



VCA Enforcement Policy

Vehicle Certification Agency
1, The Eastgate Centre
Eastgate Road
Bristol BS5 6XX
Telephone: 0117 951 5151
E-mail: enquiries@vca.gov.uk

Website: www.dft.gov.uk/vca



VCA Enforcement Policy

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The Principles of Enforcement

This enforcement policy helps to promote efficient and effective approaches to regulatory inspections and enforcement, which improves outcomes without imposing unnecessary burdens. To achieve this we have adopted the principles of the following:

- The Regulators Compliance code
- The Hampton Principles
- The Enforcement Concord Act
- Guide to the implementation of directives based on the New Approach and the Global Approach

We will also comply with any statutory requirement placed upon us and seek to align our procedures with best practice.

Any departure from this code must be:

- Properly reasoned and
- Based on material (relevant Evidence)
- Any factor influencing a departure must be relevant, accurate and up to date
- Factors influencing the decisions on application of the code should be recorded.



VCA believes in firm but fair regulation. The underlying policy of firm but fair regulation takes into consideration the transparency and accountability of the way that VCA operates, and what those affected by the regulations may expect from VCA. Our policy involves risk-based application of the law to secure compliance and at the same time having regard for economic progress in order to fulfil our statutory duties.

How we regulate affected businesses

VCA enforces its regulatory responsibility by ensuring that we account for our statutory duties, activities and strategic role. We do this by considering:

Advice and Guidance on Regulations

Hampton Principle: Regulators should provide authoritative, accessible advice easily and cheaply.

- Advice & Guidance can be gained from:
- Our website or contacting our Helpline (See details below)
- During the course of our inspections.
- At prearranged meetings or seminars.
- The VCA website

Data Requests

Hampton Principle: Businesses should not have to give unnecessary information, nor give the same piece of information twice.

- Enforcement Officers collect data to confirm compliance of the business.
- VCA makes every effort to minimise the impact this has on the business.

Inspections

Hampton Principle: No inspection should take place without a reason.

VCA conducts a risk-based assessment process for targeted inspections and takes into account the compliance record and past performance of the business.

Sanctions

Our sanctions and penalties can be found in our Prosecution Policy

Hampton Principle: Businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions.

Regulators should be transparent in the way in which they apply and determine administrative penalties.

Regulators should follow up enforcement actions where appropriate.

Where we identify non-compliance during our inspection process we will give guidance and an action plan will be agreed with the business.



This policy is intended to provide information for businesses, consumers and the public. It does not affect the discretion of VCA to take legal proceedings where this is considered to be in the public interest

Focus on Outcomes

Hampton Principle: Regulators should measure outcomes not just outputs. Regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take.

Our enforcement priorities

Our overall priority is to ensure that everyone affected by the legislation is aware of his or her responsibilities and has the opportunity to meet them. However ignorance of the law is not a defence. Where we believe that the law has been broken we will take action in line with our published Enforcement and Prosecution Policy.

Our Compliance Monitoring

We will monitor compliance of the Regulations using a variety of methods. We will also note concerns raised by members of the public and other stakeholders using our Hotline or by email regarding potential non-compliance of the Regulations.



Waste Electrical and Electronic Equipment (WEEE) Regulations

This document summarises the VCA's policy for enforcing the distributor obligations of the Waste Electrical and Electronic Equipment (WEEE) Regulations 2006. Any action taken by us will be in line with our published Prosecution Policy. You should read this statement of in conjunction with that policy.

Background

Every year, the UK throws away around two million tonnes of waste electrical and electronic equipment. It is one of the fastest growing waste streams in the UK and the EU. In January 2003, the EU adopted the Waste Electrical and Electronic Equipment (WEEE) Directive to deal with this waste. The Directive aims to improve the way WEEE is managed and reduce its environmental impact. More waste will be collected for treatment and recovery and less will go to landfill.

