EUROPEAN
COMMISSION

Brussels, 27.10.2015
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ANNEX 1

ANNEX

to the

Council Decision

on the approval, on behalf of the European Union, of Revision 3 of the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement')

ANNEX

Agreement concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations[1]

Revision 3

Preamble

THE CONTRACTING PARTIES,

HAVING DECIDED to amend the Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts, done at Geneva on 20 March 1958, as amended on 16 October 1995, and,

DESIRING to reduce technical barriers to international trade by defining harmonized technical UN Regulations that it will suffice for certain wheeled vehicles, equipment and parts to fulfil in order to be used in their countries or regions,

RECOGNIZING the importance of safety, environmental protection, energy efficiency and anti-theft performance of wheeled vehicles, equipment and parts, which can be fitted and/or be used on wheeled vehicles for the development of regulations that are technically and economically feasible and adapted to technical progress,

DESIRING to apply these UN Regulations whenever possible in their countries or regions,

DESIRING to facilitate the acceptance in their countries of the vehicles, equipment and parts, where approved according to these UN Regulations by the approval authorities of another Contracting Party,

DESIRING to establish an International Whole Vehicle Type Approval scheme (IWVTA) within the framework of the Agreement to increase the advantages of individual UN Regulations annexed to the Agreement and so create opportunities to simplify implementation by Contracting Parties and the wider adoption of mutual recognition of type approvals for whole vehicles, and,

DESIRING to increase the number of Contracting Parties to the Agreement by improving its functioning and reliability, and thus ensure that it remains the key international framework for the harmonization of technical regulations in the automotive sector,

HAVE AGREED as follows:

Article 1

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[1] Former titles of the Agreement:
Agreement concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts, done at Geneva on 20 March 1958 (original version);
Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions, done at Geneva on 5 October 1995 (Revision 2).

1. The Contracting Parties shall establish, through an Administrative Committee made up of all the Contracting Parties in conformity with the rules of procedure set out in the appendix to this Agreement and on the basis of the following articles and paragraphs, UN Regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles. Conditions for granting type approvals and their reciprocal recognition will be included for use by Contracting Parties which choose to implement Regulations through type approval.

For the purposes of this Agreement:

The term "wheeled vehicles, equipment and parts" shall include any wheeled vehicles, equipment and parts whose characteristics have a bearing on vehicle safety, protection of the environment, energy saving and the performance of anti-theft technology;

The term "type approval pursuant to a UN Regulation" indicates an administrative procedure by which the approval authorities of one Contracting Party declare, after carrying out the required verifications that a type of vehicle, equipment or part submitted by the manufacturer conforms to the requirements of the given UN Regulation. Afterwards the manufacturer certifies that each vehicle, equipment or parts put on the market were produced to be identical with the approved product.

The term "whole vehicle type approval" indicates that type approvals granted pursuant to applicable UN Regulations for wheeled vehicles, equipment and parts of a vehicle are integrated into an approval of the whole vehicle according to the provisions of the administrative IWVTA system.

The term "version of a UN Regulation" indicates that a UN Regulation, following its adoption and establishment, may subsequently be amended following the procedures described in this Agreement, in particular Article 12. The unamended UN Regulation as well as the UN Regulation, after integration of any subsequent amendment(s), are considered to be separate versions of that UN Regulation.

The term "applying a UN Regulation" indicates that a UN Regulation enters into force for a Contracting Party. When doing so, Contracting Parties have the possibility to keep their own national/regional legislation. If they wish, they may substitute their national/regional legislation by the requirements of the UN Regulations they are applying, but they are not bound by the Agreement to do so. However, Contracting Parties shall accept, as an alternative to the relevant part of their national/regional legislation, UN type approvals granted pursuant to the latest version of UN Regulations applied in their country/region. The rights and obligations of Contracting Parties applying a UN Regulation are detailed in the various articles of this Agreement.

For the application of the UN Regulations there could be various administrative procedures alternative to type approval. The only alternative procedure generally known and applied in certain member states of the Economic Commission for Europe is the self-certification by which the manufacturer certifies, without any preliminary administrative control, that each product put on the market conforms to the given UN Regulation; the competent administrative authorities may verify by random sampling on the market that the self-certified products comply with the requirements of the given UN Regulation.

2. The Administrative Committee shall be composed of all the Contracting Parties in accordance with the rules of procedure set out in the appendix.

A UN Regulation, after having been established in accordance with the procedure indicated in the appendix, shall be communicated by the Administrative Committee to the Secretary-General of the United Nations, hereinafter called "Secretary-General". As soon as possible thereafter, the Secretary-General shall give notification of this UN Regulation to the Contracting Parties.

The UN Regulation will be considered as adopted unless, within a period of six months from its notification by the Secretary-General, more than one-fifth of the Contracting Parties at the time of notification have informed the Secretary-General of their disagreement with the UN Regulation.

The UN Regulation shall cover the following:

(a) Wheeled vehicles, equipment or parts concerned;

(b) Technical requirements, which shall be performance oriented wherever appropriate and not design-restrictive, that give objective consideration to available technologies, costs and benefits as appropriate, and may include alternatives;

(c) Test methods by which any performance requirements are to be demonstrated;

(d) Conditions for granting type approval and their reciprocal recognition including administrative provisions, any approval markings and conditions for ensuring conformity of production;

(e) The date(s) on which the UN Regulation enters into force, including the date when Contracting Parties applying it can issue approvals pursuant to that UN Regulation, and the date from which they shall accept approvals (if different);

(f) An information document to be provided by the manufacturer.

The UN Regulation may, if needed, include references to the laboratories accredited by the approval authorities where acceptance tests of the types of wheeled vehicles, equipment or parts submitted for approval shall be carried out.

In addition to the above-mentioned UN Regulations, this Agreement provides for establishing a UN Regulation to introduce a system of Whole Vehicle Type Approval. This UN Regulation shall set the scope, administrative procedures, and technical requirements that can include different levels of stringency in one version of the said UN Regulation.

Notwithstanding other provisions of Article 1 and Article 12, a Contracting Party applying the UN Regulation on IWVTA shall only be obliged to accept those type approvals granted pursuant to the highest level of stringency of the latest version of the said UN Regulation.

This Agreement also includes Schedules of Administrative and Procedural Provisions applicable to all UN Regulations annexed to this Agreement and to all Contracting Parties applying one or more UN Regulations.

3. When a UN Regulation has been adopted, the Secretary-General shall so notify as soon as possible all the Contracting Parties, specifying which Contracting Parties have objected, or have notified their agreement but have the intention not to begin applying the UN Regulation at the date of entry into force, and in respect of which the UN Regulation shall not enter into force.

4. The adopted UN Regulation shall enter into force on the date(s) specified therein as a UN Regulation annexed to this Agreement for all Contracting Parties which have not notified either their disagreement or their intention not to apply it on that date.

5. When depositing its instrument of accession, any new Contracting Party may declare that it will not apply certain UN Regulations then annexed to this Agreement or that it will not apply any of them. If, at that time, the procedure laid down in paragraphs 2, 3, and 4 of this Article is in progress for a draft or adopted UN Regulation, the Secretary-General shall communicate such draft or adopted UN Regulation to the new Contracting Party and it shall enter into force as a UN Regulation for the new Contracting Party unless this Contracting Party notifies its disagreement with the adopted UN Regulation within a period of six months after the deposit of its instrument of accession. The Secretary-General shall notify all the Contracting Parties of the date of such entry into force. The Secretary-General shall also communicate to them all declarations concerning the non-application of certain UN Regulations that any Contracting Party may make in accordance with the terms of this paragraph.

6. Any Contracting Party applying a UN Regulation may at any time notify the Secretary-General, subject to one year's notice, about its intention to cease applying that UN Regulation. Such notification shall be communicated by the Secretary-General to the other Contracting Parties.

   Approvals previously granted pursuant to that UN Regulation by that Contracting Party shall remain valid unless they are withdrawn in accordance with the provisions of Article 4.

   If a Contracting Party ceases to issue approvals to a UN Regulation it shall:

   (a) Maintain proper supervision on conformity of production of products for which it previously granted type approval;

   (b) Take the necessary steps set out in Article 4 when advised of non-conformity by a Contracting Party that continues to apply the UN Regulation;

   (c) Continue to notify the other Contracting Parties of withdrawal of approvals as set out in Article 5;

   (d) Continue to grant extensions to existing approvals.

7. Any Contracting Party not applying a UN Regulation may at any time notify the Secretary-General that it intends henceforth to apply it and the UN Regulation will then enter into force for this Party on the sixtieth day after this notification. The Secretary-General shall notify all the Contracting Parties of every entry into force of a UN Regulation for a new Contracting Party affected in accordance with the terms of this paragraph.

