

No. 4789

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**FEDERAL REPUBLIC OF GERMANY,  
FRANCE, HUNGARY, ITALY, NETHERLANDS,  
SWEDEN, etc.**

**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**

*Official texts: English and French.*

*Registered ex officio on 20 June 1959.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE,  
FRANCE, HONGRIE, ITALIE, PAYS-BAS,  
SUÈDE, etc.**

**Accord concernant l'adoption de conditions uniformes  
d'homologation et la reconnaissance réciproque de  
l'homologation des équipements et pièces de véhicules  
à moteur. Fait à Genève, le 20 mars 1958**

*Textes officiels anglais et français.*

*Enregistré d'office le 20 juin 1959.*

No. 4789. AGREEMENT<sup>1</sup> 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

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PREAMBLE

The Contracting Parties,

Desiring to define uniform conditions that it will suffice for certain motor vehicle equipment and parts to fulfil in order to be approved in their countries, and

Desiring to facilitate the use in their countries of the equipment and parts thus approved by the competent authorities of another Contracting Party,

Have agreed as follows :

*Article 1*

1. The Contracting Parties shall establish, on the basis of the following paragraphs and articles, uniform conditions for the approval of motor vehicle equipment and parts and for approval markings, and shall recognize one another's approvals granted in accordance with those conditions.

2. If the competent authorities of at least two of the Contracting Parties agree to uniform conditions of approval for motor vehicle equipment and parts, they shall draw up a draft regulation for this equipment and these parts, indicating :

- (a) The equipment and parts concerned;
- (b) The conditions which such equipment and parts must fulfil, including the tests which they must pass; the regulations may, if need be, designate suitably equipped laboratories where acceptance tests of the types of equipment and parts submitted for approval must be carried out;
- (c) The approval markings.

3. Contracting Parties who have agreed on a draft regulation shall communicate it to the Secretary-General of the United Nations, indicating the date on which they propose that it should enter into force as a Regulation annexed to

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<sup>1</sup> In accordance with article 7, the Agreement came into force as between France and Sweden on 20 June 1959, that is to say on the sixtieth day after the deposit of the instrument of accession by Sweden, France having signed the Agreement without reservation of ratification on 26 June 1958.

this Agreement. This date must be at least five months later than the date of their communication.

4. The Secretary-General shall communicate to the other Contracting Parties the said draft and the date on which it is proposed that it should enter into force.

5. On that date, the draft shall enter into force as a Regulation annexed to this Agreement for all Contracting Parties which have informed the Secretary-General of their acceptance of it within three months from the date of the Secretary-General's communication. The Secretary-General shall notify all the Contracting Parties of the entry into force of the Regulation and shall communicate to them a list of the Contracting Parties which have accepted it.

6. Any country may, when depositing its instrument of ratification or accession, declare that it is not bound by certain Regulations then annexed to this Agreement or that it is not bound by any of them. If, at that time, the procedure laid down in paragraphs 2, 3, 4 and 5 of this article is in progress for a draft regulation, the Secretary-General shall communicate such draft regulation to the new Contracting Party and the draft shall enter into force as a Regulation for the new Contracting Party only on the conditions specified in paragraph 5 of this article, the time allowed being counted from the date of the communication of the draft to that Party. The Secretary-General shall notify all the Contracting Parties of the date of such entry into force. He shall also communicate to them all declarations concerning the non-application of certain Regulations that any Contracting Party may make in accordance with the terms of this paragraph.

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

8. Any Contracting Party not applying a Regulation may at any time notify the Secretary-General that it intends henceforth to apply it, and the Regulation will then enter into force for this Party on the sixtieth day after this notification. If this Contracting Party makes its decision to apply the Regulation subject to amendment of the latter, it shall transmit to the Secretary-General its proposed amendment, which shall be dealt with according to the procedure laid down in article ~~13~~ of this Agreement, as if it were an amendment proposed by a Contracting Party already applying the Regulation. But article ~~13~~ of this Agreement notwithstanding, the amendment, if accepted, shall enter into force on the date when the Regulation in question itself enters into force for the Contracting Party which proposed the amendment. The Secretary-General shall notify all the Contracting Parties of every entry into force of a Regulation for a new Contracting Party effected in accordance with the terms of this paragraph.