Waste Electrical and Electronic Equipment (WEEE) Regulations 2006 (as amended)

The WEEE Regulations, which implement the WEEE Directive in the UK, came into force on 2 January 2007. They affect everyone who uses, supplies, treats or disposes of WEEE and those that produce electrical and electronic equipment (EEE). Any business that manufactures, re-brands or imports electrical and electronic equipment (EEE) is known as a 'producer'. A 'distributor' for the purposes of the WEEE Directive and Regulations supplies EEE to household end-users, irrespective of the method of supply; this includes sale, hire, lease and free provision of EEE. The definition of distributor includes wholesalers, retailers, and distance-sellers and producers who sell products direct to household end-users of EEE.

What this means for distributors and producers is:

Distributors

We expect all distributors to comply with the WEEE regulations and in particular to:

Provide facilities to enable their customers to return their old equipment free of charge when buying a replacement item.

- Make information available to household end-users of EEE on:
 - The requirement on each member State under Article 2 of the Directive to minimise the disposal of WEEE as unsorted municipal waste and to achieve a high level of collection of WEEE for treatment, recovery and environmentally sound disposal;
 - The collection and take back systems available to them;
 - Their role in contributing to the reuse, recycling and other forms of recovery of WEEE under these Regulations;
 - The potential effects on the environment and human health,
 - The meaning of the crossed out wheeled bin symbol.
 -
- Keep records of:
 - The number of units of WEEE from private households returned to them under the regulations.
 - The number of units of WEEE received from private households that have been returned to the operator of a compliance scheme.



- The information made available to consumers in relation to the environmental impacts of EEE and the separate collection of household WEEE.

In return, distributors can **expect of us**:

- Guidance on the information required.
- A programme of activities to raise awareness among distributors and encourage compliance with the Regulations.

Producers

We expect all producers of EEE to comply with the WEEE Regulations by marking EEE with the crossed out wheeled bin symbol (Regulation 15 refers). Producer obligations are enforced by the Environment Agencies across the UK

In return, producers can **expect of us**:

- Guidance on which products need to be marked

All the above groups can expect vigorous action in accordance with our published enforcement and prosecution policy and associated functional guidelines where we identify deliberate non-compliance, including the provision of misleading information.

Mystery Shopper

We have a number of Mystery Shoppers sited around the UK. Their role is to gather Market Intelligence about how distributors are complying with the WEEE Regulations. They will not identify themselves to the distributor unless challenged and after their visit they report their findings about compliance with Regulations 31, 33 and 15 to the Enforcement Office.

Enforcement Officers

We have a number of Enforcement Officers sited around the UK. Their role is to ensure that distributors/producers are complying with the WEEE Regulations. They will identify themselves to the distributor at their visit and will identify full/non compliance with Regulations 31, 33, 34 and 15.

Where to find out more about:

See the Contact VCA section at the end of this document.



The Waste Batteries and Accumulators Regulations

This document summarises the VCA's policy for enforcing distributor obligations of the Waste Batteries and Accumulators Regulations 2009. Any action taken by us will be in line with our published Prosecution Policy. You should read this statement of priorities in conjunction with that policy.

Background

Batteries and accumulators (rechargeable batteries) can contain chemicals such as lead, mercury or cadmium. When disposed of in normal household rubbish, most will end up in landfill where the chemicals they contain may leak into the ground, polluting the environment and potentially harming human health. Recycling recovers some of the materials used to make batteries and these can be used again to make other products and potentially to make new batteries. Thousands of tonnes of metals, including valuable metals such as nickel, cobalt and silver, can be recovered if batteries do not go to landfill. Recycling can also save some of the earth's natural resources and save on CO2 emissions by reducing the need to mine new materials.

The EC Batteries Directive 2006 seeks to improve the environmental performance of batteries and accumulators and of the activities of all economic operators involved in the life cycle of batteries and accumulators, and is partly transposed into UK law through the Waste Batteries and Accumulators Regulations 2009 (referred to throughout as the Batteries Regulations).

The Batteries Regulations establish a new 'producer responsibility' system for the collection, treatment and recycling of waste portable, industrial and automotive batteries, ensuring that those who place batteries on the market take responsibility for them when they reach the end of their life. For portable batteries the regulations introduced:

- Collection targets of 25% to be reached by 2012 and 45% to be reached by 2016;
- Interim collection targets to assess progress towards these targets;
- Producer responsibility for battery collection and recycling. Producers will do this by joining a Battery Compliance Scheme (BCS) who will arrange the collection and recycling of waste portable batteries on their behalf. BCS's will also carry out publicity to inform consumers on how they can return their waste household batteries for recycling;
- A requirement for producers who put less than 1 tonne a year of portable batteries on the UK market to register with the environment agencies but not have to fund collection, treatment and recycling.