8. The Contracting Parties for which a UN Regulation is in force shall hereinafter be referred to as "the Contracting Parties applying a UN Regulation".

Article 2

1. Each Contracting Party applying UN Regulations largely through type approval shall grant the type approvals and approval markings described in any UN Regulation for the types of wheeled vehicles, equipment or parts covered by the UN Regulation, provided that it has the technical competence and is satisfied with the arrangements for ensuring conformity of the product with the approved type. Each Contracting

Party which grants type approval shall take the necessary measures as set out in Schedule 1 annexed to this Agreement to verify that adequate arrangements have been made to ensure that wheeled vehicles, equipment and parts are manufactured in conformity with the approved type.

2. Each Contracting Party issuing type approvals pursuant to a UN Regulation shall specify an approval authority for the UN Regulation. The approval authority shall have the responsibility for all aspects of type approval pursuant to the said UN Regulation. This approval authority may designate Technical Services to carry out on its behalf the testing and inspections necessary for the verifications required in paragraph 1 of this article. Contracting Parties shall ensure that Technical Services are assessed, designated and notified in accordance with the requirements set out in Schedule 2 annexed to this Agreement.

3. The type approvals, approval markings and identifiers for the types of wheeled vehicles, equipment and parts shall be specified in the UN Regulation and granted in accordance with the procedures set out in Schedules 3 to 5 annexed to this Agreement.

4. Each Contracting Party applying a UN Regulation shall refuse to grant the type approvals and approval markings covered by the UN Regulation if the above-mentioned conditions are not complied with.

Article 3

1. Wheeled vehicles, equipment or parts for which type approvals have been issued by a Contracting Party in accordance with Article 2 of this Agreement shall be held to be in conformity with the relevant part of the national legislation of all the Contracting Parties applying the said UN Regulation.

2. Contracting Parties applying UN Regulations shall, by mutual recognition, accept for the placement in their markets, and subject to the provisions of Articles 1, 8 and 12 as well as any special provisions within these UN Regulations, type approvals granted pursuant to these UN Regulations, without requiring any further testing, documentation, certification or marking concerning these type approvals.

Article 4

1. Should a Contracting Party applying a UN Regulation find that certain wheeled vehicles, equipment or parts bearing approval markings issued under the said UN Regulation by one of the Contracting Parties do not conform to the approved types or the requirements of the said UN Regulation, it shall advise the approval authority of the Contracting Party which issued the approval.

   The Contracting Party that issued the approval shall take the necessary steps to ensure that the non-conformity is rectified.

2. When the non-conformity is due to non-compliance with the technical requirements specified in a UN Regulation, as referred to in Article 1.2.(b), the Contracting Party that issued the approval shall immediately inform all other Contracting Parties about the situation and shall provide regular advice to Contracting Parties of the steps it is taking, which may include, if necessary, the withdrawal of the approval.

   After having considered the potential impact on vehicle safety, protection of the environment, energy saving or the performance of anti-theft technology, Contracting Parties may prohibit the sale and use of such wheeled vehicles, equipment or parts in their territory until this non-conformity is rectified. In such a case, these Contracting Parties shall inform the secretariat of the Administrative Committee of the measures taken. For resolution of disputes between the Contracting Parties, the procedure provided in Article 10.4 shall apply.

3. Notwithstanding the provisions of paragraph 1 of this Article, if a non-conforming product, as referred to in paragraph 2 of this Article, has not been brought into conformity within a period of three months, the Contracting Party responsible for the approval shall temporarily or permanently withdraw the approval. By exception, this period may be extended by a period not exceeding three months unless one or more Contracting Parties applying the concerned UN Regulation object. When the period is being extended, the Contracting Party that issued the approval shall, within the initial three-month period, notify all Contracting Parties applying the concerned UN Regulation of its intention to extend the period in which the non-conformity shall be rectified and provide a justification for such extension.

4. When the non-conformity is due to non-compliance with the administrative provisions, approval markings, conditions for conformity of production or the information document specified in a UN Regulation, as referred to in Article 1.2.(d) and 1.2.(f), the Contracting Party that issued the approval shall temporarily or permanently withdraw the approval if the non-conformity has not been rectified within a period of six months.

5. Paragraphs 1 to 4 of this Article also apply in the situation where the Contracting Party responsible for issuing of the approval itself finds that certain wheeled vehicles, equipment or parts bearing approval markings do not conform to the approved types or the requirements of a UN Regulation.

Article 5

1. The approval authorities of each Contracting Party applying UN Regulations shall send upon request from the other Contracting Parties, a list of the wheeled vehicles, equipment or parts of which it has refused to grant or has withdrawn approvals.

2. In addition, on receiving a request from another Contracting Party applying a UN Regulation, it shall send forthwith, in accordance with the provisions of Schedule 5 annexed to this Agreement, to that Contracting Party a copy of all relevant information on which it based its decision to grant, refuse to grant, or to withdraw an approval of a wheeled vehicle, equipment or part pursuant to that UN Regulation.

3. The paper copy may be replaced by an electronic file in accordance with Schedule 5 annexed to this Agreement.

Article 6

1. Member states of the Economic Commission for Europe, countries admitted to the Commission in a consultative capacity in accordance with paragraph 8 of the Commission's Terms of Reference, and regional economic integration organizations set up by member states of the Economic Commission for Europe to which their member states have transferred powers in the fields covered by this Agreement, including the power to make binding decisions on their member states, may become Contracting Parties to this Agreement.

   For the determination of the number of votes referred to in Article 1, paragraph 2 and in Article 12, paragraph 2, regional economic integration organizations vote with the number of votes of their member states being members of the Economic Commission for Europe.

2. Member states of the United Nations may participate in certain activities of the Economic Commission for Europe in accordance with paragraph 11 of the Commission's Terms of Reference and regional economic integration organizations of such countries to which their member states have transferred powers in the fields covered by this Agreement including power to make binding decisions on their member states may become Contracting Parties to this Agreement.

   For the determination of the number of votes referred to in Article 1, paragraph 2 and in Article 12, paragraph 2, regional economic integration organizations vote with the number of votes of their member states being members of the United Nations.

3. Accession to this Agreement by new Contracting Parties which are not Parties to the 1958 Agreement shall be effected by the deposit of an instrument with the Secretary-General, after the entry into force of this Agreement.

Article 7

1. This Agreement shall be deemed to enter into force nine months after the date of its transmission by the Secretary-General to all the Contracting Parties to the 1958 Agreement.

2. This Agreement shall be deemed not to enter into force if any objection from the Contracting Parties to the 1958 Agreement is expressed within a period of six months following the date of its transmission to them by the Secretary-General.

3. For any new Contracting Party acceding to this Agreement, this Agreement shall enter into force on the sixtieth day after the deposit of the instrument of accession.

Article 8

1. Any Contracting Party may denounce this Agreement by notifying the Secretary-General.

2. Denunciation shall take effect twelve months after the date of receipt by the Secretary-General of such notification.

3. Any type approvals granted by the Contracting Party shall remain valid for a period of twelve months after the denunciation has taken effect in accordance with Article 8.2.

Article 9

1. Any Contracting Party as defined in Article 6 of this Agreement may, at the time of accession or at any time thereafter, declare by notification addressed to the Secretary-General that this Agreement shall extend to all or any of the territories for whose international relations it is responsible. The Agreement shall extend to the territory or territories named in the notification as from the sixtieth day after its receipt by the Secretary-General.

2. Any Contracting Party as defined in Article 6 of this Agreement which has made a declaration in accordance with paragraph 1 of this Article extending this Agreement to any territory for whose international relations it is responsible may denounce the Agreement separately in respect of that territory, in accordance with the provisions of Article 8.

Article 10

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Agreement shall, so far as possible, be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting Parties in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the Parties in dispute. If within three months from the date of the request for arbitration the Parties in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those Parties may request the Secretary-General to nominate a single arbitrator to whom the dispute shall be referred for decision.

3. The decision of the arbitrator or arbitrators appointed in accordance with paragraph 2 of this Article shall be binding on the Contracting Parties in dispute.

4. Any dispute between two or more Contracting Parties concerning the interpretation or application of UN Regulations annexed to this Agreement shall be settled by negotiation in accordance with the procedure set out in Schedule 6 annexed to this Agreement.

Article 11

1. Any Contracting Party may, at the time of acceding to this Agreement, declare that it does not consider itself bound by paragraphs 1 to 3 of Article 10 of the Agreement. Other Contracting Parties shall not be bound by paragraphs 1 to 3 of Article 10 in respect of any Contracting Party which has entered such a reservation.

2. Any Contracting Party having entered a reservation as provided for in paragraph 1 of this Article may at any time withdraw such reservation by notifying the Secretary-General.

