



Vehicle  
Certification  
Agency

# 2018/858/EU and CoP

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# 2018/858/EU and CoP

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# 2018/858/EU and CoP

## 1. Introduction



# 2018/858/EU and CoP - Introduction

## Scope

This presentation will only cover CoP requirements and will not include Type Approval requirements. It will give an indication of the additional evidence VCA will be requesting to gain and maintain CoP clearance to 2018/858/EU and/or GB/UKNI legislation based upon it

# 2018/858/EU and CoP - Introduction

## General housekeeping

- ▶ There is time allocated at the end for questions
- ▶ Copies of the slides will be added to the VCA website under the CoP section after these seminars

# 2018/858/EU and CoP - Introduction

## Relevant Legislation

- ▶ EU Regulation 2018/858/EU and Implementing EU Regulation 2020/683/EU
- ▶ The Road Vehicles (Approval) Regulations 2020 (Statutory Instrument 2020 No. 818 (as amended))
- ▶ Statutory Instrument 2020 No. 818 can be found on <https://www.legislation.gov.uk/>

# 2018/858/EU and CoP - Introduction

## Implementation

- ▶ EU Regulation 2018/858/EU mandatory for new types from 1<sup>st</sup> September 2020
- ▶ The Road Vehicles (Approval) Regulations 2020 (Statutory Instrument 2020 No. 818 (as amended)) came into force on 1<sup>st</sup> September 2020.
- ▶ Existing 2007/46/EU approvals do not need updating
- ▶ Existing approvals to The Road Vehicles (Approval) Regulations 2009 (Statutory Instrument 2009 No. 717) do not need CoP updating

# 2018/858/EU and CoP - Introduction

## Implementation

- ▶ Many changes are contained in the often overlooked articles
- ▶ A number of these impact CoP clearance by way of additional checks
- ▶ Additionally subtle changes have occurred to the CoP Annex (Annex IV)



## 2. Impact on CoP

# 2018/858/EU and CoP – Impact on CoP

## Impact on CoP

- ▶ Article 31 CoP requirements
  - ▶ Paragraph 2 places requirements on checking CoC's
  - ▶ Paragraph 6 places requirements on checking RMI and OBD
- ▶ Documentation needs to be reviewed before first issue of 2018/858/EU or SI 2020 No. 818 approval
- ▶ Wording around usage of ISO certification changed

## 3. Periodic Checks

# 2018/858/EU and CoP – Periodic Checks

- ▶ CoC checks are needed as part of CoP checks

## Article 31, Paragraph 2

*An approval authority that has granted a whole-vehicle type-approval shall verify a statistically relevant number of samples of vehicles and certificates of conformity on their compliance with Articles 36 and 37 and shall verify that the data in those certificates of conformity are correct.*

- ▶ Will be covered during the annual review

### Note:

Article 36      Certificate of conformity in paper format

Article 37      Certificate of conformity in electronic format

# 2018/858/EU and CoP – Periodic Checks

- ▶ RMI / OBD checks are needed as part of CoP checks

## Article 31, Paragraph 6

*An approval authority that has granted an EU type-approval shall take the necessary measures to verify that the manufacturer complies with the obligations set out in Chapter XIV. It shall verify in particular whether, in order to comply with those obligations, the manufacturer has amended or supplemented the vehicle OBD information and vehicle repair and maintenance information.*

- ▶ Will be covered during the annual review

### Note:

Chapter XIV Access To Vehicle OBD Information and Vehicle Repair and Maintenance Information



## 4. CoP Documentation Update



## Implementation

- ▶ You will need to apply for a CoP update if you need a new whole vehicle approval
- ▶ Needed for NSSTA, GB, UKNI and EU approvals
- ▶ Process descriptions will be required
- ▶ Once only exercise – paperwork may be sampled at audit
- ▶ Charge for technical review of documents
- ▶ New CoP certificate will be issued



# 5. Areas Assessed and Requirements





# 2018/858/EU and CoP – Areas Assessed

## **Manufacturer's Representative and Mandate (Article 13, para. 4 and Article 15)**

- ▶ Needs to be in place for Manufacturer's outside the Union
- ▶ Mandate must be signed, dated, listing position in company of signatories
- ▶ Must be a natural or legal person established in the Union
- ▶ Mandate must be in place and give permissions stated in the Regulation
- ▶ Must state all the approvals (frameworks) required. i.e EU Type approval, UK(NI)
- ▶ Representative has access to type approval certificates, CoC's, all associated type approval documentation, software and algorithms.

