

Explanation to UN Regulation No. 0 on the International Whole Vehicle Type Approval - questions and answers

Submitted by the Informal Working Group on the International Whole Vehicle Type Approval*

The text reproduced below was submitted by the Informal Working Group on the International Whole Vehicle Type Approval (IWVTA). It proposes questions and answers related to the IWVTA scheme and UN Regulation No. 0. It is based on informal document WP.29-170-09. The World Forum for Harmonization of Vehicle Regulations (WP.29) agreed to circulate the document with an official symbol (see report ECE/TRANS/WP.29/1126, para. 60). It is submitted to WP.29 for consideration at its March 2017 session.

Japan proposes to add Q&A 24 on the approach taken by a Contracting Party which accepts L-IWVTA.

Explanation to UN Regulation No. 0 on the International Whole Vehicle Type Approval - questions and answers

This document proposes questions and answers related to the International Whole Vehicle Type Approval (IWVTA) scheme and UN Regulation No. 0. Questions are classified into two chapters:

- A. UN Regulation No. 0 and IWVTA and their application, as well as
- B. Rights and Obligations of Contracting Parties applying UN Regulation No. 0.

Note: The text of the following questions and answers is not legally binding. Only the text of Revision 3 of the 1958 Agreement and of UN Regulation No. 0, once they have been adopted, will be legally binding for Contracting Parties. More information on the development of Revision 3 of the 1958 Agreement as well as the explanatory presentation of the development of UN Regulation No. 0 can be found on the United Nations Economic Commission for Europe (UNECE) website using the following links:

[add links at later stage]

The list with GENERAL QUESTIONS RELATED TO WP.29 AND ITS SUBSIDIARY BODIES can be found at: www.unece.org/trans/main/wp29/faq.html

List of Questions:

A. UN Regulation No. 0 and IWVTA and their application

* In accordance with the programme of work of the Inland Transport Committee for 2016–2017 (ECE/TRANS/254, para. 159 and ECE/TRANS/2016/28/Add.1, cluster 3.1), the World Forum will develop, harmonize and update Regulations in order to enhance the performance of vehicles. The present document is submitted in conformity with that mandate.

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- B. Rights and Obligations of Contracting Parties applying UN Regulation No. 0**
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22. Must a Contracting Party accept a L-IWVTA?
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24. Where a Contracting Party applying UN Regulation No.0 has notified its acceptance of a L-IWVTA to the secretariat of the Administration Committee to the 1958 Agreement, can this Contracting Party additionally require a vehicle type to comply with only some of the requirements of a UN Regulation listed in Annex 4 but not contained in the L-IWVTA? For example, can a Contracting Party accepting L-IWVTA without a UN type approval pursuant to R48 additionally require a vehicle type to comply with some of requirements of R48?
25. Must a Contracting Party accept the approval for a spare part for a vehicle covered by an IWVTA, if it is not applying the individual UN Regulation to which the spare part is approved?
26. May a Contracting Party applying UN Regulation No. 0 grant an IWVTA if it is not applying all UN Regulations listed in Annex 4, Part A, Section I of UN Regulation No. 0?
27. May a Contracting Party applying UN Regulation No. 0, for the purpose of granting a U-IWVTA, ask for alternative requirements to be fulfilled instead of the UN Regulations listed in UN Regulation No. 0?

A. UN Regulation No. 0 (IWVTA) and its application

Q1: What is UN Regulation No. 0 and International Whole Vehicle Type Approval?

Answer to Q1:

UN Regulation No. 0 establishes an International Whole Vehicle Type Approval (IWVTA) scheme in the framework of the 1958 Agreement. IWVTA means an approval whereby a Contracting Party certifies that a type of whole vehicle (a so-called IWVTA type) satisfies the relevant administrative provisions and technical requirements as stipulated by the UN Regulation No. 0. Unlike other UN Regulations, UN Regulation No. 0 does not contain specific technical requirements, but rather contains the list of the particular UN Regulations, to which full or partial compliance (depending on the IWVTA scheme) is necessary to grant a type approval pursuant to UN Regulation No. 0. The IWVTA aims at reducing barriers to trade between Contracting Parties to the 1958 Agreement applying UN Regulation No. 0 based on mutual recognition, recognizing the importance of safety, environmental protection, energy efficiency and anti-theft performance of wheeled vehicles.

Q2: What is a Whole Vehicle in IWVTA?

