and market surveillance of those requirements is carried out by the UK Government's Driver and Vehicle Standards Agency.

16. Article 51 of the Regulation amends Regulation (EU) 2019/1020. As this legislation listed in Annex 2 of the Windsor Framework, it will apply in Northern Ireland via Article 13(3) of the Windsor Framework subject to the democratic scrutiny process set out in Article 13(3a) of the Windsor Framework.
17. The remainder of the Regulation sets out new provisions rather than amending or replacing provisions applicable under the Framework. As such, they would be subject to the process under 13(4) of the Framework, should they be notified formally in that regard by the European Commission. In the event of such notification they would apply only with the agreement of the UK and the EU at the Withdrawal Agreement Joint Committee, subject to the democratic safeguards engaged under Schedule 6B of the Northern Ireland Act 1998.
18. This explanatory memorandum focuses on the implications of provisions subject to Articles 13(3) of the Windsor Framework, noting that we would undertake and provide further assessment in the event that further Articles needed to be considered under Article 13(4).
19. Article 51 of the Regulation amends the market surveillance framework Regulation (EU) 2019/1020. The amendment adds the machinery framework to the list of regulations that are in scope of the market surveillance framework and therefore would require market surveillance authorities to oversee the compliance of relevant machinery on the market. However, the machinery type-approval framework itself is not captured under Article 13(3) of the Windsor Framework; accordingly, this amendment would have no practical impact in isolation.

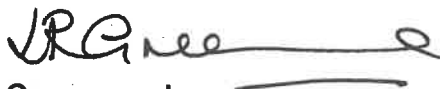
## **CONSULTATION**

20. The agricultural and construction machinery industry was consulted by the Commission during the development of this regulation, an impact assessment was prepared by the Commission.

## **FINANCIAL IMPLICATIONS**

21. There are no financial implications for the UK.

## **MINISTERIAL NAME AND SIGNATURE**



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