The Regulations also place obligations on 'distributors' of portable batteries to participate in the collection of them.

The Department for Environment, Food and Rural Affairs (DEFRA) has responsibility for leading on the portable battery provisions of the Directive, and have appointed the VCA to enforce the distributor elements of the Regulations.

Distributors' Obligations

A distributor is someone who supplies batteries on a professional basis to business or consumer end-users, irrespective of the method of supply.

From 1 February 2010, a distributor who supplies 32kg or more of portable batteries to end-users per year will have a number of obligations under the Regulations:

Regulation 31 which includes:

- To provide facilities at any place it supplies batteries for end-users to return waste portable batteries free of charge – this includes all types of portable battery, and not just the ones they sell.
- To inform end-users about the possibility of such take back at the distributor's sales points.

In addition, a distributor may not:

- Make any charge to end-users;
- Oblige end-users to buy a new battery;
- Dispose of, or arrange for the disposal of, waste portable batteries accepted under this service.

Regulation 34:

- A distributor must not show separately the costs of the collection, treatment and recycling of waste portable batteries to an end-user at the time of sale of new portable batteries

We expect all obligated distributors to comply with their obligations under the Batteries Regulations.

In return, distributors can expect of us:

- Guidance on the information required.
- A programme of activities to raise awareness among distributors and encourage compliance with the Regulations.

Where to find out more

See the Contact VCA section at the end of this document.



Tyres – Noise Regulations

Road Vehicles (Construction and Use) (Amendment) Regulations 2010 and Motor Vehicles (Designation of Approval Marks) (Amendment) Regulations 2010

Background

The growing number of vehicles on our roads has led to a steady increase in environmental noise pollution. Much of this noise is generated by the interaction of the tyre and road surface and is affected by the tyre design. EU Directive 2001/43/EC looked to reduce tyre noise by controlling the standard of replacement tyres on the road.

The Tyre Noise Regulations, which implement EU Directive 2001/43/EC in the UK, came into force on 23 March 2010. They affect any business involved in the supply chain from manufacturing and importing tyres through to fitting them.

What this means for the groups affected:

Manufacturers and Importers

We expect all manufacturers and importers to comply with Tyre Noise regulations and in particular to:

- Make information available to their customers on:
 1. Road Vehicles (Construction and Use) (Amendment) Regulations 2010 and Motor Vehicles (Designation of Approval Marks) (Amendment) Regulations 2010;
 2. VCA's role in enforcing the regulations;
- Ensure that all tyres offered for sale for road vehicles are clearly marked to either the standard set out in 2001/43/EC or ECE Regulation 117;
- Keep clear and concise records of each transaction made including customer details;
- Keep abreast of legislative changes;

In return, manufacturers and importers can **expect of us:**

- Guidance on the information required;
- A programme of activities to raise awareness among manufacturers and importers and encourage compliance with the Regulations.

Suppliers (including buying groups)

We expect all suppliers to comply with the Tyre Noise regulations and in particular to:

- Make information available to their customers on:
 1. Road Vehicles (Construction and Use) (Amendment) Regulations 2010 and Motor Vehicles (Designation of Approval Marks) (Amendment) Regulations 2010;
 2. VCA's role in enforcing the regulations;



- Ensure that all tyres offered for sale for road vehicles are clearly marked to either the standard set out in 2001/43/EC or ECE Regulation 117;
- Keep clear and concise records of each transaction made including customer details

In return, suppliers can **expect of us**:

- Guidance on the information required.
- A programme of activities to raise awareness among suppliers and encourage compliance with the Regulations. This may include unannounced visits in order to undertake spot-checks.

Fitters

We expect all fitters to comply with the Tyre Noise regulations;

- Ensure that where the tyre width means that this regulation is applicable, only approved tyres are fitted to vehicles used on the UK highway;
- Keep clear and concise records of each tyre fitted including customer details and registration number of the vehicle;

In return, fitters can **expect of us**:

- Guidance on the information required.
- A programme of activities to raise awareness among fitters and encourage compliance with the Regulations. This may include unannounced visits in order to undertake spot-checks.

