

Proposal for amendments to GRVA-05-05

Proposal for a new UN Regulation on uniform provisions concerning the approval of vehicles with regard to cyber security and of cybersecurity management systems

I. Proposal

Paragraphs 5.3.1. to 5.3.3., amend to read:

- “5.3.1. Each Approval Authority shall ~~actively inform and seek guidance from~~ other Approval Authorities **of their intention to before making the decision** grant a type approval under this Regulation. To this effect, the Approval Authority concerned shall notify the Approval Authorities applying this Regulation of the draft approval decision, together with the description of the method and criteria of assessment employed by the Approval Authority. The documents referred to in paragraph 3.3 and the results of the tests performed pursuant to paragraph 5.1.2. shall be open for inspection by the Approval Authorities applying this Regulation, except where the manufacturer notifies, with the notifying Approval Authority, opposition to the inspection of designated part of the documentation, no later than at the moment of notification.
- 5.3.2. Each Approval Authority applying this Regulation may notify the other Parties, within 30 calendar days **from the notification of the draft approval decision**, its reasoned reservations with regard to the whole or the part of the decision notified. **If no reservation was notified within 30 days from the notification of the draft approval decision, the Approval Authority may issue UN type approval. If Approval Authorities of one or several Parties have notified reservations**, the Approval Authority shall notify to the Approval Authorities applying this Regulation the draft decision revised taking into account the reservations received.
- 5.3.3. If at least two Parties notify, within ~~30~~ **14** calendar days, reasoned reservations to this draft decision, the Approval Authority shall not adopt a type approval decision. In this case, the draft type approval decision, together with the description of the method and criteria of assessment employed by the Approval Authority, and the reservations notified pursuant to ~~this section~~ **paragraph 5.3.2**, shall be referred to the Chair of the World Forum for Harmonization of Vehicle Regulations (WP.29) and to the Chair of the subsidiary Working Party as diverging interpretations within the meaning of Schedule 6 to the [1958 Agreement]. The procedure provided for in paragraph 3 of Schedule 6 shall apply. The documents referred to in paragraph 3.3. of this Regulation and the results of the tests performed pursuant to paragraph 5.1.2. shall be open for inspection by the Chair of WP.29 and the Chair of the subsidiary Working Party on the same conditions as those set out in paragraph 5.3.1. above.

II. Justification

Deletion of the obligation to “actively seek guidance” aims at removing the administrative burden that the Parties fear the mechanism could trigger. Active consultation shall not be required, replaced by mere information with the possibility for interested Parties to issue reservations.

Shortening the time limit in paragraph 5.3.3 aims at the acceleration of the procedure. Interested approval authorities will have already examined the information in the first phase (5.3.1-5.3.2.) and 14 days might be sufficient for them to verify if their reservations were given due consideration.

The remaining amendments are mere clarifications.