STATUTORY INSTRUMENTS

1972 No. 577

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) Regulations 1972

Made - - -	*7th April* 1972
Laid before Parliament	*20th April* 1972
Coming into Operation	*11th May* 1972

The Secretary of State for the Environment (hereinafter referred to as "the Secretary of State") in exercise of his powers under section 47(1) of the Road Traffic Act 1962(**a**), as amended by paragraph 4 of Schedule 1 to the Trade Descriptions Act 1968(**b**), and of all other enabling powers and, by virtue of section 52(2) of the Road Traffic Act 1962, after consultation with representative organisations in accordance with section 260(2) of the Road Traffic Act 1960(**c**) hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on 11th May 1972 and may be cited as the Motor Vehicles (Designation of Approval Marks) Regulations 1972.

(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(**d**), as amended (**e**), to which the United Kingdom is a party (**f**).

(3) The Interpretation Act 1889(**g**) shall apply for the interpretation of these Regulations as it applies for an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by regulation 3 of these Regulations were an Act of Parliament thereby repealed.

2.—(1) The Secretary of State hereby designates as an approval mark a marking in the same form as and of a size not less than the marking 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

(**a**) 1962 c. 59.
(**b**) 1968 c. 29.
(**c**) 1960 c. 16.
(**d**) Cmnd. 2535.
(**e**) Cmnd. 3562.
(**f**) By instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.
(**g**) 1889 c. 63.

specified in Part III of that Schedule 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 fog light.

(2) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in the diagram in Part I of Schedule 2 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 Part III of that Schedule 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 motor vehicle parts consisting of headlights emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen lamps (H_1, H_2, or H_3 lamps).

(3) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the markings shown in Part I of Schedule 3 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 Part III of Schedule 2 to these Regulations and annexed to that Agreement makes such provisions 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 halogen (H_1, H_2, or H_3) lamp.

(4) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in the diagram in Part I of Schedule 4 to these Regulations subject, however, to the provision 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 Part III of that Schedule 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 motor vehicle parts consisting of head lights emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen (H_4) lamps.

(5) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in Part I of Schedule 5 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 Part III of Schedule 4 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 halogen (H_4) lamp.

3. The Motor Vehicles (Designation of Approval Marks) Regulations 1969(**a**) are hereby revoked.

Signed by authority of the Secretary of State.
7th April 1972.

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

(a) S.I. 1969/200 (1969 I, p. 494).

SCHEDULE 1

PART I

Diagram showing marking



PART II

1. The number shown inside the circle in the marking in the above diagram 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 Part III of this Schedule.

2. The number which is shown outside 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 fog light.

PART III

Regulation No. 19

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF MOTOR VEHICLE FOG LIGHTS

SCHEDULE 2

PART I

Diagram showing marking



PART II

1. The number shown inside the circle in the marking in the above diagram 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 Part III of this Schedule.

2. The number which is shown outside 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 parts concerned, namely, headlights emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen lamps (H_1, H_2, or H_3 lamps).

PART III

Regulation No. 8

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF MOTOR VEHICLE HEADLIGHTS EMITTING AN ASYMMETRICAL PASSING BEAM OR A DRIVING BEAM OR BOTH AND EQUIPPED WITH HALOGEN LAMPS (H_1, H_2, or H_3 LAMPS) AND OF THE LAMPS THEMSELVES.

SCHEDULE 3

PART I

Diagram showing marking



PART II

1. The number shown inside the circle in the marking in the above diagram 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 Part III of Schedule 2 to these Regulations.

2. The number which is shown outside 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 halogen (H_1, H_2, or H_3) lamp.

SCHEDULE 4

PART I

Diagram showing marking



PART II

1. The number shown inside the circle in the marking in the above diagram 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 Part III of this Schedule.

2. The number which is shown outside 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 parts concerned, namely, headlights emitting an asymmetrical passing beam or a driving beam or both and equipped with halogen (H_4) lamps.

PART III

Regulation No. 20

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF MOTOR VEHICLE HEADLIGHTS EMITTING AN ASYMMETRICAL PASSING BEAM OR A DRIVING BEAM OR BOTH AND EQUIPPED WITH HALOGEN LAMPS (H_4 LAMPS) AND OF THE LAMPS THEMSELVES.

SCHEDULE 5

PART I

Diagram showing marking



PART II

1. The number shown inside the circle in the marking in the above diagram 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 Part III of Schedule 4 to these Regulations.

2. The number which is shown outside 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 halogen (H_4) lamp.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

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,

(*b*) for motor vehicle 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 47 of the Road Traffic Act 1962, as amended by Schedule 1 to the Trade Descriptions Act 1968, also provides inter alia that any markings so designated shall be deemed for the purpose of the latter Act 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 47, as approval marks markings complying with the provisions of Schedule 1, 2, 3, 4 or 5 to these Regulations and in respect of which the International Agreement of 1958 (referred to in the Regulations) and the Regulation specified in Part III of Schedule 1, 2 or 4 to these Regulations make such provision as is mentioned in (*a*) and (*b*) above as respects certain motor vehicle parts. The motor vehicle parts concerned consist of (in the case of a marking complying with Schedule 1) fog lights (in the case of a marking complying with Schedule 2 or 4) headlights and (in the case of a marking complying with Schedule 3 or 5) halogen (H_1, H_2, H_3, or H_4) lamps.

These Regulations also revoke earlier Regulations which designated approval marks in relation to motor vehicle parts consisting of headlights equipped with a halogen (H_1) lamp and of halogen (H_1) lamps.

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