Enforcement Officers

Enforcement officers ensure that all parties involved in the supply chain are complying with the Tyre Noise Regulations. Visits may be arranged in advance at a mutually convenient time. However, we also undertake unannounced visits to check on specific areas such as the marking of tyres.

VCA may purchase and test tyres to type approval standards to ensure that what is on the market actually meets the regulatory standards.

We will monitor compliance of the Regulation using the methods described above and by noting the concerns brought to our attention by manufacturers, suppliers, fitters and other concerned citizens who contact us using our hotline or by email (See details below) about potential non-compliance of the Regulations.

Where to find out more about:

See the Contact VCA section at the end of this document.



Replacement Catalytic Converters and Pollution Control Devices

Motor Vehicles (Replacement of Catalytic Converters and Pollution Control Devices) Regulations 2009

And

Motor Cycles (Replacement of Catalytic Converters) Regulations 2009

Background

Vehicle exhausts contain a number of toxic substances that can have a serious impact on health. Without the use of a good quality catalytic converter or pollution control device these substances would be breathed in and transported in the bloodstream to all the body's major organs.

EU directive 2006/120/EC looked to address this matter by making it a legal requirement to fit a replacement catalyst (and where applicable a pollution control device) E mark approved by a European Type Approval authority.

The Replacement Catalyst Regulations, which implement EU Directive 2006/120/EC in the UK, came into force on 13 August 2009. They affect any business involved in the supply chain from manufacturing and importing these devices through to fitting them.

What this means for the groups affected:

Manufacturers, Importers and Suppliers (including buying groups)

We expect all manufacturers, importers and suppliers to comply with the replacement catalyst regulations and in particular to:

- Make information available to their customers on:
 1. Their legal requirements under the Motor Vehicles (Replacement of Catalytic Converters and Pollution Control Devices) Regulations 2009 and Motor Cycles Etc. (Replacement of Catalytic Converters) Regulations 2009;
 2. VCA's role in enforcing the regulations;
- Ensure that all new catalytic converters and pollution control devices offered for sale for vehicles registered from 1 March 2001 are accompanied by the following information:
 1. The vehicle manufacturer's name or trademark and the make and identifying part number (for original replacement catalytic converter) of the unit;
 2. The catalytic converter or pollution control device manufacturer's name or trademark (for non-original replacement catalytic converter)
 3. The vehicle(s) for which the catalytic converter or pollution control device is type approved (non-original catalytic converters) or for which the unit is covered by the type approval for the vehicle, including, where applicable, a marking to identify if the product is suitable for a vehicle equipped with an on-board diagnostic (OBD) system

4. Installation instructions, where necessary;

- Ensure that all new catalytic converters and pollution control devices offered for sale for vehicles registered before 1 March 2001 are clearly labelled with the following message: “ILLEGAL TO SUPPLY FOR TYPE-APPROVED VEHICLES FIRST USED ON OR AFTER 1/3/01”
- Keep clear and concise records of each transaction made including customer details;
- Keep abreast of legislative changes;

In return, manufacturers, importers and suppliers can expect of us:

- Guidance on the information required;
- A programme of activities to raise awareness among manufacturers, importers and suppliers and encourage compliance with the Regulations. This may include unannounced visits in order to undertake spot-checks.

Fitters

We expect all fitters to comply with the regulations and in particular to:

- Ensure that all new catalytic converter or pollution control device fitted to vehicles registered from 1 March 2001 are accompanied by the following information:
 1. the vehicle manufacturer’s name or trademark and the make and identifying part number (for original replacement catalytic converter) of the unit;
 2. the manufacturer’s name or trademark (for non-original replacement catalytic converter)
 3. the vehicle(s) for which the catalytic converter or pollution control device is type approved (non-original catalytic converters) or for which the catalyst is covered by the type approval for the vehicle, including, where applicable, a marking to identify if the product is suitable for a vehicle equipped with an on-board diagnostic (OBD) system
- Ensure that all new catalytic converters or pollution control device fitted to vehicles registered before 1 March 2001 are clearly labelled with the following message: “**ILLEGAL TO SUPPLY FOR TYPE-APPROVED VEHICLES FIRST USED ON OR AFTER 1/3/01**”
- Keep clear and concise records of each unit fitted made including customer details and registration number of the vehicle

In return, fitters can **expect of us**:

- Guidance on the information required.
- A programme of activities to raise awareness among fitters and encourage compliance with the regulations. This may include unannounced visits in order to undertake spot-checks.