3. No other reservation to this Agreement, its Appendix, Schedules and the UN Regulations annexed thereto shall be permitted; but any Contracting Party may, in accordance with the terms of Article 1, paragraph 5, declare that it does not intend to apply certain of the UN Regulations or that it does not intend to apply any of them.

Article 12

The UN Regulations annexed to this Agreement may be amended in accordance with the following procedure:

1. Amendments to UN Regulations shall be established by the Administrative Committee as described in Article 1, paragraph 2 and in accordance with the procedure indicated in the appendix.

   An amendment to the UN Regulation, after having been established, shall be communicated by the Administrative Committee to the Executive Secretary of the United Nations Economic Commission for Europe. As soon as possible thereafter, the Executive Secretary of the United Nations Economic Commission for Europe shall give notification of this amendment to the Contracting Parties applying the UN Regulation and the Secretary-General.

2. An amendment to a UN Regulation will be considered to be adopted unless, within a period of six months from its notification by the Executive Secretary of the United Nations Economic Commission for Europe, more than one-fifth of the Contracting Parties applying the UN Regulation at the time of notification have informed the Secretary-General of their disagreement with the amendment. When an amendment to a UN Regulation is adopted, the Secretary-General shall as soon as possible declare the amendment as adopted and binding upon those Contracting Parties applying the UN Regulation.

3. Amendments to a UN Regulation may include transitional provisions relating to the entry into force of the amended UN Regulation, the date up to which Contracting Parties shall accept approvals pursuant to the preceding version of the UN Regulation and the date as from which Contracting Parties shall not be obliged to accept type approvals issued pursuant to the preceding version of the amended UN Regulation.

4. Notwithstanding that transitional provisions in any version of UN Regulations may have stipulated otherwise, Contracting Parties to this Agreement which are applying UN Regulations may, subject to compliance with the provisions of Article 2, nevertheless issue type approvals pursuant to earlier versions of UN Regulations.

However, subject to paragraph 3 of this Article, Contracting Parties applying a UN Regulation shall not be obliged to accept type approvals issued pursuant to these earlier versions.

5. All Contracting Parties applying a UN Regulation, except for Contracting Parties which notified the Secretary-General of their intention to cease applying the UN Regulation, shall accept approvals granted pursuant to the latest version of that UN Regulation. A Contracting Party which notified the Secretary-General of its intention to cease applying a UN Regulation shall, during the one-year period mentioned in paragraph 6 of Article 1, accept approvals granted pursuant to the version(s) of the UN Regulation applicable for that Contracting Party at the instance of its notification to Secretary-General.

6. A Contracting Party applying a UN Regulation may grant an exemption approval pursuant to a UN Regulation for a single type of wheeled vehicle, equipment or part which is based on a new technology, when this new technology is not covered by the existing UN Regulation, and is incompatible with one or more requirements of this UN Regulation. In such a case, the procedures set out in Schedule 7 annexed to this Agreement shall apply.

7. Should a new Contracting Party accede to this Agreement between the time of the notification of the amendment to a UN Regulation by the Executive Secretary of the United Nations Economic Commission for Europe and its entry into force, the UN Regulation in question shall enter into force for that Contracting Party unless, within a period of six months from its notification of accession by the Secretary-General, that Party has informed the Secretary-General of its disagreement with the amendment.

Article 13

The text of the Agreement itself and of its appendix may be amended in accordance with the following procedure:

1. Any Contracting Party may propose one or more amendments to this Agreement and its appendix. The text of any proposed amendment to the Agreement and its appendix shall be transmitted to the Secretary-General, who shall transmit it to all Contracting Parties and inform all other countries referred to in paragraph 1 of Article 6 thereof.

2. Any proposed amendment circulated in accordance with paragraph 1 of this Article shall be deemed to be accepted if no Contracting Party expresses an objection within a period of nine months following the date of circulation of the proposed amendment by the Secretary-General.

3. The Secretary-General shall, as soon as possible, notify all Contracting Parties whether an objection to the proposed amendment has been expressed. If an objection to the proposed amendment has been expressed, the amendment shall be deemed not to have been accepted, and shall be of no effect whatsoever. If no such objection has been expressed, the amendment shall enter into force for all Contracting Parties three months after the expiry of the period of nine months referred to in paragraph 2 of this Article.

Article 13 bis

1. The Schedules of Administrative and Procedural Provisions annexed to this Agreement may be amended in accordance with the following procedure:

1.1. Amendments to the Schedules of Administrative and Procedural Provisions shall be established by the Administrative Committee as referred to in Article 1.1 and in accordance with the procedure indicated in Article 7 of the appendix to this Agreement.

1.2. An amendment to the Schedules of Administrative and Procedural Provisions shall be communicated by the Administrative Committee to the Secretary-General. As soon as possible thereafter, the Secretary-General shall give notification of this amendment to the Contracting Parties applying one or more UN Regulations.

2. An amendment to the Schedules of Administrative and Procedural Provisions will be considered to be adopted unless, within a period of six months from its notification by the Secretary-General, no Contracting Party applying one or more UN Regulations has informed the Secretary-General of its disagreement with the amendment.

3. The Secretary-General shall, as soon as possible, notify all Contracting Parties to the Agreement applying one or more UN Regulations whether an objection to the proposed amendment has been expressed. If an objection to the proposed amendment has been expressed, the amendment shall be deemed not to have been accepted, and shall be of no effect whatsoever. If no such objection has been expressed, the amendment shall enter into force for all Contracting Parties applying one or more UN Regulations three months after the expiry of the period of six months referred to in paragraph 2 of this Article.

4. A new schedule shall be considered as an amendment to the Schedules of Administrative and Procedural Provisions and, therefore, established according to the same procedure as specified in this Article.

Article 14

1. In accordance with the provisions of this Agreement, the Secretary-General shall notify the Contracting Parties of:

(a) Accessions in accordance with Article 6;

(b) The dates of entry into force of this Agreement in accordance with Article 7;

(c) Denunciations in accordance with Article 8;

(d) Notifications received in accordance with Article 9;

(e) Declarations and notifications received in accordance with paragraphs 1 and 2 of Article 11;

(f) The entry into force of any new UN Regulation and any amendment to an existing UN Regulation in accordance with paragraphs 2, 3, 5 and 7 of Article 1, and paragraph 2 of Article 12;

(g) The entry into force of any amendment to the Agreement, its appendix or to the Schedules of Administrative and Procedural Provisions in accordance with paragraph 3 of Article 13 or with paragraph 3 of Article 13bis, respectively;

(h) The cessation of application of UN Regulations by Contracting Parties in accordance with paragraph 6 of Article 1.

2. In accordance with the provisions of this Agreement and the annexed Schedules of Administrative and Procedural Provisions, the Executive Secretary of the United Nations Economic Commission for Europe shall notify:

(a) The Secretary-General and the Contracting Parties of the establishment of an amendment to a UN Regulation in accordance with paragraph 2 of Article 12;

(b) The Contracting Parties of the decision by Administrative Committee on an exemption approval request and, subsequently, of its adoption in accordance with paragraph 5 of Schedule 7.

Article 15

1. If at the date the above provisions come into effect the procedures envisaged in Article 1, paragraphs 3 and 4 of the previous version of the Agreement are under way for adopting a new UN Regulation, the said new UN Regulation shall enter into force under the provisions of paragraph 4 of the said Article.

2. If at the date the above provisions come into effect, the procedures envisaged in Article 12, paragraph 1 of the previous version of the Agreement are under way for the adoption of an amendment to a UN Regulation, the said amendment shall enter into force under the provisions of the said Article.

3. If all Contracting Parties to the Agreement agree, any UN Regulation adopted under the terms of the previous version of the Agreement may be treated as though it were a UN Regulation adopted under the terms of the above provisions.

Article 16

This Agreement was done at Geneva in a single copy in the English, French and Russian languages, each text being equally authentic.

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Appendix

Composition and rules of procedure of the Administrative Committee

Article 1

The members of the Administrative Committee shall be composed of all the Contracting Parties to the amended Agreement.

Article 2

The Executive Secretary of the United Nations Economic Commission for Europe shall provide the Committee with secretariat services.

Article 3

The Committee shall, at its first session each year, elect a chairman and vice-chairman.

Article 4

The Secretary-General of the United Nations shall convene the Committee under the auspices of the Economic Commission for Europe whenever a new UN Regulation, an amendment to a UN Regulation, a notification according to the procedure for an exemption approval for new technologies (set out in Schedule 7) or an amendment to the Schedules of Administrative and Procedural Provisions is required to be established.

Article 5

Proposed new UN Regulations shall be put to the vote. Each country, Contracting Party to the Agreement shall have one vote. A quorum consisting of not less than half of the Contracting Parties is required for the purposes of taking decisions. For the determination of the quorum regional economic integration organizations, being Contracting Parties to the Agreement, vote with the number of votes of their member States. The representative of a regional economic integration organization may deliver the votes of its constituent sovereign countries. New draft UN Regulations shall be established by a four-fifth majority of those present and voting.

