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<th>From:</th>
<th>UK Delegation</th>
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<td>To:</td>
<td>Working Party on Technical Harmonisation (Motor vehicles)</td>
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<tr>
<td>Subject:</td>
<td>Further UK Comments on proposal to amend the light vehicle emissions type-approval regulation (715/2007)</td>
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Further UK Comments on proposal to amend the light vehicle emissions type-approval regulation (715/2007).

Small volume manufacturers
Since the conformity factors and their implementation dates are being moved into Regulation 715/2007 by the proposal, the associated derogations for small-volume manufacturers should also be brought into the co-decision text to avoid introducing uncertainty over these provision by them remaining in subsidiary legislation.

Article 15(4)(c) and 15(7) of Commission Regulation (EU) 2017/1151 derogate small volume manufacturers from having to be compliant with the temporary conformity factors for RDE and only have to comply with the final conformity factors at the date they are mandated for all other manufacturers. Once the proposal is adopted the references for these provisions will no longer be valid and require updating. However, there is no clear empowerment either proposed or currently in the co-decision text that could permit such a derogation so could be brought into question if done so through supplementing legislation.

It was appropriate that the derogations were originally introduced by a Commission Regulation as the RDE package, as a whole, was originally introduced by that means. Now that implementation dates and conformity factors are being split from that package this a particular consequence that should not be overlooked.

The derogations given to small volume manufacturers were not brought into question by the ruling of the General Court of the European Union but should not be undermined in the process of addressing that ruling with this proposal.