COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL DECISION

with a view to accession by the European Community to the 1958 Revised Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts

(presented by the Commission)

ACCESSION BY THE COMMUNITY TO THE REVISED 1958 AGREEMENT CONCERNING THE ADOPTION OF UNIFORM CONDITIONS OF APPROVAL AND RECIPROCAL RECOGNITION OF APPROVAL FOR MOTOR VEHICLE EQUIPMENT AND PARTS

EXPLANATORY MEMORANDUM

1. Historical background:

1.1 The Agreement signed on 20 March 1958 on the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts under the aegis of the United Nations Economic Commission for Europe (UN/ECE), is intended to lay down the uniform technical requirements needed for the approval of parts and equipment with which motor vehicles are made, together with the reciprocal recognition of approvals granted on that basis by the States having signed by Agreement, the final aim being to facilitate trade and liberalize the trade in motor vehicles among the parties to the contract.

1.2 Hitherto 24 States have been contracting parties to that Agreement, these consisting of the Member States of the European Union, apart from Ireland, of Hungary, the Czech Republic, the former Yugoslavia, Croatia, Norway, Romania, Poland, the Russian Federation, Slovakia and Slovenia, which thus makes it a purely European agreement despite the involvement, as observers, of the United States, Canada (members of the Economic Commission for Europe), Australia, Japan and South Africa (countries permitted to take part in the ECE's activities). It should be noted in this connection that Japan recently announced its decision to sign the Agreement and that Korea is examining this option. Other countries also seem interested.

1.3 The executive structure of the Agreement comprises a working party on motor vehicle design - Working Party (WP) 29 - whose main function is to involve specialist technical experts in the specific regulations annexed to the Agreement, and also the amendments to those regulations which enable the latter to be adapted to technological progress. This working party meets for that purpose three times a year while the specialist experts meet six times a year in order to prepare the meetings of the working party.

1.4 Thus, since 1958, implementation of that Agreement has led to the adoption of roughly 100 specific regulations that, in all, cover all of the equipment and parts needed for the granting of an overall national approval for a type of vehicle by each of the signatories. Moreover, in view of the rapid pace of technical progress in this area, it is clear that each regulation has itself been frequently amended, thus enabling the original regulation to be adapted to constant changes in the technologies available. It should be added that these regulations and amendments are adopted on the basis of optional

harmonization, which means that each contracting party has the option of adopting differing national requirements while at the same time being obliged to accept vehicles originating in another Contracting Party in accordance with the UN/ECE rules.

1.5 The outcome over the last three decades has thus been broadly positive since the work carried out within this forum has gradually enabled an exhaustive body of technical rules to be built up which constitute genuine international harmonization serving as a basis for vehicle approval throughout Europe. It will also be noted in this connection that certain countries not having signed the Agreement nevertheless unilaterally accept the UN/ECE regulations, thus bearing witness to the consideration given to this work.

1.6 In 1989 an internal Economic Commission for Europe working party was made responsible for holding discussions in order to begin the process of revising the Agreement. It emerged that the operation of the initial Agreement required certain changes in order to add weight to the technical harmonization activities carried out in this connection and to adapt that structure to new realities, and in particular the wish of the European Union to become involved as a legal entity in its own right.

1.7 By a Council Decision of 8 November 1990 the Commission was authorized, under Article 113 of the Treaty to negotiate the involvement of the Community within the UN/ECE under a revised Agreement. Consequently a Committee 113 on "motor vehicles" was formed for that purpose.

1.8 Thus the revised 1958 Agreement was adopted by the working party (WP 29) at its meeting on 8-11 October 1994, and its entry into force is planned for October 1995, or in other words nine months after the text had been lodged with the Secretariat of the United Nations by a contracting party, in this instance France. In terms of substance the amendments made to the original agreement will be clarified in the section below concerning the Community's reasons for accession.

2. Community accession to the 1958 revised Agreement - justification:

2.1 Henceforth Article 6(1) of the thus-revised Agreement provides that the regional economic integration organizations to which the Member States have transferred powers in the area covered by the Agreement have the option of becoming signatories. Moreover, it is stated that on this assumption the number of votes within the organization is equal to the sum of the UN Member States of which it comprises, which means that the Community could thus have 15 votes.

