

# Small Group report on Annex 5 and the ECE Regulations

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# The issue

- Technical Regulations change quickly because of technology
- The Convention and Annex 5 get out of date, e.g. flashing stop lamps
- Drivers in international traffic are being fined for having vehicles meeting ECE Regulations
- The Convention has to be kept up to date

# Legal Group suggestion

- The Legal group suggested adding a general phrase to Annex 5 allowing compliance with ECE Regulations to be an alternative
- The problems are:
  - Not all requirements are in Annex 5, e.g. lighting in Article 32
  - Not all Convention Signatories have signed the 1958 Agreement (for ECE Regulations.)

# The Small Group

- Was established to study the implications of the Legal group proposal
- Members: IMMA, Norway, IRF, WP1 Secretariat
- Experts consulted:
  - OICA, vehicle manufacturers
  - IMMA, motorcycle and 3-wheeler manufacturers
  - GTB, automotive light experts

# Drafting issues

- The Convention has to cover all vehicles
- Technical Regulations e.g. ECE, are driven by, or drive new technologies
- Best practice tries to avoid cross-references to other legal instruments

# Basic questions (1)

1. Does, or should, WP1 have any authority over what technical prescriptions are allowed for new vehicles, i.e. should they be consulted officially by WP29 whenever a proposal will conflict with the Convention?

**The group's view is that WP29 is autonomous.**

2. Should the Convention contain all the necessary requirements, or can it contain a cross-reference to another legal instrument?

**The group's view is that there should not be a cross-reference.**

# Basic questions (2)

3. If the changes in the technical regulations affect the main articles of the Convention, are Contracting Parties ready to make such changes?

**The group has no answer to this.**

4. If the changes in the technical regulations only affect Annex 5, what is the most effective way of keeping the text of the Convention up to date?

**The options are:**

- **a general clause accepting the ECE Regulations**
- **a separate Agreement Supplementing the Convention**



# Conclusions

- There are real problems for drivers of modern cars in international traffic
- The Convention risks becoming irrelevant for vehicles
- **A mechanism for keeping the relation between the Convention and the ECE Regulations up to date is needed.**
- *(Note: the detailed changes needed so far are in the full report)*