

SCHEDULE 5

Regulation 2(3)

COMMUNITY INSTRUMENTS AND ECE REGULATIONS

PART I

References to Community Instruments

1.—(1) The Directives referred to in these Regulations are set out in Part II of this Schedule; those marked with an asterisk are Commission Directives and the other Directives are Council Directives.

(2) A reference in these Regulations to a Directive shown in column 2 of Part II of this Schedule as last amended by a Directive shown in column 3 against that Directive (for example, “Directive 76/11/EEC as last amended by Directive 90/629/EEC”) shall be read as follows.

(3) The reference shall be read as a reference to the Directive shown in column 2 as amended by the Directives shown in column 3 against that Directive down as far as (and including) the Directive referred to as the last amending Directive.

2.—(1) For the purposes of these Regulations, where a vehicle does not comply with an item in Schedule 2 or 3 of these Regulations, it shall nevertheless be regarded as complying with that item if—

- (a) that item contains a reference to a Directive (“the base Directive”) not followed by the words “as last amended by”; and
- (b) the vehicle would comply with that item were there substituted for that reference, a reference to the base Directive as last amended by a Directive shown against the base Directive in column 3 of Part II of this Schedule.

(2) For the purposes of these Regulations, where a vehicle does not comply with an item in Schedule 2 or 3 of these Regulations, it shall nevertheless be regarded as complying with that item if—

- (a) that item contains a reference to a Directive (“the base Directive”) as last amended by another Directive (“the amending Directive”); and;
- (b) the vehicle would comply with that item were there substituted for that reference, a reference to the base Directive as last amended by a Directive shown—
 - (i) against the base Directive, and
 - (ii) below the amending Directive in column 3 of Part II of this Schedule.

References to ECE Regulations

3.—(1) A reference in these Regulations to an ECE Regulation followed by a number which is not itself followed by a full-stop and 2 digits (for example “ECE Regulation 30”) shall be read as a reference to the ECE Regulation of that number which came into force on the date shown against that number in column (4) of Part III of this Schedule.

(2) A reference in these Regulations to an ECE Regulation followed by a number which is itself followed by a full-stop and 2 digits (for example “ECE Regulation 30.01”) shall be read as a reference to the ECE Regulation of that number with the amendments in force on the date shown against the number in column (4) of Part III of this Schedule.

4.—(1) For the purposes of these Regulations, where a vehicle does not comply with an item in Schedule 2 or 3 of these Regulations, it shall nevertheless be regarded as complying with that item if—

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- (a) that item contains a reference to an ECE Regulation (“the base Regulation”) that is not followed by a full-stop and 2 digits; and
- (b) the vehicle would comply with that item were there substituted for that reference, a reference to an entry in column (3) of Part III of this Schedule shown against that Regulation.
- (2) For the purposes of these Regulations, where a vehicle does not comply with an item in Schedule 2 or 3 of these Regulations, it shall nevertheless be regarded as complying with that item if—
- (a) that item contains a reference to an ECE Regulation (“the base Regulation”) that is followed by a full-stop and 2 digits; and
- (b) the vehicle would comply with that item were there substituted for that reference, a reference
- (i) against that Regulation, and
- (ii) below the entry in column (3) of Part III of this Schedule for that ECE Regulation and those 2 digits.

5. In these Regulations, “ECE Regulation” means a Regulation annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958⁽¹⁾ as amended⁽²⁾ to which the United Kingdom is a party⁽³⁾.

