16. 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

Geneva, 20 March 1958

ENTRY INTO FORCE: 20 June 1959, in accordance with article 7.

REGISTRATION: 20 June 1959, No. 4789.


TEXT:

Note: * Former titles of the Agreement:

(Revision 2 entered into force on 16 October 1995):

"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".

(Original version entered into force on 20 June 1959):

"Agreement concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts".

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XI B 16. TRANSPORT AND COMMUNICATIONS - ROAD TRAFFIC  1
Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon definitive signature, ratification, accession or succession.)

ANDORRA

The Principality of Andorra, in accordance with article 16 of the 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, accepts and shall apply the following Regulations: Regulations Nos. 10, 22, 30, 45, 50, 75, 117 and 129.

AUSTRALIA

"[The Government of Australia declares that] it will not be bound by any of the Regulations annexed to the Agreement, as amended, until further notification is given."

"[The Government of Australia also declares] that the Agreement, as amended, will apply to all territories for whose international relations Australia is responsible, with the exception of Norfolk Island."

AUSTRIA

"The accession of the Republic of Austria covers only the Agreement itself. The Republic of Austria is therefore not bound by any of the Regulations annexed to the Agreement."

BELGIUM

(a) In accordance with article 1, paragraph 6, Belgium declares that it does not consider itself bound by any of the Regulations annexed to the Agreement;
(b) In accordance with article 11, paragraph 1, Belgium declares that it does not consider itself bound by article 10 of the Agreement.

BULGARIA

"... The Government of Bulgaria notified its application of the following Regulations annexed to the Agreement: 6, 13, 13H, 24, 27, 28, 30, 39, 43, 48, 49, 51, 54, 55, 58, 73, 83, 84, 89, 93 and 105."
CZECH REPUBLIC

"[The Government of Estonia] does not consider itself bound by article 10 of the Agreement."

EUROPEAN UNION

"The European Community declares that it is not bound by article 10 of the revised Agreement and that articles 2, 4 and 5 thereof will in all cases be implemented by its individual Member States. The European Community declares that UN/ECE Regulation 22 shall not apply to the United Kingdom."

1. At the date of its accession to the Revised Agreement with regard to wheeled vehicles, equipment and parts, the European Community intends to restrict its accession to the recognition and approvals of the UN/ECE regulations [as listed], with the series of amendments as indicated, as they are in force at the date of accession.

Regulations Nos. 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 34, 37, 38, 39, 43, 44, 45, 46, 48, 49, 50, 51, 53, 54, 56, 57, 58, 59, 60, 62, 64, 66, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 83, 85, 86, 87, 89, 90, 91, 93, 96, 97, 98, 99, 100, 101, 102, 103.

The technical requirements of the UN/ECE regulations [as listed] shall become alternatives to the technical annexes to the relevant separate EC Directives where the latter possess the same scope and where for the regulations separate EC Directives do exist.

However, the additional directive provisions, such as those concerning fitting requirements or the approval procedure, remain in force.

Where it is clear that UN/ECE regulations differ from the relevant directives, the Community may decide to extricate itself from its reciprocal-recognition obligation in this area by withdrawing from the UN/ECE regulation(s) concerned, in line with article 1 (6) of the Revised Agreement.

2. The listed UN/ECE regulations, for which at the date of accession no corresponding separate EC Directives exist, shall become alternatives in accordance with paragraph 1 at the moment where these separate EC Directives become applicable.

3. UN/ECE Regulation 22 shall, not in accordance with the rules of the Treaty, apply to the United Kingdom before 1 July 2000 or, if earlier, until such time as the Community accedes to an amended UN/ECE regulation on protective helmets and visors which provides for the same or higher standards for such helmets and visors as are applicable in the United Kingdom on the 27 November 1997."

HUNGARY

"The Presidential Council of the Hungarian People's Republic hereby ratifies the Agreement with the reservation that it does not recognize article 10 of the Agreement as binding upon it."

ITALY

Italy does not consider itself bound by article 10 of the Agreement.

JAPAN

"The Government of Japan declares that it will not bound by the Regulations annexed to the Agreement except for the following:

Regulation No. 3 (Revision 2),
Regulation No. 7 (Revision 2),
Regulation No. 19 (Revision 3),
Regulation No. 28, and
Regulation No. 13H."

LATVIA

"The Government of Latvia does not consider itself bound by Regulations No. 2, 9, 15, 29, 33, 34, 35, 36, 40, 41, 42, 47, 52, 55, 61, 63, 65, 68, 69, 71, 76, 84, 86, 88, 92, 94, 95, 96 and 106."

MALAYSIA

(1) Pursuant to Article 11 of the Agreement, the Government of Malaysia declares that it does not consider itself bound by Article 10 of the Agreement; and

(2) The Government of Malaysia reserves the right specifically to agree in a particular case to follow the arbitration procedure set forth in Article 10 of the Agreement or any other procedure for arbitration".

NEW ZEALAND

New Zealand accepts and intends to apply the following regulations as promulgated under the Agreement:

Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 16, 17, 19, 20, 22, 23, 25, 26, 30, 31, 36, 37, 43, 46, 52, 54, 64, 66, 75, 87, 94, 98, 108, and 109.

POLAND

In accordance with paragraph 6 of article 1 of 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, the Polish People's Republic declares that it does not consider itself bound by any of the Regulations annexed to the above-mentioned Agreement.

REPUBLIC OF KOREA

Declaration:

In accordance with article 1, paragraph 5 of the Agreement, the Republic of Korea declares that it does not consider itself bound by any of the Regulations annexed to the Agreement.