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

### *Article 2*

Each Contracting Party applying a Regulation shall grant the approval markings described in this Regulation for the types of motor vehicle equipment and parts covered by the Regulation, provided that it is able to verify the conformity of the product with the approved type, that the samples submitted satisfy the tests and requirements specified in the Regulation and that the manufacturer, if not himself domiciled in the country where he is seeking approval, has a duly accredited representative there. Each Contracting Party applying a Regulation shall refuse the approval markings covered by the Regulation if the above-mentioned conditions are not complied with.

### *Article 3*

Motor vehicle equipment and parts bearing the approval markings issued by a Contracting Party in accordance with article 2 of this Agreement and manufactured either in the territory of a Contracting Party applying the Regulation concerned, or in such other country as is designated by the Contracting Party which has duly approved the types of equipment or parts concerned, shall be held to be in conformity with the legislation of all the Contracting Parties applying the said Regulation.

### *Article 4*

Should the competent authorities of a Contracting Party applying a Regulation find that certain motor vehicle equipment or parts bearing approval markings issued under the said Regulation by one of the Contracting Parties do not conform to the approved types, they shall advise the competent authorities of the Contracting Party which issued the approval. That Contracting Party shall take the necessary steps to bring those manufactures into conformity with the approved types and shall advise the other Contracting Parties applying the Regulation of the steps it has taken, which may include, if necessary, the withdrawal of approval. Where there might be a threat to road safety, the Contracting Party finding this may prohibit the sale and use of such equipment or parts in its territory.

### *Article 5*

1. The competent authorities of each Contracting Party applying a Regulation shall send the competent authorities of other Contracting Parties applying the same Regulation a form made out in accordance with the provisions of that

Regulation for each type of motor vehicle equipment or part which they approve under the Regulation. A similar form shall also be sent for every type rejected.

2. The competent authorities of each Contracting Party applying a Regulation shall communicate to the competent authorities of other Contracting Parties applying the same Regulation all information on the withdrawal of an approval previously granted.

#### *Article 6*

1. Countries members of the Economic Commission for Europe and countries admitted to the Commission in a consultative capacity in accordance with paragraph 8 of the Commission's terms of reference may become Contracting Parties to this Agreement :

- (a) By signing it;
- (b) By ratifying it after signing it subject to ratification;
- (c) By acceding to it.

2. Such countries as may participate in certain activities of the Economic Commission for Europe in accordance with paragraph 11 of the Commission's terms of reference may become Contracting Parties to this Agreement by acceding thereto after its entry into force.

3. The Agreement shall be open for signature until 30 June 1958 inclusive. Thereafter, it shall be open for accession.

4. Ratification or accession shall be effected by the deposit of an instrument with the Secretary-General of the United Nations.

#### *Article 7*

1. This Agreement shall come into force on the sixtieth day after two of the countries referred to in paragraph 1 of article 6 thereof have signed it without reservation of ratification or have deposited their instruments of ratification or accession.

2. For any country ratifying or acceding to it after two countries have signed it without reservation of ratification or have deposited their instruments of ratification or accession, this Agreement shall enter into force on the sixtieth day after the said country has deposited its instrument of ratification or accession.

#### *Article 8*

1. Any Contracting Party may denounce this Agreement by so notifying the Secretary-General of the United Nations.

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

*Article 9*

1. Any country may, at the time of signing this Agreement without reservation of ratification or of depositing its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Agreement shall extend to all or any of the territories for the international relations of which 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 or, if on that day the Agreement has not yet entered into force, as from its entry into force.

2. Any country 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 of the United Nations 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.

*Article 11*

1. Each Contracting Party may, at the time of signing, ratifying or acceding to this Agreement, declare that it does not consider itself bound by article 10 of the Agreement. Other Contracting Parties shall not be bound by 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 of the United Nations.

3. No other reservation to this Agreement or to the Regulations annexed thereto shall be permitted; but any Contracting Party may, in accordance with the terms of article 1, declare that it does not propose to apply certain of the Regulations or that it does not propose to apply any of them.

