STATUTORY INSTRUMENTS

1973 No. 1194

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1973

Made - - - -	*3rd July* 1973
Laid before Parliament	*20th July* 1973
Coming into Operation	*10th August* 1973

The Secretary of State for the Environment, in exercise of his powers under section 63(1) of the Road Traffic Act 1972(a), as amended by the Designation of Approval Marks (European Communities) Regulations 1973(b) and of all other enabling powers, and after consulation with representative organisations in accordance with the provisions of section 199(2) of the Act, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on 10th August 1973 and may be cited as the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1973.

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

2. The Secretary of State hereby designates as approval marks the markings which, subject to Part II of the Schedule to these Regulations, are in the same form as, and of sizes not less than, the markings shown in the diagrams in column 1 of Part 1 of that Schedule and are such that the ratios between the dimensions of the said markings are maintained, each of the said markings being a marking for which provision is made by the Directives issued under the EEC Treaty and specified in column 2 of Part I of that Schedule in relation to that marking being such provision as is mentioned in section 63(1)(*a*) and (*b*) of the Road Traffic Act 1972 in connection with the motor vehicle part specified in column 3 of Part I of that Schedule in relation to that marking.

Signed by authority of the Secretary of State.

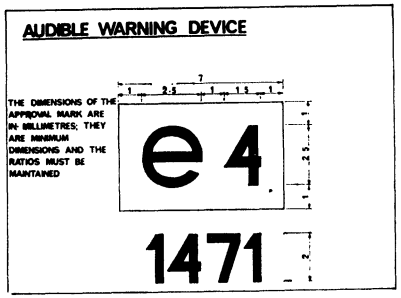
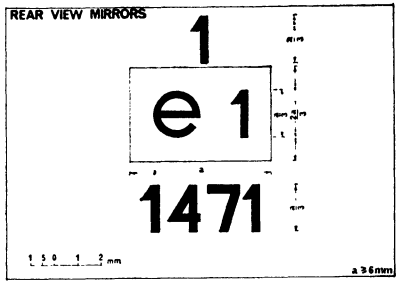
John Peyton,
Minister for Transport Industries,
Department of the Environment.

3rd July 1973.

(a) 1972 c. 20.
(b) S.I. 1973/1193 (1973 II, p. 3571).
(c) 1889 c. 63.

THE SCHEDULE

PART I—DIAGRAMS

1. Diagram showing marking	2. Directive issued under the EEC Treaty	3. Motor Vehicle Part to which marking applied
	The European Communities Council Directive of 27th July 1970 on the approximation of the laws of member states relating to audible warning devices for motor vehicles	Audible warning devices
	The European Communities Council Directive of 1st March 1971 on the harmonisation of Member States' legislation on rear-view mirrors of motor vehicles	Rear-view mirrors

PART II—VARIATIONS OF MARKINGS

1. The number shown inside the rectangle will be varied, where appropriate, so as to be the distinguishing symbol assigned to the country which has granted the approval, that is to say 1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 6 for Belgium, 11 for the United Kingdom, 12 for Luxembourg, IRL for Ireland and DK for Denmark.

2. The number shown outside and immediately below the rectangle shall be varied, where appropriate, to correspond to the number of the approval document issued for the prototype vehicle component concerned.

3. The Roman numeral shown outside and immediately above the rectangle in relation to the marking for rear-view mirrors will be varied, where appropriate, to be the Roman numeral signifying the class of rear-view mirror concerned, that is to say I for interior rear-view mirrors, II for exterior rear-view mirrors for all category A vehicles and III for exterior rear-view mirrors for all category B vehicles. In this paragraph category A vehicles are those with a maximum laden weight exceeding 3·5 metric tons and category B vehicles are those with a maximum laden weight not exceeding 3·5 metric tons.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 63(1) of the Road Traffic Act 1972, as amended by the Designation of Approval Marks (European Communities) Regulations 1973, provides (inter alia) that where a Community obligation provides for markings to be applied to motor vehicle parts of any description to indicate conformity with a type approved by any country and for motor vehicles parts bearing those markings to be recognised as complying with the requirements imposed by the law of another country the Secretary of State for the Environment may by regulations designate the markings as approval marks. Section 63 of the Road Traffic Act 1972 also provides that any markings so designated shall be deemed for the purpose of the Trade Description Act 1968 (c.29) to be a trade description and that it shall be an offence under that Act to apply an approval mark without proper authority.

These Regulations designate for the purposes of the said section 63 as approval marks, markings complying with the provisions of the Schedule to these Regulations and in respect of which Community Directives of 27th July 1970 (70/388/EEC) and 1st March 1971 (71/127/EEC) make provision for such markings to be applied to audible warning devices and rear-view mirrors being respectively, motor vehicle parts.

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