

# **EXPLANATORY MEMORANDUM FOR EUROPEAN UNION LEGISLATION/DOCUMENTS WITHIN THE SCOPE OF THE UK/EU WITHDRAWAL AGREEMENT AND THE WINDSOR FRAMEWORK**

7055/24, C(2024)823 final

## **COMMISSION DELEGATED REGULATION (EU) .../... of 14.2.2024 amending Regulation (EU) 2015/758 of the European Parliament and of the Council as regards the standards relating to eCall**

Submitted by Department for Transport,

24 April 2024

### **SUBJECT MATTER**

1. Ecall is an in-vehicle system that makes use of 2/3G mobile phone networks to contact the emergency services in the event of a serious accident. The current technical requirements are set in Regulation (EU) 2015/758. Due to the phase out of 2/3G networks, the proposed regulation aims to update the technical requirements to mandate systems that use 4/5G networks.
2. From 1st January 2026 it will apply to all new vehicle types (i.e. models) and extensions to existing approvals. However, from 1st Jan 2025 manufactures may choose to obtain approval to the new requirements. From 1st January 2027 it will apply to all new cars (existing types).
3. These requirements will continue to apply only to cars and light duty commercial vehicles. In addition, the current exemptions for vehicles produced under the small series, multi-stage schemes, and special purpose vehicles, such as wheelchair accessible vehicles, will also continue.

### **SCRUTINY HISTORY**

4. EU Regulation 2015/758 was subject to scrutiny by the parliamentary EU Scrutiny Select Committees as EU proposal 12683/13, COM(13)316. Most recently a European Commission report about the Commission's use of delegated acts under this legislation was subject to scrutiny as EU document 10101/20, COM(20)359.

### **MINISTERIAL RESPONSIBILITY**

5. The Secretary of State for Transport is responsible for the vehicle type-approval requirements.

### **INTEREST OF THE DEVOLVED GOVERNMENTS (DGs)**

6. The topic of type-approval is a reserved matter. The Devolved Governments, particularly in Northern Ireland, have been consulted in the preparation of this EM.

## **LEGAL AND PROCEDURAL ISSUES**

### **i. Legal Base:**

7. The legal basis of this delegated act is Article 5(9) and Article 6(12) of Regulation (EU) 2015/758 of the European Parliament and of the Council.

### **ii. Voting Procedure:**

8. The delegated regulation will enter into force if no objections are expressed by the Council or European Parliament within two months of notification or if, before the expiry of that period, the Council and European Parliament both inform the Commission that they will not object. That period can be extended by two months at the initiative of the Council or the European Parliament.

### **iii. Timetable for adoption and implementation:**

9. The proposal was adopted by the Commission on 14th February 2024.

## **POLICY AND LEGAL IMPLICATIONS**

10. The overall aim of this proposal is to ensure that eCall systems used in new cars and light commercial vehicles will function as intended by using 4/5G networks in the event of an accident. The proposal would amend EU regulation 2015/758 which is in Annex 2 of the Windsor Framework, and so would apply in Northern Ireland.
11. The proposal is a straightforward and logical technical update to the regulation to address the phase out of the 2/3G networks. It applies international technical standards that would be compatible with 4/5G networks used in the UK. In addition, it provides flexibility for manufacturers to update their eCall systems before the mandatory deadline.
12. The existing EU regulation currently contains exemptions for low volume and multi-stage manufacturers, and these will not be affected by the amendment. The Government is not aware of any manufacturers based in NI that produce vehicles in scope of the Regulation. Small manufacturers in Northern Ireland, are not likely to be affected due to the exemption for vehicles produced under the small series scheme or they produce vehicles that are not in scope of the regulation, such as Wrightbus. The local manufacturing industry is therefore unlikely to be affected by this proposal.
13. In addition, the new requirements will apply under the UKNI type-approval scheme, which enables access to the NI and GB market and is available to manufacturers if they wish to use it. In any event unfettered access, which is of course unaffected by the proposals, would enable access to the GB market for NI

based manufacturers and the movement of used vehicles between GB and NI would be unaffected. As a result, we do not expect there to be any effect on producers in NI.

14. With regard to the requirements applicable under the GB type-approval scheme, the current EU regulation was retained and assimilated into domestic law. It therefore continues to apply the requirement to use 2/3G networks. However, the Government is considering options for the GB scheme, including the possibility of amending the technical requirements to mandate the use of 4/5G networks. The Government will be going to consultation on this matter in due course and, subject to the outcome of that consultation, would expect to legislate accordingly in the autumn.
15. The amendments in question will not affect the movement or sale of vehicles in Northern Ireland. A manufacturer will still be able to obtain a single UKNI approval for the whole of the UK. A UKNI approval will continue to be sufficient to sell into both the NI and GB markets, and manufacturers who hold EU type approval will also continue to be able to sell into the NI market using that approval.
16. The Government is not aware of any implications from this proposal with regards to Northern Ireland's participation in the UK's Free Trade Agreements or with its participation in UK Common Frameworks.
17. There are no legal implications arising from this proposal.

## **CONSULTATION**

18. The Devolved Governments, particularly in Northern Ireland, have been consulted during the production of this explanatory memorandum. The automotive industry was consulted by the Commission during the development of this proposal. The Government has held informal discussions with UK industry stakeholders as part of its assessment of potential amendments to the GB scheme.

## **FINANCIAL IMPLICATIONS**

25. There are no financial implications for the UK.

## **MINISTERIAL NAME AND SIGNATURE**

A handwritten signature in black ink that reads "Anthony Browne". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Anthony Browne MP  
Parliamentary Under Secretary of State  
**Department for Transport**