2.2 Accession by the Community to the Agreement, as envisaged in 1989 and now proving possible, in reality caters for two complementary concerns: (a) the need to bolster that Agreement to make it into a world focus for the technical harmonization of motor vehicles and (b) the coherence needed between the law-making activities in Geneva and those being conducted at Community level.

International harmonization

2.3 It should be stressed with regard to the part played by the 1958 Agreement in the technical harmonization of motor vehicles that, in view of the constantly growing trade not only in Europe but also between Europe and the rest of the world (Japan, China, Korea, Latin America, Central and East European countries), the work already done in this area should now be enhanced in order to extend its scope and influence to States other than just those in Europe. With this in mind it is clear that Community accession as such, together with new voting conditions which we will describe in detail further on, the potential for accession by all of the UN Member States (whereas the initial Agreement was restricted solely to members of the Economic Commission for Europe, or in other words geographical Europe, the United States and Canada), will boost the efficiency and influence, at world level, of the technical work carried out in Geneva. That greater importance should also provide greater ease of access to third-country markets.

2.4 In coordination with the motor industry the Commission has thus made major efforts to remove technical barriers to the marketing of European cars on third-country markets. Access to those markets (Japan, Korea, for example) would be eased if those countries themselves became parties to the Agreement. A multilateral approach offers long-term prospects of the best results concerning access to third markets and is the most efficient approach despite the fact that, under certain circumstances, bilateral agreements on the mutual recognition of vehicle regulations could be examined, more particularly against a backdrop of easier accession to the Agreement by those countries in the longer term.

2.5 This outlook is all the more important since those adopting opposite approaches towards the technical harmonization of vehicles, i.e. the European countries which advocate approval by the public authorities and, primarily, the United States which prefer the concept of self certification, are currently locked in fierce combat in order to promote their respective systems throughout the world in the hope of thus extending their own system and so easing their own access to these new markets. It should, however, be stressed that at world level the very great majority of type approval is conducted by the relevant national authorities as opposed to self-certification.

2.6 Moreover, discussions on the long-term aim of a genuine world forum within the Economic Commission for Europe are also imminent following the tabling of a US proposal to that end. However, these future discussions will have no impact on the entry into force of the Revised Agreement.

The coherence needed between harmonization via the UN/ECE regulations and that deriving from Community Directives:

2.7 The second reason for the Community's favouring accession to the 1958 Revised Agreement lies in the need for coherence between the law-making activities in both Geneva and Brussels. Indeed, it should first of all be stressed that Annex IV, Part II to framework Directive 92/53/EEC on Community type approval of vehicles already provides for equivalence between a certain number of UN/ECE regulations and the corresponding Community Directives. However, that "theoretical" equivalence may actually be provided from 1 January 1996, on which date the Directive referred to above becomes mandatory with regard to private vehicles.

2.8 It should be pointed out in this connection that the coherence between international and Community harmonization has become difficult over the last 15 years owing to the very rapid pace of technological progress in the motor vehicle industry and thus to increasing amounts of more law making. It is therefore clear that Community harmonization, at least as regards certain separate technical units, has lost some ground to the UN/ECE regulations, which sometimes means that the equivalence of the two levels of regulation is theoretical.

2.9 This coherence is also proving necessary with the prospect of a changeover to total harmonization on 1 January 1996 in that, starting from that date, all of the Community Directives on passenger cars, which have hitherto been optional, now become mandatory in all the Member States. Technical harmonization in the passenger vehicle field is then covered solely by Community powers and the Member States no longer have the option of adopting different regulations at national level. Total coherence between those UN/ECE regulations to be applied by the Member States, and the Community regulations themselves therefore becomes essential for this category of vehicle.

2.10 Moreover, it should be stressed that, hitherto, the decision to make and prepare proposals concerning sensitive matters such as those on pollutant or noise emissions take place specifically in Community terms whereas the more technical files generally take shape in Geneva and lead to the adoption of a regulation or amendment before being adopted at Community level via a Directive. Although this current division of legislative work between the ECE and the Community has worked well in general terms, there is still a risk that a technical decision taken in Geneva could exert "pressure" on the Community, with adverse effects on the functioning of the Community procedure. It is thus essential to eliminate this ambiguous situation and that all decisions to be taken in Geneva should previously be prepared as part of a Community procedure. Moreover, its appeal would reside in the automatic incorporation, into the Community's body of law, of the ECE regulations to which the Community intends to accede thus perceptively easing and speeding up the implementation of the new regulations, and enabling it to remain in step with advances in technological progress. This system also has the advantage of avoiding legislative duplication within both the Community and the United Nations as far as possible.