Article 6

Proposed amendments to UN Regulations shall be put to the vote. Each country, Contracting Party to the Agreement applying the UN Regulation shall have one vote. A quorum of not less than half of the Contracting Parties applying the UN Regulation is required for the purposes of taking decisions. For the determination of the quorum, regional economic integration organizations, being Contracting Parties to the Agreement, vote with the number of votes of their member States. The representative of a regional economic integration organization may deliver the votes of those of its constituent sovereign countries which apply the UN Regulation. Draft amendments to UN Regulations shall be established by a four-fifth majority of those present and voting.

Article 7

Proposed amendments to the Schedules of Administrative and Procedural Provisions annexed to this Agreement shall be put to the vote. Each Contracting Party to the Agreement applying one or more UN Regulations shall have one vote. A quorum of not less than half of the Contracting Parties to the Agreement applying one or more UN Regulations is required for the purposes of taking decisions. For the

determination of the quorum, regional economic integration organizations, being Contracting Parties to the Agreement, vote with the number of votes of their member States. The representative of a regional economic integration organization may deliver the votes of those of its constituent sovereign countries which apply one or more UN Regulations. Draft amendments to the Schedules of Administrative and Procedural Provisions shall be established by unanimous vote of those present and voting.

Article 8

The request of a Contracting Party for an authorization to grant a proposed exemption approval concerning new technologies shall be put to the vote. Each Contracting Party applying the UN Regulation shall have one vote. A quorum of not less than half of the Contracting Parties applying the UN Regulation is required for the purposes of taking decisions. For the determination of the quorum, regional economic integration organizations, being Contracting Parties to the Agreement, vote with the number of votes of their member States. The representative of a regional economic integration organization may deliver the votes of those of its constituent sovereign countries which apply the UN Regulation. The authorization to grant an exemption approval for the said Contracting Party shall be established by a four-fifth majority of those present and voting.

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Schedules of Administrative and Procedural Provisions

The following Schedules of Administrative and Procedural Provisions (SAPP) are annexed to the 1958 Agreement[2] and specify the administrative and procedural provisions applicable to all UN Regulations annexed to the 1958 Agreement:

Schedule 1	Conformity of production procedures
Schedule 2	Assessment, designation and notification of Technical Services
Schedule 3	Procedures for UN type approvals
Schedule 4	Numbering of UN type approvals
Schedule 5	Circulation of approval documentation
Schedule 6	Procedures for resolving interpretation issues in relation to the application of UN Regulations and granting approvals pursuant to these UN Regulations
Schedule 7	Procedure for exemption approvals concerning new technologies
Schedule 8	General conditions for virtual testing methods

[2] Agreement concerning the Adoption of Harmonized Technical UN Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these UN Regulations.

Schedule 1

Conformity of production procedures

Objectives

The conformity of production procedure aims to ensure that each produced wheeled vehicle, equipment or part is in conformity with the approved type.

Procedures include inseparably the assessment of quality management systems, referred to below as "initial assessment" and verification of the approval subject and product-related controls, referred to as "product conformity arrangements".

1. Initial assessment

1.1. The approval authority of a Contracting Party shall verify - before granting UN type approval - the existence of satisfactory arrangements and procedures for ensuring effective control so that wheeled vehicles, equipment or parts when in production conform to the approved type.

1.2. Guidance for conducting assessments may be found in the international standard ISO 19011:2002 - Guidelines for quality and/or environmental management systems auditing.

1.3. The requirement in paragraph 1.1 shall be verified to the satisfaction of the authority granting UN type approval.

The approval authority granting UN type approval shall be satisfied with the initial assessment and the product conformity arrangements in section 2 below, taking into account as necessary one of the arrangements described in paragraphs 1.3.1 to 1.3.3, or a combination of those arrangements in full or in part as appropriate.

1.3.1. The actual initial assessment and/or verification of product conformity arrangements shall be carried out by the approval authority granting UN type approval or by a Technical Service designated to act on behalf of that approval authority.

1.3.1.1. When considering the extent of the initial assessment to be carried out, the approval authority may take account of available information relating to:

(a) The manufacturer's certification described in paragraph 1.3.3 below, which has not been qualified or recognized under that paragraph;

(b) In the case of UN type approval of equipment or parts, quality system assessments performed by vehicle manufacturer(s), in the premises of the manufacturer(s) of the equipment or parts, according to one or more of the industry sector specifications satisfying the requirements in the international standard ISO 9001:2008.

1.3.2. The actual initial assessment and/or verification of product conformity arrangements may also be carried out by the approval authority of another Contracting Party, or the Technical Service designated for this purpose by the latter approval authority, provided this Contracting Party applies at least the same UN Regulations upon which the UN type approval has been based.

1.3.2.1. In such a case, the approval authority of the other Contracting Party shall prepare a statement of compliance outlining the areas and production facilities it has covered as relevant to the product(s) to be type-approved and to the UN Regulations according to which these products are to be type-approved.

1.3.2.2. On receiving an application for a compliance statement from the approval authority of a Contracting Party granting UN type approval, the approval authority of another Contracting Party shall send forthwith the statement of compliance or advise that it is not in a position to provide such a statement.

1.3.2.3. The statement of compliance shall include at least the following:

(a) Group or company (e.g. XYZ Automotive);

(b) Particular organization (e.g. Regional division);

(c) Plants/sites (e.g. Engine plant 1 (in country A) - Vehicle plant 2 (in country B));

(d) Vehicle/Component range (e.g. all category M_1 models);

(e) Areas assessed (e.g. Engine assembly, body pressing and assembly, vehicle assembly);

(f) Documents examined (e.g. Company and site quality manual and procedures);

(g) Date of the assessment (e.g. Audit conducted from dd/mm/yyyy to dd/mm/yyyy);

(h) Planned monitoring visit (e.g. mm/yyyy).

1.3.3. The approval authority may also accept the manufacturer's certification to the international standard ISO 9001:2008 (the scope of this certification shall cover the product(s) to be approved) or an equivalent accreditation standard as satisfying the initial assessment requirements of paragraph 1.1. The manufacturer shall provide details of the certification and undertake to inform the approval authority of any revisions to its validity or scope of that certification.

1.4. For the purpose of the International Whole Vehicle Type Approval, the initial assessments carried out for granting UN approvals for equipment and parts of the vehicle need not be repeated but shall be completed by an assessment covering the areas not covered by the former assessments, in particular, in relation to the assembly of the whole vehicle.

2. Product conformity arrangements

2.1. Every vehicle, equipment or part approved pursuant to a UN Regulation annexed to the 1958 Agreement shall be so manufactured as to conform to the type approved by meeting the requirements of this Schedule and of the said UN Regulation.

2.2. The approval authority of a Contracting Party granting a type approval pursuant to a UN Regulation annexed to the 1958 Agreement shall verify the existence of adequate arrangements and documented control plans, to be agreed with the manufacturer for each approval, to carry out at specified intervals those tests or associated checks necessary to verify continued conformity with the approved type, including, specifically, where applicable, tests specified in the said UN Regulation.

2.3. The holder of the UN type approval shall, in particular:

2.3.1. Ensure the existence and application of procedures for effective control of the conformity of products (wheeled vehicles, equipment or parts) to the approved type;

2.3.2. Have access to the testing or other appropriate equipment necessary for checking the conformity to each approved type;

2.3.3. Ensure that test or check results' data are recorded and that annexed documents remain available for a period to be determined in agreement with the approval authority. This period shall not exceed 10 years;

2.3.4. Analyse the results of each type of test or check, in order to verify and ensure the stability of the product characteristics, making allowance for variation of an industrial production;

2.3.5. Ensure that for each type of product, at least the checks prescribed in this Schedule and the tests prescribed in the applicable UN Regulations are carried out;

2.3.6. Ensure that any set of samples or test pieces giving evidence of non-conformity in the type of test in question gives rise to a further sampling and test. All the necessary steps shall be taken to restore conformity of the corresponding production.

3. Continued verification arrangements

3.1. The authority which has granted UN type approval may at any time verify the conformity control methods applied in each production facility.

3.1.1. The normal arrangements shall be to monitor the continued effectiveness of the procedures laid down in paragraphs 1 and 2 (initial assessment and product conformity arrangements) of this Schedule.

3.1.1.1. Surveillance activities carried out by the Technical Services (qualified or recognized as required in paragraph 1.3.3) shall be accepted as satisfying the requirements of paragraph 3.1.1 concerning the procedures established at the initial assessment.

