

Review of the 1958 Agreement

Overall Objectives:

- ✓ ***fostering participation of more countries and regional economic integration organizations in the activities of the World Forum (WP.29)***
- ✓ ***increase the number of Contracting Parties to the Agreement (make it more attractive)***
- ✓ ***Agreement to remain the key international framework for the harmonization of technical regulations in the automobile sector (ensure its functioning and reliability, and the quality of type-approvals)***

Proposals to review the 1958 Agreement (WP.29-155-27)

WP.29 in November 2011:

1. confirmed the objectives to review the 1958 Agreement:

*“The future direction for the 1958 Agreement should aim, among others, at **fostering the participation of more countries and regional economic integration organizations in the activities of the World Forum and to increase the number of Contracting Parties to the Agreement, by improving its functioning and reliability, and thus ensuring that it remains the key international framework for the harmonization of technical regulations in the automobile sector.**”*

2. agreed on the inventory of proposed actions, including those aimed at addressing the confirmed objective to make the 1958 Agreement more attractive so that more countries can join.

Proposed actions to make 1958 Agreement more attractive:

What will be maintained?

- ✓ **Countries which are using self-certification in their national legislation, are not prevented from becoming Contracting Party to the 1958 Agreement and to apply its UN Regulations**
- ✓ **Application of UN Regulations nationally is not related to the existence of a type approval system domestically.**
- ✓ **The rights of new Contracting Parties to the 1958 Agreement to declare that they will not apply certain Regulations or any of them.**
- ✓ **Right to start applying a Regulation at a later stage**
- ✓ **Right to cease application of a Regulation**

Proposed actions to make 1958 Agreement more attractive:

What will be new?

- ✓ Address the need for accommodating **different levels of stringency** in the application of UN Regulations by creating the **possibility for Contracting Parties to issue and accept type-approvals according to earlier versions of UN Regulations**
- ✓ **Flexible voting procedure:** a Contracting Party can **delegate in writing its presence** for the purpose of the determination of the quorum **and the right to vote on its behalf to another CP** or regional economic integration organization to which the CP belongs

Proposed actions to make 1958 Agreement more attractive:

What will be confirmed/clarified?

- ✓ the **principle of mutual recognition** of type-approvals:

CPs applying a Regulation cannot be obliged to accept type approvals issued pursuant to earlier versions of UN Regulations
+
CPs issuing and accepting type approvals pursuant to earlier versions of UN Regulations cannot refuse type approvals issued pursuant to the latest version of these UN Regulations
- ✓ **special character of Regulation R0 on IWVTA** (depending on the approach to be selected for the **flexibility scheme**)

Proposed actions to make 1958 Agreement more attractive:

Rights and Obligations of CPs applying a UN Regulation

- ✓ all CPs applying a UN Regulation have to accept type-approvals based on the latest version of that UN Regulation
- ✓ all CPs applying a UN Regulation are entitled, when complying with the competence criteria in Article 2, to issue type approvals pursuant to the latest version of that UN Regulation
- ✓ all CPs applying a UN Regulation have the right to participate in the preparation and voting of future amendments to that UN Regulation.
- ✓ **a CP applying a UN Regulation may also issue type-approvals pursuant to earlier versions of the UN Regulation (i.e. to preceding amendments or to the unamended UN Regulation), but other CPs applying the same UN Regulation cannot be obliged to accept such type-approvals**

Proposed actions to improve the functioning and reliability of 1958 Agreement

Text of the 1958 Agreement (amended)

Appendices

Appendix 1 Composition and Rules of Procedure of the Administrative Committee (amended)

Appendix 2 Conformity of Production Procedure (amended)

Placeholder Procedure for Type Approval [(R.E.3) Annex 7 (amended)]

Relevant elements of WP29/1044 or later revision
Relevant elements of WP29/1059 or later revision

The possibility of merging the new placeholder in the existing Appendix 2 or otherwise is currently considered

ANNEX (Regulations) - Addendum to 1958 Agreement

No.0 IWVTA : Vehicle approval requirements (New UN Regulation)

No.1

⋮

No.126

Proposed actions to improve the functioning and reliability of 1958 Agreement

- ✓ **Article 1:** clarification of **what UN Regulations shall cover**
(performance oriented requirements)
- ✓ **Article 2:** clearer and enhanced **conditions to issue type-approvals**
+ more detailed provisions on **Conformity of Production**
(Placeholder)
+ inclusion of **criteria for technical services** in Placeholder
- ✓ **Article 3:** clarification of the **principle of mutual recognition of type-approval certificates**
- ✓ **Article 4:** extended **safeguard provisions**, in particular with regard to approved vehicles which nevertheless may not comply with the requirements.

Proposed actions to improve the functioning and reliability of 1958 Agreement

- ✓ **Article 10:** how to solve **diverging interpretation issues between CPs** concerning the application of UN Regulations (details in Placeholder)
- ✓ **Article 11:** consider appropriateness of **maintaining the exclusion clause**
- ✓ **Article 12:** clarification of **transitional provisions**, in particular in view of the **possibility to issue type-approvals pursuant to earlier versions of UN Regulations**

+ special procedure for **new technologies**
- ✓ **Article 13:** flexible amendment procedure for the Placeholder

Proposed actions to improve the functioning and reliability of 1958 Agreement

- ✓ **Appendix 1: possibility for CPs to vote by delegation**
 - + **flexible amendment procedure for Placeholder**

- ✓ **Placeholder: more detailed provisions on Conformity of Production**
 - + inclusion of **criteria for technical services**
 - + **how to apply for and how to conduct type-approval, as well as how to amend type-approvals**
 - + procedures for **resolving interpretation issues**
 - + special amendment procedures for **new technologies**
 - + general conditions for **virtual testing**

Roadmap for the review of the 1958 Agreement