Where to find out more

See the Contact VCA section at the end of this document.



Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants)

This policy summarises the VCA's priorities for enforcing the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations on behalf of the Department for Transport, Cleaner Fuels and Vehicles.

Background

In December 1997, the EU Directive 97/68/EC was adopted relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non road mobile machinery. The aim of the Directive is to enforce the laws of the Member States relating to emission standards and type approval procedures for engines to be installed in non road mobile machinery. It will contribute to the smooth functioning of the internal market, while protecting human health and well being.

The Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999

The NRMM Regulations, which implement the Directive 97/68/EC into UK law, came into force on 26th April 1999 with respective stage date implementations for subsequent engines based on size and ignition process. No person shall place on the market any new engine, whether or not already installed in machinery unless it is compliant with these regulations.

Definition of Non Road Mobile Machinery

“Non road mobile machinery means any mobile machine, transportable industrial equipment or vehicle with or without body work, not intended for the use of passenger or goods transport on the road, in which an internal combustion engine as specified in regulation 3(1) is or to be installed.”

“Regulations apply to new engines to be installed in NRMM intended and suited to move, or be moved on the ground, whether or not on the road, with compression ignition engine having a net power that is equal to or higher than 18kW but not more than 560kW.”.

Who are the groups affected by this

Engine and equipment manufacturers, importers and authorised representatives

What this means for the groups affected is:

We expect all of the above groups that manufacture equipment or import engines or affected machinery into the UK, and which is within the scope of these regulations, to comply with the Non Road Mobile Machinery Regulations 1999.

Engines subject to NRMM must be marked with:

- The EC type approval number
- Trade Mark or trade name of the engine manufacturer
- The engine type, engine family (if applicable) and a unique ID number



Once type approval of the engine has been completed, and if the engine subsequently complies with the provisions of the regulations and any other applicable regulations, the manufacturer is required to affix the markings to the engine in a visible, legible and indelible form to each engine.

In return, manufacturers, importers and authorised representatives can **expect of us**:

- Guidance on the information as required.
- A programme of activities to raise awareness among manufacturers and encourage compliance with the Regulations.
- Assistance with an action plan to address any issues involving the legislation.

Enforcement Officers

The role of enforcement officers is to ensure that manufacturer/Importers are complying with the Non Road Mobile Machinery Regulations 1999. There are several methods used to ascertain the risk of non-compliance:

Enforcement officers will identify themselves to the distributor at their visit and follow up non-compliance issues with the manufacturer/Importer.

Enforcement officers also gather Market Intelligence on how manufacturer/Importers are complying with the Non Road Mobile Machinery Regulations 1999.

Concerns raised by the Public and trade organisations

VCA aims to address all concerns raised by the Public in a fair and proportionate manner by addressing their initial concerns, and where possible, advising them of the outcome. We welcome involvement by trade organisations and have advised various stakeholders on stage dates, coverage and other vital information from the regulations.

Where to find out more

See the Contact VCA section at the end of this document.

Noise Emission in the Environment by equipment for use Outdoors

Background

The fifth Environmental Action program identifies noise as one of the most pressing environmental problems in urban areas and the need to take action with regard to various noise sources. The aim of the relevant EU Directive is to harmonise the laws of the Member States relating to noise emissions standards, conformity assessment procedures, marking, technical documentation and collection of data concerning noise emission in the environment of equipment for use outdoors. It will contribute to the smooth functioning of the internal market, while protecting human health and well being.

The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001

The Noise Regulations, that implement the noise emission in the environment by equipment for use outdoors Directive 2000/14/EC into UK law, came into force on 4th June 2001 and the 3rd January 2002 respectively. Under the regulations, the onus to comply lies with the manufacturer, importer or the authorised representative established within the community. Where neither the manufacturer nor an authorised representative is established in the European Community, the obligations of the regulations shall apply to any person placing the equipment on the market or putting it into service in the Community.