3.1.1.2. The normal frequency of these verifications by the approval authority (other than those referred to in paragraph 3.1.1.1) shall be such as to ensure that the relevant controls applied in accordance with paragraphs 1 and 2 of this Schedule are reviewed at intervals based on a risk assessment methodology consistent with the international standard ISO 31000:2009 — Risk Management — Principles and guidelines and, in all cases, with a minimum frequency of once every three years. This methodology should take particular account of any non-conformity raised by Contracting Parties under Article 4 of the 1958 Agreement.

3.2. At every review, the records of tests and checks and production records shall be available to the inspector; in particular, records of those tests or checks documented as required in paragraph 2.2.

3.3. The inspector may select samples at random to be tested in the manufacturer's laboratory or in the facilities of the Technical Service. In such a case only physical tests shall be carried out. The minimum number of samples may be determined according to the results of the manufacturer's own verification.

3.4. Where the level of control appears unsatisfactory, or when it seems necessary to verify the validity of the tests carried out in application of paragraph 3.2, the inspector shall select samples to be sent to the Technical Service to perform physical tests.

3.5. Where unsatisfactory results are found during an inspection or a monitoring review, the approval authority shall ensure that all necessary steps are taken to restore conformity of production as rapidly as possible.

Schedule 2

Part one: Assessment, designation and notification of Technical Services

1. Designation of Technical Services

1.1. When an approval authority designates a Technical Service, the latter shall comply with the provisions of this Schedule.

1.2. The Technical Services shall carry out themselves, or supervise, the tests required for approval or inspections specified in UN Regulations, except where alternative procedures are specifically permitted. They may not conduct tests or inspections for which they have not been duly designated.

The performance of Technical Services and the quality of the tests and inspections they are carrying out shall ensure that the products for which UN type approval is requested are adequately verified for their compliance with the requirements of the applicable UN Regulations for which the Technical Services are designated.

1.3. The Technical Services shall be designated according to one or more of the four following categories of activities, depending on their field of competence:

(a) Category A: Technical Services which carry out the tests referred to in UN Regulations in their own facilities;

(b) Category B: Technical Services which supervise the tests referred to in the UN Regulations, performed in the manufacturer's facilities or in the facilities of a third party;

(c) Category C: Technical Services which assess and monitor on a regular basis the manufacturer's procedures for controlling conformity of production;

(d) Category D: Technical Services which supervise or perform tests or inspections in the framework of the surveillance of conformity of production.

1.4. Technical Services shall demonstrate appropriate skills, specific technical knowledge and proven experience in the specific fields covered by the UN Regulations for which they are designated.

In addition, Technical Services shall comply with, but not necessarily be approved/accredited in accordance with, the standards listed in Part two of this Schedule which are relevant for the categories of activities for which they are designated.

The Technical Services shall ensure that they are free from any control and influence of interested parties which may adversely affect the impartiality and quality of the tests and inspections.

The Technical Services shall have access to the test facilities and measurement devices necessary to supervise or perform tests or inspections referred to in the UN Regulations for which the Technical Services are designated.

1.5. An approval authority may act as a Technical Service for one or more of the activities referred to in paragraph 1.3. Where an approval authority acting as a Technical Service has been appointed by national law of a Contracting Party and is financed by the latter, the provisions of this Schedule or equivalent rules to the provisions in paragraphs 1, 2 and 3.4 of this Schedule shall be complied with. The same applies for Technical Services that have been appointed by national law of a Contracting Party and are subject to financial and managerial control by the

Government of that Contracting Party. The equivalent rules shall guarantee the same level of performance and independence.

1.6. Regardless of paragraph 3.3, a manufacturer or its representative acting on its behalf may be designated as a Technical Service for category A activities for only those UN Regulations which make provision for such a designation. In this case, and regardless of paragraph 1.4, such Technical Service shall be accredited in accordance with the standards referred to in paragraph 1 of Part two of this Schedule.

1.7. The entities referred to in paragraphs 1.5 and 1.6 shall comply with the provisions of paragraph 1.

2. Assessment of the skills of the Technical Services

2.1. The skills referred to in paragraph 1 shall be demonstrated in an assessment report established by a competent authority.[3] This may include a certificate of accreditation issued by an accreditation body.

2.2. The assessment referred to in paragraph 2.1 shall be conducted in accordance with the provisions of Part three of this Schedule.

The assessment report shall be reviewed after a maximum period of three years.

2.3. The assessment report shall be communicated to the UNECE secretariat and to the Contracting Parties upon request.

2.4. The approval authority which acts as a Technical Service shall demonstrate compliance with documentary evidence.

This includes an assessment which shall be conducted by auditors independent of the activity being assessed. Such auditors may be from within the same organization provided that they are independent of the personnel undertaking the assessed activity.

2.5. A manufacturer, or its representative acting on its behalf, designated as the Technical Service shall comply with the relevant provisions of paragraph 2.

3. Procedures for notification

3.1. Contracting Parties shall notify the UNECE secretariat of the name, the address including electronic address and the category of activities of each designated Technical Service. They shall also notify the UNECE secretariat any subsequent modifications thereof.

The notification act shall state for which UN Regulations the Technical Services have been designated.

3.2. A Technical Service may conduct the activities described in paragraph 1 for the purposes of UN type approval only if it has been notified to the UNECE secretariat.

3.3. The same Technical Service may be designated and notified by several Contracting Parties, irrespective of the category of activities which they conduct.

3.4. The UNECE secretariat shall publish the list and contact details of the approval authorities and Technical Services on its website.

[3] "Competent authority" means either the approval or designated authority, or an appropriate accreditation body acting on their behalf respectively.

Part two: Standards which the Technical Services, referred to in paragraphs 1 to 3.4 of Part one of this Schedule, shall comply with

1. Activities in testing for UN type approval, to be carried out in accordance with UN Regulations

1.1. Category A (tests performed in own facilities):

ISO/IEC 17025:2005 on the general requirements for the competence of testing and calibration laboratories.

A Technical Service designated for category A activities may carry out or supervise the tests according to UN Regulations for which it has been designated, in the facilities of the manufacturer or of its representative.

1.2. Category B (supervising of tests performed in the manufacturer's facilities or in the facilities of its representative):

ISO/IEC 17020:2012 on the general criteria for the operation of various types of bodies performing inspection.

Before performing or supervising any test in the facilities of a manufacturer or of its representative, the Technical Service shall verify that the test facilities and measurement devices comply with the appropriate requirements of paragraph 1.1.

2. Activities related to Conformity of Production

2.1. Category C (procedure for the initial assessment and surveillance audits of the manufacturer's quality management system):

ISO/IEC 17021:2011 on the requirements for bodies providing audit and certification of management systems.

2.2. Category D (inspection or testing of production samples or supervision thereof):

ISO/IEC 17020:2012 on the general criteria for the operation of various types of bodies performing inspection.

Part three: Procedure for the assessment of Technical Services

1. Purpose

1.1. This part of Schedule 2 establishes the conditions by which the assessment procedure of the Technical Services shall be conducted by the competent authority referred to in paragraph 2 of Part one of this Schedule.

1.2. These requirements shall apply, mutatis mutandis, to all Technical Services irrespective of their legal status (independent organization, manufacturer or approval authority acting as Technical Service).

2. Principles of assessing

Assessment shall be characterized by reliance on a number of principles:

(a) Independence which is the basis for the impartiality and objectivity of the conclusions;

(b) An evidence-based approach which guarantees reliable and reproducible conclusions.

Auditors shall show trust and integrity, and shall respect confidentiality and discretion. They shall report truthfully and accurately findings and conclusions.

3. Auditor skills

3.1. The assessments may only be conducted by auditors with the technical and administrative knowledge necessary for such purposes.

3.2. The auditors shall have been trained specifically for assessment activities. In addition, they shall have the specific knowledge of the technical area in which the Technical Service will exercise its activities.

3.3. Without prejudice to the provisions of paragraphs 3.1 and 3.2 above, the assessment referred to in paragraph 2.5 of Part one of this Schedule shall be conducted by auditors independent of the activities for which the assessment is conducted.

4. Application for designation

4.1. A duly authorized representative of the applicant Technical Service shall make a formal application to the competent authority. The application shall include as a minimum the following:

(a) General features of the Technical Service, including corporate entity, name, addresses, legal status and human and technical resources;

(b) A detailed description including curriculum vitae of the personnel in charge of testing and of the managerial staff as evidenced by the skills both educational and professional;

(c) In addition to the above, Technical Services which use virtual testing methods shall provide evidence of their ability to work in a Computer-Aided-x environment;

(d) General information concerning the Technical Service, such as its activities, its relationship in a larger corporate entity, if any, and addresses of all its physical location(s) to be covered by the scope of designation;

(e) An agreement to fulfil the requirements for designation and the other obligations of the Technical Service as applicable in the relevant UN Regulations for which it is designated;

(f) A description of the conformity assessment services that the Technical Service undertakes in the framework of the applicable UN Regulations and a list of the UN Regulations for which the Technical Service applies for designation, including its limits of capability where applicable;

(g) A copy of the quality assurance manual or comparable operational rules of the Technical Service.