2.11 In any case it is clear that the preparation of Community Directives on sensitive subjects such as pollutant and noise emission or certain specific safety problems - regulations on side and frontal impact, for example - will continue to fall within the Community's powers. However, the Community will henceforth use its cooperation with Geneva as a means of promoting its own regulations in these areas. This promotion will become more important since reciprocal recognition at world level is currently very important for American manufacturers who are anxious to have their vehicles easily approved by third countries.

The new voting conditions:

2.12 Finally, a third substantial amendment of the Agreement must be mentioned. This confirms the voting conditions applying to the adoption of new UN/ECE regulations, and to subsequent amendments. Indeed, the initial system offers scope for adopting a new regulation if presented by two Contracting Parties, the others then having the option of implementing this or not. In addition the adoption of an amendment was subject to unanimity on the part of the Contracting Parties implementing the base regulation. The amendments to the original agreement made in this connection make the preparation of a draft regulation or amendment subject to a two-thirds majority, which, essentially, means that the new draft will have been supported by the majority of the Contracting Parties and will therefore be implemented more widely and dependably. The adoption of this project will, in itself, be considered to be a *fait accompli* unless, not more than six months after its notification, at least a third of the Contracting Parties have notified the Secretariat-General of their opposition. Therefore, on the assumption that this threshold is not reached, the regulation or amendment thus adopted is binding upon those Contracting Parties who have accepted it. These new voting conditions also help to bolster the regulative work carried out in Geneva in that, as opposed to the current situation, the Contracting Parties are now obliged to signal their opposition and not, any longer, their acceptance of the new provisions adopted. It will be noted that, as the composition of the Contracting Parties now stands, the European Union could hold an absolute majority as a result of the 15 votes assigned to it and, before the accession of the other Contracting Parties, to a blocking minority.

3. Fundamental aspects of the decision to accede:

3.1 Under the Council Decision whereby the latter has authorized the Commission to negotiate the revision of the Agreement in order to envisage Community involvement, this decision on accession is also based on Article 113 of the Treaty on common trade policy. Indeed, as we stated above, the 1958 UN/ECE Agreement is intended to make the trade in vehicles between the Contracting Parties easier in such a way that trade cannot be impeded by technical difficulties arising from the design of the vehicles concerned. Therefore Article 113, in combination with the relevant provisions of Article 228, has been adopted as the legal basis for accession by the Community.

3.2 The choice of this legal basis means that the Agreement will henceforth lie within a common trade-policy context, thus constituting exclusive Community powers. However, in view of the specifically technical nature of the discussions taking place in Geneva, in particular at the level of the preparatory meetings of specialist experts, it has proved necessary to initiate mixed involvement by the Community and its Member States during the preparatory meetings, the Community being involved exclusively in the final negotiations as the sole spokesman. It should be noted that where this double involvement in the preparatory work constitutes a departure from the conventional rules for applying Article 113, involvement by the Member States is not contained in the actual body of the decision on accession, but is mentioned in the annex that is intended to regulate the practical conditions applying to involvement by the Community and the Member States.

3.3 It should also be noted that the right to vote within the Agreement bodies is only held by the Community and not by the Member States, as provided for in the conventional procedures for implementing Article 113.

3.4 Finally, under Article 1 (5) of the Revised Agreement, the Community intends to restrict its initial accession to the implementation of a restricted list of UN/ECE regulations and not to all such regulations far in existence, while maintaining the option of subsequent accession to these. That position is intended to restrict accession to a specific list of UN/ECE regulations - as already stated in detail in Annex IV, part II, to Directive 92/53/EC - which it considers to be essential to the proper functioning of the vehicle approval procedure, while reserving its position as regards the other regulations currently in force in certain Member States. In this connection this Decision provides for a specific procedure authorizing the Member States implementing those regulations to continue to be involved in their management and development, subject to prior notification of the Commission, which itself will notify the European Parliament, and to possible rejection by the latter. That specific procedure on regulations to which the Community currently does not subscribe, will enable (a) the development of certain specific aspects of the motor vehicle regulations not to be frozen at international level and (b) the Community's interests and more particularly, the compatibility between those activities and the Community vehicle approval system to be monitored.