The regulation covers 57 separate items of outdoor equipment from lawnmowers to construction equipment. Some equipment is subject to noise limits and noise marking (Article 12) other equipment is subject to noise marking only (Article 13).

Who are the groups affected by this?

Engine and equipment manufacturers, importers and authorised representatives

Equipment subject to noise limits and marking:

- Each type of equipment should be subjected to one of the following conformity assessment procedures:
 - Internal control of production with assessment of technical documentation and periodical checking procedure
 - Unit verification;
 - Full quality assurance procedure
- All three assessment procedures require involvement of a Notified Body to ensure that noise measurements are carried out to the correct ISO standard for the equipment.

Equipment subject to noise marking only:

- Internal control of production.

Once conformity assessment has been completed, and if the equipment subsequently complies with the provisions of the regulations and any other applicable regulations, the manufacturer will be required to affix the CE marking together with the indication of the guaranteed sound power level in a visible, legible and indelible form to each item of equipment. The manufacturer will also



draw up a Declaration of Conformity for each type of equipment to certify conformity with the provisions of the regulation.

In return, manufacturers, importers and authorised representatives can **expect of us**:

- Guidance on the information as required.
- A programme of activities to raise awareness among manufacturers, councils and public to encourage compliance with the Regulations.
- Assistance with action plan to address any issues involving the legislation that the company maybe genuinely struggling with.

How we will regulate the groups affected

VCA enforces its regulatory responsibility in the Outdoor Noise Directive by ensuring that we account for our statutory duties, activities and strategic role.

Advice and Guidance can be gained from:

- Our website or contacting our Enforcement Officers
- During the course of our inspections.
- At prearranged meetings or seminars.

Data Requests

- Enforcement Officers collect data and perform market surveillance to confirm compliance of businesses.
- Enforcement Officers have knowledge of similar regulation requirements (such as the machinery directive Declaration of Conformity) and advise accordingly as to the additional information to be included so that one Declaration of Conformity (DOC) covers both regulations. This reduces the burden on companies.
- VCA makes every effort to minimise the impact this has on the business.
- If we do ask for data, we are minded by this principle.

Inspections

VCA conduct a risk-based assessment process for targeted inspections. We take into account previous compliance records and past performance.

Enforcement Officers

Their role is to ensure that manufacturers/importers are complying with the Outdoor Noise Regulations. There are several methods used to ascertain the risk of non-compliance:

They will identify themselves to the distributor at their visit and follow up non-compliance issues with the manufacturer/importer or responsible person.

They also gather Market Intelligence about how manufacturer/importers are complying with the Outdoor Noise Regulations.



Concerns raised by the Public and Trade Organisations

VCA aims to address all concerns raised by the Public in a fair and proportionate manner by addressing their initial concerns and advising them of the outcome if appropriate.

However, if it is clear to VCA that if a business has no regard of complying with this process, VCA has the capability to go direct to prosecution.

VCA shares market surveillance experience and compliance findings with other EU market surveillance authorities through the CIRCA site and by attending ADCO (Administrative Cooperation Group) meetings on an annual basis in Brussels. We seek to work together to improve processes and compliance throughout the Community.

Where to find out more

See the Contact VCA section at the end of this document.



End of Life Vehicles Regulations

This policy summarises the VCA's priorities for enforcing the End of Life Vehicles Regulations on behalf of the Department for Business, Innovation and Skills (BIS).

Background

The main objective of the legislation is environmental protection. The Regulations transpose into UK law a number of provisions of EU End-of-Life Directive (ELV) 2000/53/EC, including:

- Restrictions on the use of certain heavy metals in vehicle manufacture (part III of the Regulations);
- Marking of certain rubber and plastic vehicle components and publication of design and dismantling information (Part IV of the Regulations);
- The introduction of a Certificate of Destruction (Part V);
- Free take-back of vehicles put on the market from 1st July 2002, if having no value when scrapped (Part VI);
- Licensing of authorised treatment facilities and the site and operating standards with which they must comply (Part VII).