4.2. The competent authority shall review for adequacy the information supplied by the Technical Service.

4.3. The Technical Service shall notify the approval authority of any modifications to the information provided in accordance with paragraph 4.1.

5. Resource review

The competent authority shall review its ability to carry out the assessment of the Technical Service, in terms of its own policy, its competence and the availability of suitable auditors and experts.

6. Subcontracting the assessment

6.1. The competent authority may subcontract parts of the assessment to another designated authority or ask for support from technical experts provided by other competent authorities. The subcontractors and experts shall be accepted by the applicant Technical Service.

6.2. The competent authority shall take into account accreditation certificates with adequate scope, in order to complete its global assessment of the Technical Service.

7. Preparation for assessment

7.1. The competent authority shall formally appoint an assessment team. The former shall ensure that the expertise brought to each assignment is appropriate. In particular, the team as a whole:

(a) Shall have appropriate knowledge of the specific scope for which designation is sought; and

(b) Shall have sufficient understanding to reliably assess the competence of the Technical Service which operates within its scope of designation.

7.2. The competent authority shall clearly define the assignment given to the assessment team. The task of the assessment team is to review the documents collected from the applicant Technical Service and to conduct the on-site assessment.

7.3. The competent authority shall agree, together with the Technical Service and the assigned assessment team, on the date and timetable for the assessment. However, it remains the responsibility of the competent authority to pursue a date that is in accordance with the surveillance and reassessment plan.

7.4. The competent authority shall ensure that the assessment team is provided with the appropriate criteria documents, previous assessment records, and the relevant documents and records of the Technical Service.

8. On-site assessment

The assessment team shall conduct the assessment of the Technical Service on the premises of the Technical Service from which one or more key activities are performed and, where relevant, shall perform eyewitness assessment at other selected locations where the Technical Service operates.

9. Analysis of findings and assessment report

9.1. The assessment team shall analyse all relevant information and evidence from the document and record review and the on-site assessment. This analysis shall be sufficient to allow the team to determine the extent of competence and conformity of the Technical Service with the requirements for designation.

9.2. The competent authority's reporting procedures shall ensure that the following requirements are fulfilled.

9.2.1. A meeting shall take place between the assessment team and the Technical Service prior to leaving the site. At this meeting, the assessment team shall provide a written and/or oral report of its findings obtained from the analysis. The Technical Service shall have the opportunity to ask questions about the findings, including non-conformities, if any, and their basis.

9.2.2. A written report on the outcome of the assessment shall be promptly brought to the attention of the Technical Service. This assessment report shall contain comments on competence and conformity, and shall identify non-conformities, if any, that need to be resolved in order to conform to all of the requirements for designation.

9.2.3. The Technical Service shall be invited to respond to the assessment report and to describe the specific actions taken or planned to be taken, within a defined time, to resolve any identified non-conformities.

9.3. The competent authority shall ensure that the responses of the Technical Service are sufficient and effective to resolve non-conformities. If the Technical Service responses are found to be insufficient, further information shall be requested. Additionally, evidence of effective implementation of actions taken may be requested, or a follow-up assessment may be carried out to verify effective implementation of corrective actions.

9.4. The assessment report shall include, as a minimum:

(a) The unique identification of the Technical Service;

(b) The date(s) of the on-site assessment;

(c) The name(s) of the auditor(s) and/or experts involved in the assessment;

(d) The unique identification of all premises assessed;

(e) The proposed scope of designation that was assessed;

(f) A statement on the adequacy of the internal organization and procedures adopted by the Technical Service supporting its competence, as determined through its fulfilment of the requirements for designation;

(g) The information on resolving all non-conformities;

(h) A recommendation on whether the applicant should be designated or confirmed as Technical Service and, if so, the scope of designation.

10. Granting/confirming a designation

10.1. The approval authority shall, without undue delay, make the decision on whether to grant, confirm or extend designation on the basis of the report(s) and any other relevant information.

10.2. The approval authority shall provide a certificate to the Technical Service. This certificate shall identify the following:

(a) The identity and logo of the approval authority;

(b) The unique identity of the designated Technical Service;

(c) The effective date of granting of designation and the expiry date;

(d) A brief indication of, or a reference to, the scope of designation (applicable UN Regulations or parts thereof);

(e) A statement of conformity and a reference to this Schedule.

11. Reassessment and surveillance

11.1. Reassessment is similar to an initial assessment except that experience gained during previous assessments shall be taken into account. Surveillance on-site assessments are less extensive than reassessments.

11.2. The competent authority shall design its plan for reassessment and surveillance of each designated Technical Service, so that representative samples of the scope of designation are assessed on a regular basis.

The interval between on-site assessments, whether reassessment or surveillance, depends on the proven stability of the Technical Service.

11.3. When, during surveillance or reassessments, non-conformities are identified, the competent authority shall define strict time limits for the implementation of corrective actions.

11.4. When the corrective or improvement actions have not been taken within the agreed timeframe, or are not deemed to be sufficient, the competent authority shall adopt appropriate measures such as, conducting further assessment, suspending/withdrawing the designation for one or more of the activities for which the Technical Service has been designated.

11.5. When the competent authority decides to suspend or withdraw the designation of a Technical Service, it shall inform the latter by registered mail, and shall inform the UNECE secretariat thereof accordingly. In any case, the competent authority shall adopt all the necessary measures to ensure the continuity of the activities already undertaken by the Technical Service.

12. Records on designated Technical Services

12.1. The competent authority shall maintain records on Technical Services to demonstrate that requirements for designation, including competence, have been effectively fulfilled.

12.2. The competent authority shall keep the records on Technical Services secure to ensure confidentiality.

12.3. Records on Technical Services shall include at least:

(a) Relevant correspondence;

(b) Assessment records and reports;

(c) Copies of designation certificates.

Schedule 3

Procedures for UN type approvals

1. Application for and conduct of UN type approval

1.1. An application for UN type approval shall be submitted to the approval authority of a Contracting Party by the manufacturer or their authorized representative (hereinafter referred to as the "applicant").

1.2. Only one application may be submitted for a particular type of vehicle, equipment or part and it may be submitted in only one Contracting Party applying the UN Regulations pursuant to which UN type approval is sought. A separate application shall be submitted for each type to be approved.

1.3. The application shall be accompanied by the information as specified in the UN Regulations pursuant to which approval is sought. This information shall contain a detailed description of the particulars of the type to be approved, including drawings, diagrams and pictures as necessary.

1.4. The approval authority may, by reasoned request, call upon the applicant to supply any additional information necessary to enable decision on the approval tests required or facilitating the execution of those tests.

1.5. The applicant shall make available to the approval authority as many wheeled vehicles, equipment or parts as are required for the performance of the tests required by the UN Regulations pursuant to which approval is sought.

1.6. Compliance with the requirements laid down in the UN Regulations shall be demonstrated by means of appropriate tests performed on wheeled vehicles, equipment and parts which are representative of the type to be approved.

The approval authority shall apply the principle of "worst-casing", by selecting the variant or version from the specified type that for the purpose of testing will represent the type to be approved under the worst conditions. The decisions taken along with their justification shall be recorded in the approval documentation.

However, the applicant may select, in agreement with the approval authority, a vehicle, equipment or part which, while not representative of the type to be approved, combines a number of most unfavourable features with regard to the level of performance required by the UN Regulations (worst-casing). Virtual testing methods may be used to aid the decision-making on the selection of the worst-case.

1.7. The approval tests will be performed or supervised by Technical Services. The test procedures to be applied and the specific equipment and tools to be used shall be those specified in the UN Regulations.

1.8. As an alternative to the test procedures referred to in paragraphs 1.6 and 1.7 above, virtual testing may be used at the request of the applicant, in as far as this is provided for in the relevant UN Regulations and subject to the fulfilment of the general conditions as set out in Schedule 8 annexed to the 1958 Agreement.

1.9. Contracting Parties shall issue type approvals only where compliance with conformity of production requirements of Schedule 1 annexed to the 1958 Agreement is ensured.

1.10. When the approval tests have demonstrated that the type complies with the technical requirements of the UN Regulation, an approval of that type shall be granted, an

approval number shall be assigned according to Schedule 4 annexed to the 1958 Agreement and an approval mark shall be assigned to each type in accordance with the specific provisions of the UN Regulation concerned.