Answer to Q2:

The term "whole vehicle type approval" indicates that type approvals granted pursuant to applicable UN Regulations for the systems, equipment and parts of a vehicle are integrated into an approval of the whole vehicle according to the provisions on the administrative system of Whole Vehicle Type Approval (Art. 1 of the 1958 Agreement).

In a first implementation step of the IWVTA scheme, UN Regulation No. 0 applies for whole vehicles of category M₁ which are manufactured (in mass production) in one stage or completed vehicles. Single vehicles, multistage vehicles or other categories of vehicles are not covered by this UN Regulation.

Q3: Does an IWVTA cover all the requirements for a vehicle approval necessary for registration? What is a partial IWVTA?

Answer to Q3:

In a first stage, the IWVTA system under the 1958 Agreement incorporates a set of UN Regulations that will likely not cover all requirements that Contracting Parties have in their national/regional whole vehicle type approval scheme. In this sense, the IWVTA is called "partial". For national/ regional registration of a vehicle, additional requirements which are not covered by the partial IWVTA may be required. The aim is to develop the partial IWVTA into a complete IWVTA which is sufficient for national/regional whole vehicle type approval in the Contracting Parties (see also Q21).

Q4: What are a Universal IWVTA (U-IWVTA) and an IWVTA with limited recognition (L-IWVTA)?

Answer to Q4:

"Universal IWVTA" (or U-IWVTA) means an IWVTA where all of the applicable UN Regulations listed in Annex 4, Part A, Section 1 are complied with according to the version listed in that section or any later version. The Universal IWVTA shall be accepted by all Contracting Parties applying the UN Regulation No. 0.

"IWVTA of limited recognition" or Limited IWVTA (L-IWVTA) means an IWVTA where a Contracting Party certifies that a type of vehicle does not comply with all of the UN Regulations listed in Annex 4 necessary to obtain a Universal IWVTA and/or it complies with an/some earlier version(s) of one or more UN Regulations listed in Annex 4.

An IWVTA of limited recognition may be accepted by Contracting Parties, but the Contracting Parties applying UN Regulation No. 0 are not obliged to accept the L-IWVTA under the mutual recognition principle. Contracting Parties accepting L-IWVTA have to notify the UNECE Secretariat which differences to the universal level they accept.

Q5: Which UN Regulations are mandatory for an IWVTA?

Answer to Q5:

The list of UN Regulations which are required for an U-IWVTA is given in Annex 4, Part A, Section I of UN Regulation No. 0.

Q6: Is it intended to extend the list of requirements in Annex 4 of UN Regulation 0? If so, are there candidate UN Regulations for such an extension?

Answer to Q6:

Yes, the current list of UN Regulations contained in Annex 4 of UN Regulation No. 0 is considered as a starting point for IWVTA. It is planned to include more UN Regulations once these are acceptable for the Contracting Parties applying UN Regulation No. 0. In particular, the Regulations and topics contained in the following table are considered to be significantly important and are subject to a review by the competent subsidiary bodies of WP.29 for their inclusion in IWVTA.

Note: The table below lists the candidates for UN Regulation No. 0; status on 15 September 2016.

<i>UN Regulation No.</i>	<i>Topic</i>	<i>UN Regulation No.</i>	<i>Topic</i>
14	Belt anchorages	129	Enhanced Child Restraint Systems (ECRS)
34	Fuel tanks	To be discussed	Worldwide harmonized Light vehicle Test Procedures (WLTP): Emission of pollutants, CO ₂ emissions
116	Anti-theft/immobilizer		

Q7: What does "applying UN Regulation No. 0" mean?

Answer to Q7:

The term "applying UN Regulation No. 0" means that UN Regulation No. 0 enters into force for a Contracting Party in accordance with Article 1.1 of the 1958 Agreement, which then invokes the rights and obligations for that Contracting Party.

The Contracting Party may issue U-IWVTA and L-IWVTA approvals provided it has the technical competence to do so and, in this respect, is not limited by the individual UN Regulations that it may also apply.

A Contracting Party has to accept a U-IWVTA (integrating approvals to the UN Regulations listed in Annex 4 of UN Regulation No. 0) as an alternative to the relevant part of its national/regional legislation.

Q8: How can a Contracting Party apply UN Regulation No. 0?

