

2013 No. 65

ENVIRONMENTAL PROTECTION

The Passenger Car (Fuel Consumption and CO₂ Emissions Information) (Amendment) Regulations 2013

<i>Made</i>	- - - -	<i>17th January 2013</i>
<i>Laid before Parliament</i>		<i>18th January 2013</i>
<i>Coming into force</i>	- -	<i>11th February 2013</i>

The Secretary of State is designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to measures relating to the environment.

The Secretary of State, in exercise of the powers conferred by section 2(2) of that Act, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Passenger Car (Fuel Consumption and CO₂ Emissions Information) (Amendment) Regulations 2013 and come into force on 11th February 2013.

Amendment of regulations

2. The Passenger Car (Fuel Consumption and CO₂ Emissions Information) Regulations 2001(c) are amended as follows.

Interpretation

3. In regulation 3(1)—

- (a) for the definition of “the 1998 Regulations” substitute ““the 2009 Regulations” means the Road Vehicles (Approval) Regulations 2009(d);”;
- (b) for the definition of “EC certificate of conformity” substitute ““EC certificate of conformity” has the same meaning as “certificate of conformity” in Article 3(36) of the Framework Directive;”;
- (c) for the definition of “EC type approval certificate” substitute ““EC type approval certificate” means a type approval certificate issued by the Secretary of State under regulation 13(3) of the 2009 Regulations or under any provision of the law of a member

(a) S.I. 2008/301.
(b) 1972 c.68. Section 2(2) was amended by the Legislative and Regulatory Reform Act 2006 (c.51), section 27(1), and by the European Union (Amendment) Act 2008 (c.7), section 3 and Part 1 of the Schedule to the Act.
(c) S.I. 2001/3523, amended by S.I. 2004/1661 and S.I. 2011/1043.
(d) S.I. 2009/717, amended by S.I. 2011/1043 and S.I. 2011/1946.

State, other than the United Kingdom, implementing Article 9 or 22 of the Framework Directive;”;

- (d) for the definition of “the Framework Directive” substitute ““Framework Directive” means Directive 2007/46/EC of the European Parliament and of the Council of 5th September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles(a);”;
- (e) in the definition of “official fuel consumption” for the words “Council Directive 80/1268/EEC of 16th December 1980” substitute “Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20th June 2007(b)”;
- (f) in the definition of “official specific emissions of CO₂” for the words “Council Directive 80/1268/EEC” substitute “Regulation (EC) No 715/2007 of the European Parliament and of the Council”.

Application

4. In regulation 4—

- (a) after the end of paragraph (a) add the word “and”;
- (b) omit paragraph (b); and
- (c) in paragraph (c) for the words “Article 4(1)(a)” substitute “Article 9(1)(b)”.

Review

5. After regulation 11 insert—

“Duty to Review Regulations

12.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how Council Directive 1999/94/EC of 13th December 1999 relating to the availability of consumer information on fuel economy and CO₂ emissions in respect of the marketing of new passenger cars(c) (which is implemented by means of these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
- (b) assess the extent to which those objectives are achieved; and

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- (a) OJ No L 263, 9.10.2007, p1-160, amended by Commission Regulation (EC) No 1060/2008 (OJ No L 292, 31.10.2008, p1), Regulation (EC) No 78/2009 (OJ No L 35, 4.2.2009, p1), Regulation (EC) No 79/2009 (OJ No L 35, 4.2.2009, p32), Commission Regulation (EC) No 385/2009 (OJ No L 118, 13.5.2009, p13), Regulation (EC) No 595/2009 (OJ No L 188, 18.7.2009, p1), Regulation (EC) No 661/2009 (OJ No L 200, 31.7.2009, p1), Commission Directive 2010/19/EU (OJ No L 72, 20.3.2010, p17), Commission Directive 2011/415/EU (OJ No L 185, 15.7.2011, p76), Commission Regulation (EU) No 371/2010 (OJ No L 110, 1.5.2010, p1), Commission Regulation (EU) No 183/2011 (OJ No L 53, 26.2.2011, p4), Commission Regulation (EU) 582/2011 (OJ No L 167, 25.6.2011, p1), Commission Regulation (EU) No 678/2011 (OJ No L 185, 15.7.2011, p30) and Commission Regulation (EU) No 65/2012 (OJ No L 28, 31.1.2012, p24).
 - (b) OJ No L 171, 29.6.2007, p1-16, amended by Commission Regulation (EC) No 692/2008 (OJ No L 119, 28.7.2008, p1), Regulation (EC) No 595/2009 (OJ No L 188, 18.7.2009, p1), Commission Regulation (EU) No 566/2011 (OJ No L 158, 16.6.2011, p1) and Commission Regulation (EU) No 459/2012 (OJ No L 142, 1.6.2012, p16).
 - (c) OJ No L 12, 18.1.2000, p16, amended by Commission Directive 2003/73/EC (OJ No L 186, 25.7.2003, p34), Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ No L 284, 31.10.2003, p1) and Regulation (EC) No 1137/2008 of the European Parliament and of the Council (OJ No L 311, 21.11.2008, p1).

- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (4) The first report under this regulation must be published before 11th February 2018.
- (5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.”.

Requirements of fuel economy label

- 6. In sub-paragraph 1(2) of Schedule 2 for “125” substitute “80”.

Signed by authority of the Secretary of State

17th January 2013

Norman Baker
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Passenger Car (Fuel Consumption and CO₂ Emissions Information) Regulations 2001 (S.I.2001/3523) (“the 2001 Regulations”) by extending their scope to include passenger cars which do not emit CO₂, hydrocarbons or carbon monoxide.

Regulation 3 amends and updates legislative references.

Regulation 4 extends the application of the Passenger Car (Fuel Consumption and CO₂ Emissions Information) Regulations 2001 to vehicles that do not emit CO₂, hydrocarbons or carbon monoxide.

Regulation 5 amends the 2001 Regulations to require the Secretary of State to review their operation and publish a report setting out the conclusions of that review within five years after these Regulations come into force and every five years after that. Following a review it will fall to the Secretary of State to consider whether the 2001 Regulations should remain as they are, be revoked or be amended. A further instrument will be needed to revoke the 2001 Regulations or to amend them.

Regulation 6 amends the size requirement for text contained in labels containing information on passenger car fuel consumption and CO₂ emissions.

A full regulatory impact assessment has not been produced for this instrument as it has negligible impact on the costs of business. An Explanatory Memorandum is available alongside this instrument at www.legislation.gov.uk

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