PART II

REFERENCES TO COMMUNITY DIRECTIVES

<i>(1)</i> Subject matter of Directive	<i>(2)</i> Principal Directive	<i>(3)</i> Amending Directive	<i>(4)</i> Official Journal reference
Radio interference suppression	72/245/EEC	89/491/EEC*	L152, 6.7.72, p. 15
			L238, 15.8.89, p. 43
Protective steering	74/297/EEC	91/662/EEC*	L165, 20.6.74, p. 16
			L366, 31.12.91, p. 1
Diesel smoke	72/306/EEC		L190, 20.8.72, p. 1
Roadworthiness	77/143/EEC	88/449/EEC	L47, 18.2.77, p. 47
		91/225/EEC	L222, 12.8.88, p. 10
		91/328/EEC	L103, 24.4.91, p. 3
		92/55/EEC	L178, 6.7.91, p. 29
			L225, 10.8.92, p. 68

(1) Cmnd 2535.

(2) Cmnd 3562.

(3) By an instrument of accession dated the 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.

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<i>(1)</i> <i>Subject matter of Directive</i>	<i>(2)</i> <i>Principal Directive</i>	<i>(3)</i> <i>Amending Directive</i>	<i>(4)</i> <i>Official Journal reference</i>
Rear view mirrors	71/127/EEC	79/795/EEC*	L68, 22.3.71, p. 1
		85/205/EEC*	L239, 22.9.79, p. 1
		86/562/EEC*	L90, 29.3.85, p. 1
		88/321/EEC*	L327, 02.11.86, p. 49
Seat belt anchorages	76/115/EEC		L147, 14.6.88, p. 77
		81/575/EEC	L24, 30.1.76, p. 6
		82/318/EEC*	L209, 29.7.81, p. 30
		90/629/EEC*	L139, 19.5.82, p. 9
Seat belt	77/541/EEC		L341, 6.12.90, p.14
		81/576/EEC	L220, 29.8.77, p. 95
		82/319/EEC*	L209, 29.7.81, p. 32
		90/628/EEC*	L139, 19.5.82, p. 17
Braking	71/320/EEC		L341, 6.12.90, p. 1
		74/132/EEC*	L202, 6.9.71, p. 37
		75/524/EEC*	L74, 19.3.74, p. 7
		79/489/EEC*	L236, 8.9.75, p. 3
		88/194/EEC*	L128, 26.5.79, p. 12
Braking of 2/3 wheeled vehicles	93/14/EEC	91/422/EEC*	L92, 9.4.88, p. 47
			L233, 22.9.91, p. 21
Seat strength	74/408/EEC		L121, 15.5.93, p. 1
		81/577/EEC	L221, 12.8.74, p. 1
Tyres	92/23/EEC		L209, 29.7.81, p. 34
			L129, 14.5.92, p. 95
Interior fittings	74/60/EEC	78/632/EEC*	L38, 11.2.74, p. 2
			L206, 29.7.78, p. 26
Forward vision	77/649/EEC	81/643/EEC*	L267, 19.10.77, p. 1

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<i>(1)</i> <i>Subject matter of Directive</i>	<i>(2)</i> <i>Principal Directive</i>	<i>(3)</i> <i>Amending Directive</i>	<i>(4)</i> <i>Official Journal reference</i>
		88/366/EEC*	L231, 15.8.81, p. 41
		90/630/EEC*	L181, 12.7.88, p. 40
			L341, 6.12.90, p. 20
External projections	74/483/EEC	79/488/EEC*	L266, 2.10.74, p. 4
			L128, 26.5.79, p. 1
Masses and dimensions	92/21/EEC	95/48/EC*	L129, 14.5.92, p. 1
			L233, 30.9.95, p. 73

PART III

REFERENCES TO ECE REGULATIONS

<i>(1)</i> <i>Subject matter of Regulation</i>	<i>(2)</i> <i>ECE Regulation</i>	<i>(3)</i> <i>Amending Series</i>	<i>(4)</i> <i>Date</i>
Radio interference suppression	10	10.01	17 Dec '68
			23 June '78
Rear reflectors	3	3.01	18 Aug '82
		3.02	11 July '85
Rear view mirrors	46	46.01	29 Sept '81
			5 Oct '87
Tyres	30	30.01	1 April '75
		30.02	10 Oct '77
			21 April '81