Answer to Q8:

UN Regulation No. 0 will follow the same administrative procedures as for other UN Regulations annexed to the 1958 Agreement. Thus, there are three possibilities to officially apply UN Regulation No. 0:

(a) For the adoption procedure, UN Regulation No. 0 is considered as adopted unless, within a period of six months from its notification by the Secretary-General, more than one-fifth of the Contracting Parties at the time of notification have informed the Secretary-General of their disagreement with the

UN Regulation. The adopted UN Regulation No. 0 shall enter into force on the date specified therein for all Contracting Parties which did not notify their disagreement. Conversely, Contracting Parties shall notify the Secretary-General in the case that they are not ready to apply the Regulation.

(b) Following the entry into force of UN Regulation No. 0, any Contracting Party not applying UN Regulation No. 0 may, at any time, notify the Secretary-General that it intends henceforth to apply it. UN Regulation No. 0 will then enter into force for this Contracting Party on the sixtieth day after the notification.

(c) During the accession of any new Contracting Party as referred to in Article 6 of the 1958 Agreement the Contracting Party may, at the time of acceding to this Agreement, declare that it intends to apply (or not) certain UN Regulations, including UN Regulation No. 0.

Q9: May a Contracting Party vote on amendments to UN Regulation No. 0 if it is not applying this UN Regulation?

Answer to Q9:

No, only Contracting Parties applying UN Regulation No. 0 have the right to vote on future amendments to UN Regulation No. 0.

Q10: May a Contracting Party apply UN Regulation No. 0 if this Contracting Party is not applying all UN Regulations listed in Annex 4 of UN Regulation No. 0?

Answer to Q10:

Yes, a Contracting Party can apply UN Regulation No. 0 regardless of its application of any UN Regulation listed in Annex 4 of UN Regulation No. 0.

Q11: In which circumstances are IWVTAs withdrawn?

Answer to Q11:

As with any UN approval, non-conformance as set out in the text of the 1958 Agreement may require withdrawal. In addition, a U-IWVTA must be withdrawn if new requirements under UN Regulation No. 0 become applicable to an existing (U-IWVTA) type and the respective vehicles cannot meet these new requirements. In this case, the U-IWVTA is no longer considered universal and must be withdrawn effective as of the date at which the new requirements become applicable for the existing IWVTA type. A withdrawn U-IWVTA may then be replaced by a new L-IWVTA, effective as of the date of withdrawal. Of course, a manufacturer can always choose to upgrade vehicles to meet new requirements under UN Regulation No. 0 and thus preserve a U-IWVTA.

If a manufacturer does not upgrade and fails to request withdrawal of a U-IWVTA, the relevant Approval Authority should withdraw the approval.

Q12: How can a manufacturer ensure its vehicles remain covered by an IWVTA, particularly when new requirements become applicable in UN Regulation No. 0?

Answer to Q12:

Manufacturers and Approval Authorities will need to (i) monitor the development of UN Regulation No. 0 closely, (ii) be fully alert to new requirements becoming applicable through UN Regulation No. 0 and (iii) assess the possible impact on the IWVTAs issued.

In the case of manufacturers holding an L-IWVTA, if new requirements become applicable under UN Regulation No. 0, this requires no specific action as the L-IWVTA remain valid. However, a manufacturer may wish to upgrade an approval to meet an increase in the requirements for the acceptance of the L-IWVTA as notified by a Contracting Party to the secretariat of the Administrative Committee.

In the case of manufacturers holding a U-IWVTA, the manufacturers should monitor whether Dates (c) ("first registration dates") of any individual UN

Regulations included in a higher version of UN Regulation No. 0 than that of the approval are approaching. To maintain a U-IWVTA, manufacturers must upgrade the vehicles as necessary and obtain type approvals according to the newly required versions of these individual UN Regulations. Alternatively, if manufacturers do not intend to maintain a U-IWVTA, they should request (i) withdrawal of the U-IWVTA and (ii) replacement by a new L-IWVTA.

If a manufacturer does not upgrade and fails to request withdrawal of a U-IWVTA, the relevant Approval Authority should withdraw the approval.

Q13: How are approvals to UN Regulation No. 0 affected, if the scope of a UN Regulation listed in Annex 4 of Regulation No. 0 is modified?

Answer to Q13:

In the case of a U-IWVTA, the following cases shall be considered:

(a) The scope of an individual UN Regulation is narrowed such that vehicles from the IWVTA type which were covered by the scope of that UN Regulation are no longer included in the scope (very rare case).

In this case, the validity of the U-IWVTA is not affected by this change of scope. It depends solely on continued compliance to applicable requirements.

(b) The scope of an individual UN Regulation is broadened such that vehicles from the IWVTA type which were not covered by the scope of that UN Regulation are now included in the scope.