1.11. The approval authority shall ensure that the following is included in the approval documentation:

(a) A record of the worst-case selection and the justification for that selection. This may include information provided by the manufacturer;

(b) A record of any significant technical interpretation made, different test methods applied, or new technology introduced;

(c) A test report from the Technical Service that includes recorded values achieved for measurements and tests as required by the UN Regulation;

(d) Information documents from the manufacturer, properly specifying the characteristics of the type to be approved;

(e) A statement of compliance with the conformity of the production requirements of Schedule 1 annexed to the 1958 Agreement, detailing which of the arrangements referred to in paragraph 1.3 of Schedule 1 annexed to the 1958 Agreement have been taken into account as the basis for the initial assessment as well as the date of the initial assessment and any surveillance activities;

(f) The type approval certificate.

2. Amendments to UN type approvals

2.1. The manufacturer holding a UN type approval for their vehicle, equipment or part shall inform without delay the Contracting Party that issued the UN type approval of any change in the particulars of the type as recorded in the information document referred to in paragraph 1.3.

2.2. The Contracting Party shall decide which of the two procedures to amend the UN type approval as laid down in paragraphs 2.5 and 2.6 is to be followed. Where necessary, the Contracting Party may decide, in consultation with the manufacturer that a new UN type approval may need to be granted.

2.3. An application for amending a UN type approval may only be submitted to the Contracting Party that issued the original UN type approval.

2.4. If the Contracting Party finds it necessary, for the purpose of amending the UN type approval, to carry out inspections or tests, it shall inform the manufacturer accordingly.

2.5. When particulars of the type as recorded in the information documents and test reports have changed and the Contracting Party considers that the changes are unlikely to have an appreciable adverse effect on the environmental and/or functional safety performance, and that in any case the type still complies with the requirements of the UN Regulations concerned, the modification of the UN type approval shall be designated as a "revision".

In such a case, the Contracting Party shall issue the revised pages of the information documents and test reports as necessary, marking each revised page to show clearly the nature of the modification and the date of re-issue. A consolidated, updated version of the information documents and test reports, accompanied by a detailed description of the modification, shall be deemed to meet this requirement.

2.6. The amendment to a UN type approval shall be designated as an "extension" if, in addition to the change of the data recorded in the information documents:

(a) Further inspections or tests are required; or

(b) Any information on the communication document (with the exception of its attachments) has changed; or

(c) Approval to a later series of amendments is requested after its entry into force, which can be granted provided that the requirements of a later series of amendments are fulfilled.

2.7. Confirmation or refusal of amending the UN type approval, specifying the alterations, shall be communicated to the Contracting Parties to the 1958 Agreement applying the UN Regulation by means of a communication form. In addition, the index to the information documents and to the test reports, attached to the communication document, shall be amended accordingly to show the date of the most recent revision or extension.

2.8. The type approval authority granting the extension of approval shall update the approval number with an extension number incremented in accordance with the number of successive extensions already granted in accordance with Schedule 4 annexed to the 1958 Agreement and issue a revised communication form denoted by this extension number.

Schedule 4

Numbering of UN type approvals

1. As from the entry into force of the 1958 Agreement, Contracting Parties shall issue a type approval number according to paragraph 1.10 of Schedule 3 for each new type approval and each extension of such an approval.

2. As from the entry into force of the 1958 Agreement and notwithstanding that the provisions on approval markings in any version of UN Regulations may have stipulated otherwise, the manufacturer shall affix an approval mark, if requested, according the provisions of the relevant UN Regulations, however, utilizing in that marking the first two digits of Section 2 and the digits of Section 3 of the approval number as mentioned in this Schedule as approval number to each wheeled vehicle, equipment or part for which a new approval has been granted or for which such approvals have been extended. However, this provision does not apply where a UN Regulation requires an approval code or an identification code to be used in the approval mark instead of an approval number. The leading zeros to Section 3 may be omitted.

3. An approval number shall be assigned to each type-approved. The type approval number shall consist of 4 sections. Each section shall be separated by the '*' character.

   Section 1: The capital letter 'E' followed by the distinguishing number of the Contracting Party which has granted the type approval.

   Section 2: The number of the relevant UN Regulation, followed by the letter 'R', successively followed by:

   (a) Two digits (with leading zeros as applicable) indicating the series of amendments incorporating the technical provisions of the UN Regulation applied to the approval (00 for the UN Regulation in its original form),

   (b) A slash and two digits (with leading zeros as applicable) indicating the number of supplement to the series of amendments applied to the approval (00 for the series of amendments in its original form),

   (c) A slash and one or two character(s) indicating the implementing stage, if applicable.

   Section 3: A four-digit sequential number (with leading zeros as applicable). The sequence shall start from 0001.

   Section 4: A two-digit sequential number (with leading zeros if applicable) to denote the extension. The sequence shall start from 00.

   All digits shall be Arabic digits.

4. The same Contracting Party shall not assign the same number to another approval.

   Examples:

   Example of the second extension to the fourth type approval issued by the Netherlands according to UN Regulation No. 58 in its original version:

   E4*58R00/00*0004*02

Example of the first extension to the 2439th type approval issued by the United Kingdom of Great Britain and Northern Ireland for a vehicle approval according to UN Regulation No. 83, third series of amendments, version for a vehicle of category M, N_1 Class I with regard to the emission of pollutants according to engine fuel requirements:

E11*83R03/00J*2439*01

Schedule 5

Circulation of approval documentation

1. Where an approval authority is required to or is requested to provide a copy of an approval and its attachments, it shall send the documents as paper copies, or by e-mail in electronic format, or by utilizing the secure internet database established by the United Nations Economic Commission for Europe.

2. Documents stored on the secure internet database shall consist of at least the documents specified in each UN Regulation. These shall include documentation communicating to Contracting Parties notice of approval, of extension, of refusal or withdrawal of approval or where production is definitely discontinued of a type of wheeled vehicles, equipment or parts pursuant to the UN Regulation.

3. If the type approvals applicable to a wheeled vehicles, equipment or parts are stored on the secure internet database, then the approval markings required by UN Regulations may be replaced by a Unique Identifier (UI) preceded by the symbol, unless specified otherwise in the UN Regulations. Such unique identifier shall be generated by the database automatically.

4. All Contracting Parties applying a UN Regulation shall have access to the information for that UN Regulation contained in the database by using the Unique Identifier and this will provide access to the relevant information relating to the specific approval(s).

5. UN Regulations annexed to the 1958 Agreement may require the circulation of type approvals by electronic copies utilizing the secure internet database, where necessary for the efficient operation of the approval process, subject to the access rights as defined by the Contracting Parties.

Schedule 6

Procedures for resolving interpretation issues in relation to the application of UN Regulations and granting approvals pursuant to these UN Regulations

1. Interpretation issues prior to UN type approval being granted

When an application for UN type approval requires the approval authority to make a significant interpretation on the application of the UN Regulation, or if so requested by the applicant for approval, the approval authority shall actively inform and seek guidance from other approval authorities before making a decision.

The approval authority concerned shall notify the other approval authorities applying the UN Regulation of the issue and of their proposed solution for the interpretation, including any supporting information from the manufacturer. As a general rule, this should be done via electronic media. A period of fourteen days shall be allowed for replies from the other approval authorities.

(a) The approval authority having taken account of any comments received, can then grant approvals in accordance with the new interpretation.

(b) If it is not possible to take a decision according to the comments received, the approval authority shall seek further clarification by means of the procedure described in paragraph 3 below.

2. Interpretation issues subsequent to UN type approval being granted

In situations where different interpretations exist between Contracting Parties but subsequent to an approval being issued the following procedures shall be followed.

In the first instance, the Contracting Parties concerned shall seek to resolve the issue by mutual agreement. This will require liaison and for each Contracting Party to review the procedures used to test and approve the wheeled vehicles, equipment and parts being the subject of the interpretation dispute. The following procedures will be applied:

(a) In the event of an error being acknowledged by an approval authority, the approval authority shall take an action in accordance with the provisions of the 1958 Agreement, and in particular its Article 4.

(b) Where agreement is reached which necessitates a new or different interpretation of existing practice (by either Contracting Party), then this shall be communicated to other Contracting Parties applying the UN Regulation concerned as a matter of urgency. The other Parties shall have fourteen days to comment upon the decision, following which the approval authorities, having taken account of any comments received, can issue UN type approvals in accordance with the new interpretation.

(c) Where agreement cannot be reached, then the Contracting Parties concerned shall seek further review by the arbitration process described in paragraph 3 below.

(d) In any event, the matter shall be brought to the attention of the competent Working Party subsidiary to the World Forum for Harmonization of Vehicle Regulations (WP.29). If deemed necessary, the subsidiary Working Party shall

submit to WP.29 proposals for suitable regulatory amendments aimed at resolving the difference of interpretations.

3. Arbitration process through WP.29 and its subsidiary Working Parties

The Chairs of the subsidiary Working Parties shall identify the issues arising from diverging interpretations between Contracting Parties in relation to the application of UN Regulations and the granting of UN type approvals pursuant to these UN Regulations, with a view to put in place measures at the earliest opportunity to resolve the different interpretations.