4. Conclusion:

4.1 In view of the above thinking accession by the Community to the 1958 Revised Agreement forms part of a bifurcated logic applying to both international interest in promoting harmonization via the UN/ECE, and a purely Community interest enabling the existing vehicle approval machinery to be improved, thus ensuring cohesion with advances in technical progress.

4.2 It is clear that since Community approval regarding passenger cars will become mandatory on 1 January 1996 and that the most finely-tuned system is being sought for that date, Community accession would be desirable on entry into force of the Revised Agreement or, if appropriate, as quickly as possible following that entry into force.

Proposal for a Council Decision with a view to accession by the European Community to the 1958 Revised Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 113 thereof, in conjunction with Article 228 (2), first sentence, (3) second indent, and (4);

Having regard to the proposal by the Commission;[1]

Having received the assent of the European Parliament;[2]

Whereas, in its Decision of 23 October 1990, the Council had authorized the Commission to take part in the negotiations concerning the revision of the 1958 United Nations Economic Commission for Europe (ECE) Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts (hereinafter referred to as the "Revised Agreement");

Whereas, as a result of those negotiations, the European Community has the option of becoming a contracting party to the Revised Agreement in its capacity as a regional economic integration body to which its Member States have transferred powers in the area covered by the Agreement;

Whereas accession to that Agreement constitutes an aim of common trade policy in accordance with Article 113 of the Treaty to remove technical barriers to the trade in motor vehicles between the contracting parties; whereas involvement by the Community will add weight to the harmonization activities conducted under that Agreement and will thus permit easier access to third-country markets; whereas that involvement must result in the establishment of coherence between the instruments referred to as "regulations" adopted under the Revised Agreement and Community law in this area;

Whereas the approval of motor vehicles and technical harmonization are conducted on the basis of directives concerning vehicle systems, components and separate technical units under Article 100a on the establishment and operation of the internal market and that, from 1 January 1996 in respect of Category M1 vehicles, the harmonization will

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1 OJ C No ...

2 OJ C No ...

be total and mandatory under framework Directive 70/156/EEC and the separate directives on this category of vehicle;

Whereas signing of the Agreement by the European Community requires amendments to instruments adopted in accordance with the procedure provided for in Article 189b; whereas the assent of the European Parliament is therefore required;

Whereas the instruments referred to as "regulations" adopted within the bodies under the Agreement will bind the European Community on expiry of a six-month period following their notification if the Community has not made known its opposition to these; whereas it should therefore be stipulated that the Community vote concerning such instruments should be preceded by a decision adopted in accordance with the same procedure as that applying to the conclusion of the Agreement, if those instruments do not constitute a simple adaptation to technical progress;

Whereas, however, assuming that the adoption of a regulation of this type merely constitutes an adaptation to technical progress, the Community vote may be decided upon by the Commission, assisted by a committee consisting of representatives of the Member States;

Whereas, in view of its technical nature, the Community position concerning the preparation of the "regulations" may be established by the Commission;

Whereas the Agreement provides for a simplified procedure for its amendment; whereas a form of decision making at Community level should be instituted which takes account of the constraints of that procedure;

Whereas, as required by the Revised Agreement any new contracting party has the option, when lodging its instruments of accession, of declaring concomitantly that it intends not to be bound by certain UN/ECE regulations; whereas that contracting party shall give details; whereas the Community wishes to make use of that provision in order (a) to accede immediately to the list of regulations considered to be essential to the proper functioning of the vehicle approval system, as defined earlier in Directive 92/53/EEC[3] and (b) in view of their importance as regards the approval of vehicles at Community level and, likewise, at international level to examine the scope for subsequently acceding to other regulations on a case by case basis;

Whereas that accession does not prejudice the option of repealing the regulations set out in the list accepted by the Community, as provided for in Article 1 (6) of the Revised Agreement;

Whereas, where the Community accedes not to all of the UN/ECE regulations, but to a defined list of regulations considered essential to the proper functioning of the vehicle

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[3] Annex IV, part II, to Directive 92/53/EEC.

approval procedure, those Member States subscribing to the regulations to which the Community does not accede should be permitted to continue to manage and develop these in accordance with a procedure applying to prior notification of the Commission, in order to forestall incompatibility with the Community vehicle approval system;

Whereas, in pursuance of Article 234 of the Treaty, Member States shall ensure that there is currently no incompatibility between the UN/ECE regulations signed earlier, but to which the Community is not acceding, and the corresponding current Community regulations.

