

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4771 GIBRALTAR Thursday 15th October 2020

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LEGAL NOTICE NO. 350 OF 2020

## EUROPEAN UNION (WITHDRAWAL) ACT 2019

### ROAD VEHICLE EMISSION PERFORMANCE STANDARDS (CARS AND VANS) (AMENDMENT) (EU EXIT) REGULATIONS 2020

In exercise of the powers conferred upon him by section 11 of the European Union (Withdrawal) Act 2019 the Minister has made the following Regulations-

#### **Title.**

1. These Regulations may be cited as the Road Vehicles Emission Performance Standards (Cars and Vans)(Amendment)(EU Exit) Regulations 2020.

#### **Commencement.**

2. These Regulations come into operation on 1 January 2021.

#### **Revocation of retained direct EU legislation.**

3. The following regulations are revoked-

- (a) Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011;
- (b) Commission Delegated Regulation (EU) No 114/2013 of 6 November 2012 supplementing Regulation (EU) No 510/2011;
- (c) Commission Implementing Regulation (EU) No 427/2014 of 25 April 2014 establishing a procedure for the approval and certification of innovative technologies for reducing CO<sub>2</sub> emissions from light commercial vehicles pursuant to Regulation (EU) No 510/2011;
- (d) Commission Implementing Decision (EU) 2018/1876 of 29 November 2018 on the approval of the technology used in 12 Volt efficient alternators for use in conventional combustion engine powered light commercial vehicles as an innovative technology for reducing CO<sub>2</sub> emissions from light commercial vehicles pursuant to Regulation (EU) No 510/2011.

**Revocation of tertiary legislation made pursuant to Regulation (EC) No 443/2009.**

4. The following instruments are revoked-

- (a) Commission Regulation (EU) No 1014/2010 of 10 November 2010 on monitoring and reporting of data on the registration of new passenger cars pursuant to Regulation (EC) No 443/2009;
- (b) Commission Regulation (EU) 63/2011 of 26 January 2011 laying down detailed provisions for the application for a derogation from the specific CO<sub>2</sub> emission targets pursuant to Article 11 of Regulation (EC) 443/2009;
- (c) Commission Implementing Regulation (EU) No 725/2011 of 25 July 2011 establishing a procedure for the approval and certification of innovative technologies for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (d) Commission Implementing Decision 2013/128/EU of 13 March 2013 on the approval of the use of light emitting diodes in certain lighting functions of an MI vehicle as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (e) Commission Implementing Decision 2013/341/EU of 27 June 2013 on the approval of the Valeo Efficient Generation Alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation 443/2009;
- (f) Commission Implementing Decision 2013/451/EU of 10 September 2013 on the approval of the Daimler engine compartment encapsulation system as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (g) Commission Implementing Decision 2013/529/EU of 25 October 2013 on the approval of the Bosch system for navigation-based preconditioning of the battery state of charge for hybrid vehicles as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation 443/2009;
- (h) Commission Implementing Decision 2014/128/EU of 10 March 2014 on the approval of the light emitting diodes low beam module 'E-Light' as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (i) Commission Implementing Decision 2014/465/EU of 16 July 2014 on the approval of the DENSO efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cards pursuant to Regulation (EC) No 443/2009;

- (j) Commission Implementing Decision 2014/806/EU of 18 November 2014 on the approval of the battery charging Webasto solar roof as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (k) Commission Implementing Decision (EU) 2015/158 of 30 January 2015 on the approval of two Robert Bosch GmbH high efficient alternators as the innovative technologies for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) NO 443/2009;
- (l) Commission Implementing Decision (EU) 2015/206 of 9 February 2015 on the approval of the Daimler AG efficient exterior lighting using light emitting diodes as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation 443/2009;
- (m) Commission Implementing Decision (EU) 2015/279 of 19 February 2015 on the approval of the battery charging Asola solar roof as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (o) Commission Implementing Decision (EU) 2015/295 of 24 February 2015 on the approval of the MELCO GXi efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (p) Commission Implementing Decision (EU) 2015/1132 of 10 July 2015 on the approval of the Porsche AG coasting function as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) NO 443/2009;
- (q) Commission Implementing Decision (EU) 2015/2280 of 7 December 2015 on the approval of the DENSO efficient alternator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (r) Commission Implementing Decision (EU) 2016/160 of 5 February 2016 on the approval of the Toyota Motor Europe efficient exterior lighting using light emitting diodes as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (s) Commission Implementing Decision (EU) 2016/362 of 11 March 2016 on the approval of the MAHLE Behr GmbH & Co. KG enthalpy storage tank as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (t) Commission Implementing Decision (EU) 2016/587 of 14 April 2016 on the approval of the technology used in efficient vehicle exterior lighting using light

emitting diodes as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;

- (u) Commission Implementing Decision (EU) 2016/588 of 14 April 2016 on the approval of the technology used in 12 Volt efficient alternators as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (v) Commission Implementing Decision (EU) 2016/1721 of 26 September 2016 on the approval of the Toyota efficient exterior lighting using light emitting diodes for the use in non-externally chargeable hybrid electrified vehicles as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (w) Commission Implementing Decision (EU) 2016/1926 of 3 November 2016 on the approval of the battery-charging photovoltaic roof as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (x) Commission Implementing Decision (EU) 2017/785 of 5 May 2017 on the approval of efficient 12 V motor-generators for use in conventional combustion engine powered passenger cars as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (y) Commission Implementing Decision (EU) 2017/1402 of 28 July 2017 on the approval of the BMW AG engine idle coasting function as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (z) Commission Decision 2012/100/EU of 17 February 2012 on a method for the collection of premiums for excess CO<sub>2</sub> emissions from new passenger cards pursuant to Regulation (EC) NO 443/2009.

**Revocation of tertiary legislation made pursuant to Regulation (EC) No 2019/631.**

5. The following instruments are revoked-

- (a) Commission Implementing Decision (EU) 2019/1119 of 28 June 2019 on the approval of efficient vehicle exterior lighting using light emitting diodes for use in internal combustion engine vehicles and non-externally chargeable hybrid electrified vehicles as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009;
- (b) Commission Implementing Decision (EU) 2020/174 of 6 February 2020 on the approval of the technology used in 12 Volt efficient alternators for use in certain passenger cars and light commercial vehicles as an innovative technology pursuant to Regulation (EU) 2019/631.

**Revocation of tertiary legislation made pursuant to Regulation (EU) No 510/2011.**

6. The following instruments are revoked-

- (a) Commission Implementing Decision 2012/99/EU of 17 February 2012 on the detailed arrangements for the collection of premiums for excess CO<sub>2</sub> emissions from new light commercial vehicles pursuant to Regulation (EU) No 510/2011 is revoked.

**Amendment of the Environmental Protection (Energy End-Use Efficiency) Act 2009.**

7. Delete paragraph 2(a) of Schedule 8.

Dated: 15<sup>th</sup> October 2020.

PROF J. CORTES,  
Minister with responsibility for the Environment.

### **EXPLANATORY MEMORANDUM**

These Regulations are made in exercise of the powers in section 11 of the European Union (Withdrawal) Act 2019 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

The Regulations revoke retained direct EU legislation and tertiary legislation. The Regulations also remove a reference in the Environmental Protection (Energy End-Use Efficiency) Act 2009 to Regulation (EC) No 443/2009 which has been repealed.