Reservation:

In accordance with article 11, paragraph 1 of the Agreement, the Republic of Korea declares that it does not consider itself bound by article 10 of the Agreement.

ROMANIA

The Socialist Republic of Romania declares, under paragraph 1 of article 11 of 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, that it does not consider itself bound by article 10 of the Agreement.

The Socialist Republic of Romania considers that the maintenance of the dependent status of certain territories to which reference is made in article 9 of 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, is not in conformity with the Charter of the United Nations and the documents adopted by the United Nations concerning the granting of independence to colonial countries and peoples, including the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,
unanimously adopted in 1970 by the General Assembly in its resolution 2625 (XXV), which solemnly proclaims the duty of States to promote realization of the principle of equal rights and self-determination of peoples in order to bring a speedy end to colonialism.

RUSSIAN FEDERATION

The Union of Soviet Socialist Republics does not consider itself bound by the provisions of article 10 of the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts, of 20 March 1958, and states that, in order for any dispute between Contracting Parties concerning the interpretation or application of the Agreement to be submitted to arbitration, the consent of all the countries involved in the dispute shall be required in each individual case and that only persons appointed by the parties in dispute with their common consent may act as arbitrators.

The Union of Soviet Socialist Republics considers it necessary to state that the provisions of article 9 of the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts, of 20 March 1958, which envisage the possibility of the Contracting Parties extending it to territories for the international relations of which they are responsible, are outmoded and at variance with their duties under international law; these duties and their international obligations give them the right to decide whether to extend the Agreement to territories of which they are responsible.

SLOVAKIA

In accordance with Article 1 paragraph 5 of the said Agreement the Government of the Republic of South Africa declare that it will not be bound by the following Regulations: Nos. 2, 4, 9, 10, 11, 12, 15, 16, 18, 19, 21, 22, 24, 26, 28, 29, 32, 33, 34, 35, 36, 39, 40, 41, 42, 44, 45, 47, 48, 49, 51, 52, 53, 55, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 92, 93, 94, 95, 96, 97, 100, 101, 102, 103, 105, 106, 107, 108 and 109.

SPANISH

Subject to reservations provided for in article 11 of the Agreement.

THAILAND

"In accordance with article 11, paragraph 1, the Government of the Kingdom of Thailand does not consider itself bound by article 10 of the Agreement.

"The Government of the Kingdom of Thailand shall not be bound by any of the Regulations annexed to the Agreement, as amended, until further notification is given".

TÜRKİYE

"Turkey does not consider itself bound by any of the regulations annexed to this Agreement."

UKRAINE

"Ukraine reserves its right to submit the list of Regulations which will be applied on the territory of Ukraine as soon as it will be adopted on the national level."

VIET NAM

"According to Article 1.5 of the Agreement, the Government of the Socialist Republic of Viet Nam declares that it is not bound by any Regulations annexed to the Agreement."

"In accordance with Article 11 of the Agreement, the Government of the Socialist Republic of Viet Nam declares that it is not bound by Paragraph[s] 2 and 3 of Article 10 of the Agreement."

Notes:

1 The former Yugoslavia had acceded to the Agreement on 14 February 1962. See also note 1 under “Bosnia and Herzegovina”, “Croatia”, “former Yugoslavia”, “Slovenia”, “The Former Yugoslav Republic of Macedonia” and “Yugoslavia” in the “Historical Information” section in the front matter of this volume.

2 Czechoslovakia had acceded to the Agreement on 12 May 1960, with a reservation. For the text of the reservation, see United Nations, Treaty Series, vol. 358, p. 366. See also note 1 under “Czech Republic” and note 1 under “Slovakia” in the “Historical Information” section in the front matter of this volume.

3 With a declaration that the Agreement does not apply to the Faeroe Islands.

4 In a letter dated 29 July 1998, the European Community informed the Secretary-General of the following:

"The accession of the EC has the effect that the [...] regulations adhered to are not (in cases where a Member State already applied a regulation: no longer) applied by Member States by virtue of their status as Contracting Parties to the Agreement but exclusively in their capacity as Member States of the Contracting Party European Community. Thus, the 14 Member States already Contracting Parties themselves, now apply all [these] regulations by virtue of the EC's accession."

"... By the EC's accession, Ireland has not become a Contracting Party. Only the EC has become a Contracting Party. Ireland being a Member State of this Contracting Party applies the [...] regulations [adhered to by the EC] by virtue of the EC's accession."

It will be recalled that, as at 29 July 1998, States Members of the EC are: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, The Netherlands, Portugal, Spain, Sweden and the United Kingdom.

5 The German Democratic Republic acceded to the Convention with a reservation on 4 October 1974. For the text of the reservation, see United Nations, Treaty Series, vol. 950, p. 362. See also note 2 under “Germany” in the “Historical Information” section in the front matter of this volume.

6 See note 1 under “Germany” regarding Berlin (West) in...
the “Historical Information” section in the front matter of this volume.

7 See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

8 On 27 November 2001, the Government of New Zealand informed the Secretary-General of the following:

"[T]he Government of New Zealand ... declares that, consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this accession shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory."

9 On 29 March 1990, the Secretary-General was informed by the Government of Sweden that as from 1 January 1991, the Swedish National Safety Office (TSV) will be authorized to propose new regulations as well as to approve new regulations and amendments of regulations when they exclusively relate to TSV regulations.

10 On 16 October 1997, the Government of Poland notified the Secretary-General that it had decided to withdraw its reservation with regard to article 10 of the Agreement made upon accession. For the text of the reservation see United Nations, Treaty Series, vol. 1122, p. 356.