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

The European Community shall accede to the Revised 1958 United Nations Economic Commission for Europe Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts. The wording of the Revised Agreement is appended to this Decision.

Article 2

The President of the Council shall be authorized to designate the person empowered to lodge the instrument of accession as required by Article 6(3) of the Revised Agreement following the entry into force of that Agreement.

Article 3

1. In pursuance of Article 1(5) of the Revised Agreement the European Community shall state that its accession will be restricted to implementation of the UN/ECE regulations listed in Annex I to this Decision.

2. In pursuance of Article 1(6) of the Revised Agreement the Community may, in accordance with the provisions of Article 113 of the Treaty, decide to repeal a UN/ECE regulation that it has previously accepted.

Article 4

1. The Community's position with regard to the preparation of the UN/ECE regulations shall be established by the Commission.

2. The Community shall vote in favour of adopting any draft UN/ECE regulation or a draft amendment to a regulation

- where, if an existing regulation is being adapted to technical progress, the draft has been approved in accordance with the procedure set out in Article 13 of Directive 70/156/EEC as amended by Directive 92/53/EEC;[4]

- in all other instances, where on a proposal from the Commission and on receiving the assent of the European Parliament, the Council has approved the draft by a qualified majority;

3. On the assumption that the Community votes in favour of a regulation or amendment to a regulation, the decision shall also state whether that regulation or amendment is mandatory or optional within the European Union, depending upon the vehicle category to which it applies.

4. The Commission shall then amend Annex IV to Directive 70/156/EEC, together with the separate directives concerned, as appropriate.

Article 5

1. The proposed amendments to the Agreement submitted to the contracting parties on behalf of the Community shall be adopted by the Council acting on a qualified majority, on a proposal from the Commission and having received the assent of the European Parliament.

2. The decision whether to raise an objection, or otherwise, to the proposed amendments to the Agreement put forward by other contracting parties shall be taken in accordance with the procedure followed in order to conclude this Agreement. Where that procedure has not been completed a week before expiry of the deadline provided for in Article 13(2) of the Agreement the Commission will state an objection to the amendment, on behalf of the Community, before that deadline expires.

Article 6

1. Those Member States subscribing to the regulations to which the Community does not accede may continue to manage and develop these by adopting amendments reflecting technical progress. However, a Member State shall give prior notice thereof to the Commission, which will satisfy itself that there is no incompatibility in the longer term with the Community approval system and with the Community's aims in this area. On this assumption the Commission may, within a period of six months

[4] OJEC L 225, 10.8.1992, p. 1.

following notification and in accordance with the procedure provided for in Article 13 of Directive 92/53/EEC, decide to suspend the involvement of those Member States in the work in progress on the regulation or regulations concerned.

2. Likewise, any new draft acceptance, by a Member State, of a regulation to which the Community has not acceded shall be subject to prior notification of the Commission which, within a six-month period, may decide to block that intention in accordance with the procedure set out in Article 13 of Directive 92/53/EEC.

Done at Brussels,

For the Council

The President

ANNEX I

1. With regard to motor vehicles, the European Community intends to restrict its accession to the revised 1958 Agreement to the recognition and approval of the UN/ECE regulations set out in the following list.

Basic Regulation number	Series of amendments	Subject
1	01	Head Lamps (incl. R_2 lamps)
3	02	Reflex reflector
4	-	Rear registration plate lamp
5	02	Head Lamps (Sealed Beam)
6	01	Direction indicators
7	02	End-outline/front-side/rear-side/stop lamps
8	04	Head lamps (H_1, H_2, H_3, HB_3, HB_4, and/or H_7
10	01	Radio suppression
11	02	Door latches and hinges
12	03	Behaviour of steering device under impact
13	08	Braking
14	03	Seat belt anchorages
16	04	Seat belts
17	04	Seat strength
17/25	04/03	Head restraints
18	01	Anti-theft
19	02	Front fog lamps
20	02	Head lamps (H_4)
21	01	Interior fittings
23	-	Reversing lamps