### Definition:

'manufacturer's representative' means any natural or legal person established in the Union who is duly appointed by the manufacturer to represent the manufacturer before the approval authority or the market surveillance authority and to act on the manufacturer's behalf in matters covered by this Regulation;

# 2018/858/EU and CoP – Areas Assessed

## Market Surveillance Representative (Article 13,para. 4, Article 15)

- ▶ Market surveillance representative also required
- ▶ One natural or legal person can be both Manufacturers representative and Market surveillance representative.
- ▶ As previously, need to be in place for Manufacturers outside the Union
- ▶ Mandate must be signed, dated, listing position in company of both signatories
- ▶ Must be a natural or legal person established in the Union
- ▶ Mandate must be in place and give permissions stated in the Regulation
- ▶ Must state all the approvals (frameworks) required i.e. EU Type approval, UK(NI)

# 2018/858/EU and CoP – Areas Assessed

## Manufacturers and Importers Marking (Article 13, para. 8 & Article 16 para. 5)

- ▶ Manufacturer's name, registered trade name or registered trademark and their contact address in the Union must be affixed to vehicles, components and separate technical units
- ▶ For vehicle manufacturers this must be on the vehicle and not part of interior electronic display. This is in addition to the Statutory Plate.
- ▶ If label space is shared with the Statutory plate it must be outside of the prescribed rectangle and list both Manufacturer Trade name / trademark and contact address. Name must be repeated if shared with the statutory plate.
- ▶ For components and STU's, this can be on the unit, on the packaging or in a document supplied with the item
- ▶ Not clear on positioning or size: However it should be legible and readily accessible
- ▶ Importer marking to be applied by the importer if manufacturer outside of the union. Could include GB in the future

# 2018/858/EU and CoP – Areas Assessed

## Complaints Procedure (Article 13, para. 7)

- ▶ Document how complaints are handled that relate to:
  - Risks
  - suspected incidents or non-compliance issues with the vehicles, systems, components, separate technical units, parts and equipment that have placed on the market.
- ▶ Should cover that complaints can come from any source not just end user / warranty.
- ▶ Should include at what point VCA and DVSA are notified of reportable issues.
- ▶ Include how manufacturers notify their representative and how their representatives notify them

# 2018/858/EU and CoP – Areas Assessed

## Approvals Withdrawal Procedure (Article 35, para. 4/5)

- ▶ Withdrawal procedure required to cover cessation of production, expiry of legislation and expiry of approvals
- ▶ Must identify that the VIN number and date of manufacture of the last vehicle are required to be passed on to approval authority.
- ▶ If a multistage approval is held, include multistage approval holders serial/build number
- ▶ Must outline how to inform of withdrawal and show contact to inform (Generic VCA address)
- ▶ Must include process to notify assembly plants
- ▶ If no vehicles are produced in last 2 years approval becomes invalid

# 2018/858/EU and CoP – Areas Assessed

## Procedure for identifying economic operators (Article 21)

- ▶ It covers the system you have in place for traceability
- ▶ Records
  - a) the identity of any economic operator that has supplied you with a vehicle, system, component, separate technical unit, part or equipment;
  - b) the identity of any economic operator to which you have supplied a vehicle, system, component, separate technical unit, part or equipment.
- ▶ It could be recorded by a purchasing system. However, a written explanation of the system, including screen shots, would be required
- ▶ Confirmation the data is backed up and retained for 10 years after production ceases for vehicles and 5 years for systems, components, separate technical units or parts
- ▶ If you employ assembly plants with their own purchasing, you are responsible for ensuring that this information is available for product they have built / received.

Definition:

Economic Operator' means the manufacturer, the manufacturer's representative, the importer or the distributor;

## 6. CoP Annex Changes

## CoP Annex IV

- ▶ Change in wording for acceptance of ISO certification
  - ▶ The scope of that certification shall cover the product(s) to be approved
  - ▶ Conformity of Production must be covered by the quality management system
  - ▶ The manufacturer shall provide details of the certification and inform VCA of any revisions to its validity or scope.
  
- ▶ References made to using CoP requirements of ECE Regulations used for whole vehicle approvals
- ▶ Clearance duration risk based
- ▶ Maximum clearance 3 years in line with E/ECE/TRANS/505



## 7. Update Process

# 2018/858/EU and CoP – Update Process

- ▶ Apply to [copmailbox@vca.gov.uk](mailto:copmailbox@vca.gov.uk) for GB / UKNI or if EU approvals held, apply to VCA Europe for update
- ▶ Guidance document will be sent out to assist you
- ▶ Charge will be made of £268 for technical evaluation of documents (additional changes for EU approval will apply)
- ▶ Revised certificate will be issued
- ▶ This update cannot be covered as part of an audit
- ▶ However, documents may be sampled during audits

## 8. Summary

# 2018/858/EU and CoP– Summary

- ▶ Number of changes relating to CoP in the Articles and in the CoP Annex IV
- ▶ Updates will be required for new type approval certificates
- ▶ Process documents need to be submitted and assessed for suitability
- ▶ Please direct all correspondence regarding 2018/858/EU CoP to [copmailbox@vca.gov.uk](mailto:copmailbox@vca.gov.uk)

## 9. Questions