STATUTORY INSTRUMENTS

1964 No. 1561

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1964

Made - - - -	23*rd September* 1964
Laid before Parliament	24*th September* 1964
Coming into Operation	1*st October* 1964

The Minister of Transport (hereinafter referred to as " the Minister "), in exercise of his powers under section 47(1) of the Road Traffic Act 1962(**a**) and of all other powers him enabling in that behalf and, by virtue of section 52(2) of that Act, after consultation with representative organisations in accordance with the provisions of section 260(2) of the Road Traffic Act 1960(**b**), hereby makes the following Regulations :—

1.—(1) These Regulations shall come into operation on the 1st October 1964 and may be cited as the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1964.

(2) In these Regulations the expression " the International Agreement of 1958 " means the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts concluded at Geneva on 20th March 1958(**c**), and to which the United Kingdom is a party(**d**).

(3) The Interpretation Act 1889(**e**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Minister hereby designates as an approval mark a marking which is in the same form and size as any one of the markings shown in the diagram in Part I of Schedule 1 to these Regulations subject, however, to the provisions of Part II of that Schedule, the said marking being one for which the International Agreement of 1958 by virtue of the Regulation specified in Schedule 2 to these Regulations and annexed to that Agreement makes such provision as is mentioned in section 47(1)(*a*) and (*b*) of the Road Traffic Act 1962 in relation to a motor vehicle part consisting of a reflex reflector.

Given under the Official Seal of the Minister of Transport the 23rd September 1964.

(L.S.)

Ernest Marples,
The Minister of Transport.

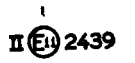
(**a**) 10 & 11 Eliz. 2. c. 59. (**b**) 8 & 9 Eliz. 2. c. 16. (**c**) Cmnd. 1830.
(**d**) By instrument of accession dated 14th January 1963 deposited with the Secretary-General of the United Nations on 15th January 1963. (**e**) 52 & 53 Vict. c. 63.

SCHEDULE 1

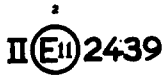
PART I

DIAGRAMS SHOWING MARKING AND ALTERNATIVE SIZES OF MARKING

1



2



3



4



PART II

1. The number shown inside the circle in the marking in each of the above diagrams will be varied, where appropriate, to be the number assigned to each Contracting State party to the International Agreement of 1958 and applying the Regulation specified in Schedule 2 to these Regulations.

2. The number which is shown outside and on the right of the circle in the said marking will be varied, where appropriate, to be the number allotted by a competent authority to distinguish the manufacturer of the motor vehicle part concerned, namely, a reflex reflector.

3. The roman numeral which is shown outside and on the left of the circle in the said marking will be varied to show either I or III according to whether the reflex reflector was placed in class I or III, and not in class II, when approved.

4. The number mentioned in paragraph 2 above and any roman numeral mentioned in paragraph 3 above may be placed in any position in relation to the circle in the said marking so long as they are diametrically opposite to one another.

SCHEDULE 2

REGULATION NO. 3. UNIFORM PROVISIONS FOR THE APPROVAL OF REFLEX REFLECTORS FOR MOTOR VEHICLES

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Section 47(1) of the Road Traffic Act 1962 enacts that where any international agreement to which the United Kingdom is a party provides—

(*a*) for markings to be applied to motor vehicle parts of any description to indicate conformity with a type approved by any country; and

(*b*) for motor vehicle parts bearing those markings to be recognised as complying with the requirements imposed by the law of another country

the Minister of Transport may by regulations designate the markings as approval marks. Section 47 also provides, inter alia, that the use of any markings so designated shall be deemed to be a trade description for the purposes of the Merchandise Marks Acts 1887 to 1953 and that it shall be an offence under the 1887 Act to apply an approval mark without proper authority.

These Regulations designate for the purposes of section 47 as an approval mark a marking complying with the provisions of Schedule 1 to these Regulations and in respect of which the International Agreement of 1958 (referred to in the Regulations) and the Regulation specified in Schedule 2 to these Regulations and annexed to that Agreement makes such provision as is mentioned in (*a*) and (*b*) above. The motor vehicle part concerned is a reflex reflector.