### *Article 12*

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

1. Any Contracting Party applying a Regulation may propose one or more amendments to it. The text of any proposed amendment to a Regulation shall be transmitted to the Secretary-General of the United Nations, who shall transmit it to the other Contracting Parties. The amendment shall be deemed to have been accepted unless within a period of three months following this notification a Contracting Party applying the Regulation has expressed an objection, in which case the amendment shall be deemed to have been rejected. If the amendment is deemed to have been accepted, it shall enter into force at the end of a further period of two months.

2. Should a country become a Contracting Party between the time of the communication of the proposed amendment by the Secretary-General and its entry into force, the Regulation in question shall not enter into force for that Contracting Party until two months after it has formally accepted the amendment or two months after the lapse of a period of three months since the communication to that Party by the Secretary-General of the proposed amendment.

### *Article 13*

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

1. Any Contracting Party may propose one or more amendments to this Agreement. The text of any proposed amendment to the Agreement shall be transmitted to the Secretary-General of the United Nations, 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 six 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 whatever. 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 six months referred to in paragraph 2 of this article.

#### *Article 14*

In addition to the notifications provided for in articles 1, 12 and 13 of this Agreement, the Secretary-General of the United Nations shall notify the countries referred to in paragraph 1 of article 6, and the countries which have become Contracting Parties in accordance with paragraph 2 of article 6 of :

- (a) Signatures, ratifications and 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 amendment in accordance with paragraphs 1 and 2 of article 12;
- (g) The entry into force of any amendment in accordance with paragraph 3 of article 13.

#### *Article 15*

After 30 June 1958 the original of this Agreement shall be deposited with the Secretary-General of the United Nations, who shall transmit certified true copies to each of the countries mentioned in paragraphs 1 and 2 of article 6 thereof.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Geneva, this twentieth day of March one thousand nine hundred and fifty-eight, in a single copy in the English and French languages, each text being equally authentic.



For Albania :	Pour l'Albanie :
For Austria :	Pour l'Autriche :
For Belgium :	Pour la Belgique :
For Bulgaria :	Pour la Bulgarie :
For the Byelorussian Soviet Socialist Republic :	Pour la République socialiste soviétique de Biélorussie :
For Czechoslovakia :	Pour la Tchécoslovaquie :
For Denmark :	Pour le Danemark :
For the Federal Republic of Germany :	Pour la République fédérale d'Allemagne :

Rudolf THIERFELDER  
Patrick SCHMIDT  
Sous réserve de ratification<sup>1</sup>  
19 juin 1958

For Finland :	Pour la Finlande :
For France :	Pour la France :

DE CURTON  
26 juin 1958

For Greece :	Pour la Grèce :
For Hungary :	Pour la Hongrie :

Janos SZITA  
Subject to ratification<sup>2</sup>  
30 June 1958

For Iceland :	Pour l'Islande :
For Ireland :	Pour l'Irlande :

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<sup>1</sup> Subject to ratification.

<sup>2</sup> Sous réserve de ratification.

For Italy :

Pour l'Italie :

A. BERIO

Sous réserve de ratification<sup>1</sup>

28 mars 1958

For Luxembourg :

Pour le Luxembourg :

For the Netherlands :

Pour les Pays-Bas :

W. H. J. VAN ASCH VAN WIJCK

Sous réserve de ratification<sup>1</sup>

le 30 juin 1958

For Norway :

Pour la Norvège :

For Poland :

Pour la Pologne :

For Portugal :

Pour le Portugal :

For Romania :

Pour la Roumanie :

For Spain :

Pour l'Espagne :

For Sweden :

Pour la Suède :

For Switzerland :

Pour la Suisse :

For Turkey :

Pour la Turquie :

For the Ukrainian Soviet  
Socialist Republic :Pour la République socialiste  
soviétique d'Ukraine :For the Union of Soviet  
Socialist Republics :Pour l'Union des Républiques  
socialistes soviétiques :For the United Kingdom of Great  
Britain and Northern Ireland :Pour le Royaume-Uni de Grande-  
Bretagne et d'Irlande du Nord :

For the United States of America :

Pour les États-Unis d'Amérique :

For Yugoslavia :

Pour la Yougoslavie :

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<sup>1</sup> Subject to ratification.