24	03	Diesel smoke
26	02	Exterior projections
28	-	Audible warning
30	02	Tyres, motor vehicles and their trailers
31	02	Head lamps (halogen sealed beam)
37	03	Filament lamps for use in approved lamp units
38	-	
39	-	Rear fog lamps
43	-	Speedometer
45	01	Safety glass
46	01	Head lamp cleaners
48	01	Rear view mirrors
49	02	Installation of lighting and light signalling devices
51	02	Diesel emission
54	-	Sound levels
58	01	Tyres, commercial vehicles and their trailers
59	-	
64	-	Rear protective device
71	-	Replacement silencing systems
73	-	Tyres, temporary use spare wheels/tyres
77	-	Field of vision, Agricultural tractors
79	-	Lateral protection
83	01	Parking lamps
84	-	Steering effort
85		

91		Side marker lamps

Apart from those concerning pollutant and noise emissions, the UN/ECE regulations listed above, replace the technical annexes to the relevant separate EC Directives where the latter possess the same scope. However, the additional directive provisions, such as those concerning fitting requirements or the approval procedure, remain in force where compatible with the provisions of the UN/ECE regulations.

In line with the provisions of Directive 70/156/EEC, the UN/ECE regulations set out in the list above will become mandatory on 1 January 1996 in respect of the M1 categories.

The implementation of the UN/ECE regulations on pollutant and noise emissions remains optional within the Union. Thus the Community undertakes to accept a vehicle from a non-member country that complies with those regulations, while the Community Directives on pollutant and noise emissions continue to be the only form of regulation to be applied by the Member States of the Community when type approval is granted in that area. Moreover, it is clear that, assuming that the UN/ECE regulations differ from the relevant directives, the Community may decide to extricate itself from its reciprocal-recognition obligation in this area by withdrawing from the UN/ECE regulation(s) concerned, in line with Article 1(6) of the Revised Agreement and Article 3 of this Decision.

2. The Community is restricting its accession, in respect of two or three-wheel motor vehicles, to the following list of UN/ECE regulations, in the version covered by the successive amendments in force on the date of accession of the Community:

- Regulation No 53 concerning the installation of lighting and light signalling devices

- Regulation No 60 on controls activated by the driver, including identification of the controls, warning lights and indicators

- Regulation No 74 on the installation of lighting and light-signalling devices

- Regulation No 78 on the braking of category-L vehicles.

These regulations replace the technical annexes to the relevant separate EC directives, where the latter have the same scope. However, the additional provisions of the directives, such as those concerning fitting requirements or the approval procedure, will remain in force where they are compatible with the provisions of the UN/ECE regulations.

The Council and the Commission have agreed as follows in order to regulate the involvement of the Community and the Member States in the 1958 Revised Agreement

The European Community and the Member States shall be involved in the form of contracting parties to the Agreement in accordance with the following rules:

1. Eligibility

The Community and Member States may appoint candidates to carry out eligible functions under the Agreement. The Community and the Member States shall undertake to put forward a single candidate to the full extent that this is possible.

2. Negotiations and preparatory work preceding the adoption of regulations or amendments to existing regulations to which the Community accedes:

During the preparatory work on the regulations within the administrative committee or any other committee or working party, the Commission shall consult experts from the Member States before establishing the Community position in accordance with Article 4(1) of the Decision by the Community to accede to the Agreement, and shall invite the representatives of the Member States to explain the Commission's position during the preparatory work and to provide technical support for this. Following that preparatory stage the Commission shall represent the Community within WP29 as the Community's sole spokesman, in accordance with Article 113 of the Treaty, in order to adopt a final position on the adoption of any new regulation or amendment to an existing regulation.

3. Adoption of the ECE regulations and of amendments to existing regulations

The Commission shall exercise the right to vote for the Community within the bodies set up under the Agreement. The Member States shall not vote.

The Community institutions shall undertake to speed up their activities as far as possible in order not avoidably to delay the vote within the ECE. For this purpose the Commission shall submit its proposal, as required by Article 4(2) of the Decision as soon as all of the essential components of the draft ECE regulation have been supplied.

4. Amendments to the Agreement

Only the Community may put forward amendments to the Agreement.

The Member States shall align their position with that expressed by the Community with regard to the amendments tabled by other contracting parties in accordance with Article 13 of the Agreement.

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