The Chairs of the Working Parties shall develop suitable procedures to deal with such interpretation issues, in order to be able to demonstrate to WP.29 that:

(a) Full consideration is given to the different opinions by the approval authorities of the Contracting Parties concerned, as well as to the views of other Contracting Parties applying the UN Regulation;

(b) Decisions are based upon appropriate technical advice, taking full account of the subject area;

(c) Wherever possible, a unanimous decision is reached; and

(d) Procedures are transparent and auditable.

If it is necessary to resolve the issue, the Chair may submit a new agenda item on the issue to the next available session of the subsidiary Working Party, without obtaining prior approval from WP.29. In these circumstances, the Chair shall report on the progress to WP.29 at the earliest opportunity.

At the end of the arbitration process, the Chair shall provide a report to WP.29.

3.1. Where the issue can be resolved within the current regulatory framework:

The interpretation of the UN Regulation as agreed in the Working Party shall be implemented and approval authorities shall issue UN type approvals accordingly.

3.2. Where the issue cannot be resolved within the current regulatory framework:

WP.29 shall be informed accordingly and shall request the relevant subsidiary Working Party to consider the issue as a priority item at its next session. The agenda of the session shall be amended accordingly.

The subsidiary Working Party shall consider any proposal on the interpretation issue and shall submit formal proposals to WP.29 to amend the UN Regulation concerned following the normal procedures. WP.29 shall consider the issue as a priority item at its next session.

Schedule 7

Procedure for exemption approvals concerning new technologies

1. Contracting Parties applying a UN Regulation may, on application by the manufacturer, grant exemption approval pursuant to a UN Regulation in respect of a vehicle, equipment or part that incorporates technologies which are incompatible with one or more requirements of that UN Regulation, subject to authorization being granted by the Administrative Committee of the 1958 Agreement under the procedure described in paragraphs 2 to 12 of this Schedule.

2. Pending the decision on whether or not authorization for such an exemption approval is granted, the Contracting Party applying the UN Regulation may grant provisional approval for its territory only. Other Contracting Parties applying that UN Regulation may decide to accept this provisional approval in their territory.

3. The Contracting Party granting the provisional approval mentioned in paragraph 2 of this Schedule shall notify the Administrative Committee of its decision and submit a file with the following:

   (a) The reasons why the technologies or concept concerned make the vehicle, equipment or part incompatible with the requirements of the UN Regulation;

   (b) A description of the safety, environmental or other considerations and the measures taken;

   (c) A description of the tests and results, demonstrating that, compared with the requirements from which exemption is sought, at least an equivalent level of safety and environmental protection is ensured;

   (d) A request for authorization to grant an exemption approval to the UN Regulation for the type of vehicle, equipment or part.

4. The Administrative Committee shall consider the complete notification referred to in paragraph 3 of this Schedule at its next session following receipt of the notification, provided this notification was received at least three months prior to the session. After considering the notification, the Administrative Committee may decide to authorize or to refuse the granting of the exemption approval or to refer the issue to the competent subsidiary Working Party.

5. The decision of the Administrative Committee shall be established in accordance with the procedure indicated in the Appendix, Article 8.

6. The requested exemption approval pursuant to a UN Regulation, mentioned under paragraph 3 of this Schedule, will be considered to be authorized unless, within a period of one month from the notification by the Executive Secretary of the United Nations Economic Commission for Europe of the Administrative Committee's authorization decision, more than one-fifth of the Contracting Parties applying the UN Regulation at the time of notification have informed the Executive Secretary of the United Nations Economic Commission for Europe of their disagreement with the authorization of the exemption approval.

7. When the authorization for granting the exemption approval is adopted, the Executive Secretary of the United Nations Economic Commission for Europe shall, as soon as possible, notify the Contracting Parties applying the concerned UN Regulation about this adoption.

As from the date of that notification the Contracting Party referred to in paragraph 3 of this Schedule may then deliver the exemption approval pursuant to the UN Regulation. The exemption approval shall be accepted by the Contracting Parties applying the UN Regulation, with the exception of those who have notified their disagreement, or their intention not to accept the exemption approval immediately, to the Executive Secretary of the United Nations Economic Commission for Europe. The Contracting Parties which have notified their disagreement, or their intention not to accept the exemption approval immediately, with the authorization by the Administrative Committee may at a later date accept the exemption approval by notifying the Executive Secretary of the United Nations Economic Commission for Europe of their decision.

8. The Administrative Committee shall specify any restrictions in the authorization decision. Time limits shall not be less than thirty-six months. Contracting Parties applying the UN Regulation shall accept the exemption approval at least until the expiration of the time limit, if any, or, when the UN Regulation in question is subsequently amended as per paragraphs 9 and 10 of this Schedule in order to take into account the technology covered by the exemption approval, until the date, as from which Contracting Parties may refuse approvals to the previous version of the UN Regulation, whichever of these two dates comes first.

The Contracting Party authorized to grant the exemption approval shall ensure that the manufacturer fully complies with all restrictions associated with this approval and that the communication form clearly indicates that it is based on an exemption authorized by the Administrative Committee.

9. The Administrative Committee shall at the same time inform the subsidiary Working Party responsible for the UN Regulation about the authorization to grant the exemption approval.

The Contracting Party authorized to grant the exemption approval shall submit to the subsidiary Working Party responsible for the UN Regulation a proposal to amend the UN Regulation for which the exemption approval was requested, in order to adapt it to the technological development. This submission shall be made not later than by the next session of the subsidiary Working Party following the notification of the Administrative Committee authorization decision according to paragraph 6 of this Schedule.

10. As soon as the UN Regulation has been amended to take into account the technology for which the exemption approval was granted and has entered into force, the manufacturer shall be authorized to apply for type approval pursuant to the amended UN Regulation, in replacement of the previously granted exemption approval to that UN Regulation. The approval authority granting that type approval shall, as soon as reasonable, withdraw the exemption approval or inform the approval authority which granted the exemption approval that this exemption approval is to be withdrawn.

11. If the procedure to amend the UN Regulation is not completed before the expiration of the time limit defined in paragraph 8 of this Schedule, the validity of the exemption approval may be extended, at the request of the Contracting Party which granted the exemption approval, subject to a decision adopted in accordance with the procedure described in paragraphs 2 and 3 of this Schedule. If, however, the Contracting Party which has been authorized to grant the exemption approval failed to submit a proposal to amend the UN Regulation before the deadline specified in paragraph 9 of this Schedule, that Contracting Party shall immediately withdraw this

exemption approval, taking however into account the time limit as defined in paragraph 8 of this Schedule. The Contracting Party which withdrew the exemption approval shall inform the Administrative Committee accordingly at its next session.

12. If the Administrative Committee decides to refuse an authorization to grant an exemption approval, the Contracting Party which issued the provisional approval referred to in paragraph 2 of this Schedule may withdraw this provisional approval. In this case, that Contracting Party shall immediately give notice to the holder of the provisional approval that this provisional approval, granted in accordance with paragraph 2 of this Schedule, will be withdrawn six months after the date of the decision taking into account that the provisional approval shall be valid at least for twelve months from the date of its granting.

Schedule 8

General conditions for virtual testing methods

1. Virtual test pattern

The following scheme shall be used as a basic structure for describing and conducting virtual testing:

(a) Purpose;

(b) Structure model;

(c) Boundary conditions;

(d) Load assumptions;

(e) Calculation;

(f) Assessment;

(g) Documentation.

2. Fundamentals of computer simulation and calculation

2.1. Mathematical model

The mathematical model shall be supplied by the manufacturer. It shall reflect the complexity of the structure of the wheeled vehicles, equipment and parts to be tested in accordance with the requirements of the UN Regulations concerned and its boundary conditions.

The same provisions shall apply, mutatis mutandis, for testing components independent of the vehicle.

2.2. Validation process of the mathematical model

The mathematical model shall be validated in comparison with the actual test conditions.

To that effect, physical testing shall be conducted as appropriate for the purposes of comparing the results obtained when using the mathematical model with the results of a physical test. Comparability of the test results shall be proven. A validation report shall be drafted by the manufacturer or by the Technical Service and submitted to the approval authority.

Any change made to the mathematical model or to the software likely to invalidate the validation report shall be brought to the attention of the approval authority which may require a new validation process to be conducted.

2.3. Documentation

The data and auxiliary tools used for the simulation and calculation shall be made available by the manufacturer and be documented in a way suitable for the technical service.

3. Tools and support

At the request of the approval authority or the Technical Service, the manufacturer shall supply or provide access to the necessary tools including appropriate software.

In addition the manufacturer shall provide appropriate support to the approval authority or the Technical Service.

Providing access and support to a Technical Service does not remove any obligation of the Technical Service regarding the skills of its personnel, payment of licence rights and respect of confidentiality.