STATUTORY INSTRUMENTS

1975 No. 635

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) Regulations 1975

Made - - - -	14*th April* 1975
Laid before Parliament	24*th April* 1975
Coming into Operation	15*th May* 1975

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 the said Act, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Motor Vehicles (Designation of Approval Marks) Regulations 1975 and shall come into operation on 15th May 1975.

(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 the Schedule 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 relation to a motor vehicle equipped with a spark ignition engine with regard to the emission of gaseous pollutants by that engine.

(a) 1972 c. 20.
(b) S.I. 1973/1193 (1973 I, 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.

3. The Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1973**(a)** shall have effect as though in the Schedule thereto—

(*a*) in Part I, in the diagram relating to rear view mirrors in column 1, for the numeral "1" shown above the rectangle there were substituted the numeral "I";

(*b*) in Part II, in paragraph 2, the words "and immediately below" were omitted;

(*c*) in Part II, after paragraph 2, there were inserted the following paragraph:—

"2A. The said number shall be close to and outside the rectangle in any position relative thereto, so however that it shall read in the same direction as the number inside the rectangle.".

4. The Motor Vehicles (Designation of Approval Marks) Regulations 1974**(b)** shall have effect as though in Schedule 2 thereto—

(*a*) in Part II, in paragraph 2 the words "and immediately below" were omitted, and

(*b*) after the said paragraph 2 there were added the following:—

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

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

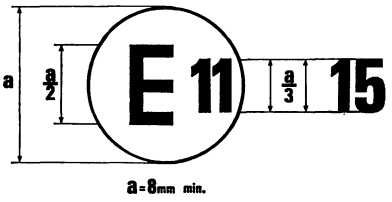
Signed by authority of
the Secretary of State
14th April 1975.

(a) S.I. 1973/1194 (1973 II, p. 3573).

(b) S.I. 1974/764 (1974 I, p. 2928).

SCHEDULE

PART I—DIAGRAM

(1) Diagram showing marking	(2) Regulation annexed to International Agreement of 1958
	Regulation No. 15 as amended. (UNIFORM PROVISIONS CONCERNING THE APPROVAL OF VEHICLES EQUIPPED WITH A POSITIVE-IGNITION ENGINE WITH REGARD TO THE EMISSION OF GASEOUS POLLUTANTS BY THE ENGINE)

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

3. The marking may be varied so as to include the numbers of all the Regulations annexed to the International Agreement of 1958 under which the vehicle has been approved as conforming to a vehicle of an approved type if the vehicle has been so approved. The numbers of these Regulations will be placed to the right of the marking in vertical columns.

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 a motor vehicle to indicate that the vehicle is fitted with motor vehicle parts of any description and either that the parts conform with a type approved by any country or that the vehicle is such that as so fitted it conforms with a type so approved; and

(*b*) for motor vehicles 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 marking 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 Schedule to the Regulations and in respect of which 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 motor vehicles fitted with motor vehicle parts, the requirements under (*b*) having been revised and amended in certain respects. The motor vehicles concerned are motor vehicles fitted with a spark-ignition engine with regard to the emission of gaseous pollutants by that engine.

The Regulations also make minor amendments to the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1973 and the Motor Vehicles (Designation of Approval Marks) Regulations 1974.

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