The End-of-Life Vehicles Regulations

The End-of-Life Vehicles Regulations 2003 (SI No. 2003/2635) came into effect on 3rd November 2003. The Regulations apply to vehicles designated as category M1 or N1, (i.e. passenger cars and small van type goods vehicles) as defined in Annex IIA of Council Directive 70/156/EEC relating to the type approval of motor vehicles and their trailers, and to three wheeled motor vehicles as defined in Council Directive 2002/24/EC, as amended relating to the type approval of two or three wheeled vehicles, excluding motor tricycles.

Who are the groups affected by this?

Vehicle producers i.e. vehicle manufacturers and importers. In addition, manufacturers of some automotive components, accessories and service parts may be affected by the legislation.

How we will regulate the groups affected:

The Vehicle Certification Agency (VCA) has been appointed by BIS (the Department for Business, Innovation & Skills) to enforce compliance with parts III and IV of the Regulations, the Prohibition of Heavy Metals and Information requirements respectively.

VCA will be seeking to enforce the Regulations in a number of ways, including:

- Requesting producer's technical information in respect of compliance with Part III and IV of the Regulations;
- Visiting producer premises to review their manual / electronic control systems to ensure they are adequate, and carry out line walks to ensure effectiveness in practice;
- Monitoring of the Internet, promotional literature and trade publications;
- Attendance at Trade Shows;
- Dealing with specific complaints
- Testing samples of automotive components for compliance



Whilst seeking actively to enforce the Regulations, we are keen to work with Industry to ensure that legal obligations are met. Stakeholders can seek VCA's advice on compliance issues.

Where to find out more

See the Contact VCA section at the end of this document.



Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations

Background

VCA has been tasked by the central Department for Transport (DfT) with enforcing the Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001. VCA will monitor car advertisements as they appear in all media publications to ensure that the requirements for the display of Fuel Consumption and CO2 data are fully met. The type of publications we monitor include both national and local newspapers, all magazines - not just those with a transport orientation, along with posters, flyers and any other printed campaign material produced by car manufacturers.

Groups effected

Any person involved in advertising a new car can be held responsible for its compliance. This can include the manufacturer, advertising agency and / or individual car dealer. Occasionally infringement letters can be raised against all three parties.

How we will regulate the groups affected is

On a regular basis, VCA will examine both national and local newspapers, all magazines - not just those with a transport orientation, along with posters, flyers and any other printed campaign material produced by car manufacturers.

VCA will often receive examples of potentially non-compliant advertisement from members of the public. These are dealt with in exactly the same way as other advertisements.

New car advertisements are checked against the following criteria from the Regulations:

'Regulation 9(1) of schedule 4 requires the supplier of a model of passenger car to ensure that all promotional literature, which is published or made available, meets the requirements outlined in Schedule 4. Paragraphs 2 to 5 **require the presence of official fuel consumption and official specific emissions of CO2 figures in promotional literature**, where the literature is model specific. This information **should be no less prominent than the main part of the information supplied**.

'Paragraph 2 states "If the promotional literature applies to more than one model of the same make, there shall be provided either the official fuel consumption and official specific CO2 emissions figures for all models covered or the range between the worst and best official fuel consumption and official specific CO2 emissions figures." '

Where to find out more

See the Contact VCA section at the end of this document.



Contact VCA

WEEE

VCA helpline 0300 3305799

Email WEEE@vca.gov.uk

Waste Batteries and Accumulators

VCA helpline 08448000819

Email batteries@vca.gov.uk

Replacement of Catalytic Converters and Pollution Control Devices

Telephone: 0117 952 4169

Email: enquiries@vca.gov.uk

Non road mobile machinery

Telephone: 0117 952 4169

Email: enquiries@vca.gov.uk

Outdoor Noise

Telephone: 0117 952 4169

Email: enquiries@vca.gov.uk

or

For noise declarations of conformity

Telephone: 0117 952 4169

Email: noise.declarations@vca.gov.uk



End of Life Vehicles

Telephone: 0117 952 4169

Email: enquiries@vca.gov.uk

Advertising Standards

Telephone: 0117 952 4169

Email: adverts@vca.gov.uk