STATUTORY INSTRUMENTS

1974 No. 764

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) Regulations 1974

Made - - - -	*5th April* 1974
Laid before Parliament	*9th May* 1974
Coming into Operation	*30th May* 1974

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 consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Motor Vehicles (Designation of Approval Marks) Regulations 1974 and shall come into operation on 30th May 1974.

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

(3) The Interpretation Act 1889**(f)** 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 an approval mark a marking which, subject to Part II of Schedule 1 to these Regulations, is in the form and of a size not less than the marking shown in the diagram in column 1 of Part I of that Schedule, the said marking being a marking for which the International Agreement of 1958, by virtue of the Regulation annexed to that Agreement specified in column 2 of Part I of the Schedule in relation to that marking, makes such provision as is mentioned in section 63(1)(a) and (b) of the Road Traffic Act 1972 in connection with a motor vehicle part being an advance-warning triangle.

3. The Secretary of State hereby designates as an approval mark a marking which, subject to Part II of Schedule 2 to these Regulations, is in the form and of a size not less than the marking shown in the diagram in Part I of that Schedule and is such that the ratios between the dimensions of the said marking are maintained, the said marking being a marking for which provision is made by the Regulation adopted under the EEC treaty and specified in column 2 of Part I of that Schedule, 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 being road transport recording equipment and model record sheets.

(a) 1972 c. 20.
(b) S.I. 1973/1193 (1973 II, p.3571).
(c) Cmnd. 2535.
(d) Cmnd. 3562.
(e) By instrument of accession dated 14th January 1963 deposited with the Secretary-General of the United Nations on 15th January 1963.
(f) 1889 c. 63.

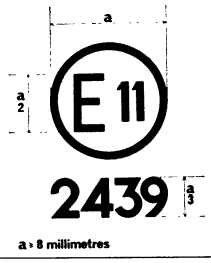
Signed by authority of the Secretary of State.

Fred Mulley,
Minister for Transport,
Department of the Environment.

5th April 1974.

SCHEDULE 1

PART I—*Diagram*

(1) Diagram showing marking	(2) Regulation annexed to International Agreement of 1958
	Regulation No. 27 (UNIFORM PROVISIONS FOR THE APPROVAL OF ADVANCE-WARNING TRIANGLES WHICH ENTERED INTO FORCE ON 15th SEPTEMBER 1972)

PART II—*Variations of Marking*

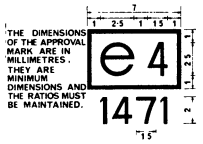
1. The number inside the circle in a marking in the diagram shown in column 1 of Part I above will be varied, where appropriate, so as to be the number assigned to each Contracting State party to the International Agreement of 1958 and applying the Regulation specified in column 2 of that part in relation to that marking.

2. The number outside the circle in such a marking will be varied, where appropriate, so as to be the number allotted by a competent authority to distinguish the manufacturer of the type of motor vehicle part concerned, namely an advance-warning triangle.

3. The said number will be close to and outside the circle in any position relative thereto, so however that it shall read in the same direction as the number inside the circle.

SCHEDULE 2

PART I—*Diagram*

(1) Diagram showing marking	(2) Regulation adopted under the EEC treaty
	Regulation (EEC) No. 1463/70 of 20th July 1970 of the European Communities Council**(a)** on the introduction of recording equipment in road transport

PART II—*Variation of Marking*

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 will be varied, where appropriate, to correspond to the number of the approval document issued for the prototype vehicle component concerned, namely road transport recording equipment and model record sheets.

(a) O.J. L164, 27.7.1970, p. 1 (S.E. 1970 (II) p. 482).

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, 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 Secretary of State 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 Trades 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 section 63 as approval marks, markings complying with the provisions of the Schedules to these Regulations and in respect of which either—

(i) the International Agreement of 1958 (referred to in these Regulations) and the Regulation specified in the Schedule to these Regulations and annexed to that Agreement make such provision as is mentioned in (*a*) and (*b*) above as respects a motor vehicle part being an advance-warning triangle, or

(ii) a regulation of the European Communities Council (EEC) No. 1463/70 of 20th July 1970 makes such provision as is mentioned in (*a*) and (*b*) above as respects motor vehicle parts being road transport recording equipment and model record sheets.

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