In this case, the validity of the U-IWVTA is affected because the newly affected vehicles within the IWVTA type will need to comply with the new requirements and related type approvals shall be provided. However, this is subject to the transitional provisions of the new version of the individual UN Regulation (or of UN Regulation No. 0, if it contains explicit transitional provisions for those individual UN Regulations).

In the case of L-IWVTA, the approval as such remains valid in any case. However, the acceptance of the approval by Contracting Parties may be affected depending on whether any newly included requirements for the IWVTA type in question are complied with and are not included in the notification of those Contracting Parties for acceptance of L-IWVTA.

Q14: Shall the "vehicle type" in national/regional type approval be aligned with the "IWVTA class" in UN Regulation No. 0?

Answer to Q14:

No, the "vehicle type" using at national/regional type approval needs not to be aligned with the "IWVTA class and IWVTA type" in UN Regulation No. 0. When the definition of "IWVTA class" in UN Regulation No. 0 is different from the "vehicle type" in the national/regional type approval scheme, the "IWVTA class" in UN Regulation No. 0 can be transposed into the "vehicle type" in national/regional type approval. Document IWVTA-SGR0-22-06 provides the detailed guidance on how the "IWVTA class" in UN Regulation No. 0 is transposed into the "vehicle type" in national/regional type approval, using three concrete examples. Document IWVTA-SGR0-22-06 is available at: www2.unece.org/wiki/display/trans/SGR0+22nd+session

Q15: In which cases can an IWVTA be modified via a revision or via an extension?

Answer to Q15:

The definition when a revision and when an extension are applicable is given in paragraphs 2.5 and 2.6 of Schedule 3 annexed to the 1958 Agreement. For practical guidance, the following scheme can be used:

1. Is there a change in Annex 5, Part I of UN Regulation No. 0 (variants and versions changed or added)? if yes: **Extension**
 2. Are separate approvals for systems or components newly included in Annex 5, Part III? if yes: **Extension**
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| 3. | Does a change in Annex 5, Part III include a change of the series of amendments to which any system or component is approved? | if yes: Extension |
| 4. | Does a change in Annex 5, Part II (information document) also affect the communication form (Annex I) | if yes: Extension |
| 5. | If answers to all previous questions is 'no': | Revision |

Remark concerning revisions: Modification of an IWVTA via revision needs no separate notification to the other Contracting Parties, but the revised approval shall be uploaded on the secure internet database.

Q16: How is the level of conformity defining an IWVTA type interpreted in special situations when the scope of a UN Regulation changes?

Answer to Q16:

The rules concerning the level of conformity within an IWVTA type are laid down in Annex 7, paragraph 1.2.2 of UN Regulation No. 0. Additional guidance can be drawn from the following two examples:

1. Variant A is a gasoline model. It needs no approval according to UN Regulation No. 100 (High voltage protection)
 Variant B is the same model with a hybrid electric powertrain. It needs to comply with UN Regulation No. 100
 → according to paragraph 1.2.2.(b) both variants can belong to the same IWVTA type
2. Variant A is a gasoline model. It is type approved according to UN Regulation No. 10.03 (Electromagnetic compatibility)
 Variant B is the same model with a plug-in hybrid powertrain. It needs to comply with UN Regulation No. 10.05, including the special requirements for plug-in vehicles and electric vehicles
 → even though variant A may not be affected by the changes between the series of amendments to UN Regulation No. 10.03 and 10.05 according to paragraph 1.2.2.(a) both variants cannot belong to the same IWVTA type unless the approval of variant A is updated to UN Regulation No. 10.05.

Q17: How can modifications to an IWVTA be handled in cases where the level of conformity changes between U-IWVTA and L-IWVTA?

Answer to Q17:

The rules concerning modifications to an IWVTA type and modification of approval are given in paragraph 7 of UN Regulation No. 0, in particular in paragraphs 7.4 and 7.5. Additional guidance can be drawn from document IWVTA-SGR0-22-05-rev.2 which discusses concrete examples for the respective cases. The document is available at: www2.unece.org/wiki/display/trans/SGR0+22nd+session

B. Rights and Obligation of Contracting Parties applying UN Regulation No. 0

Q18: What are rights and obligations of a Contracting Parties applying UN Regulation No. 0?

Answer to Q18:

A Contracting Party which applies UN Regulation No. 0 assumes the following **rights**:

- (a) It may vote on future amendments to UN Regulation No. 0.
- (b) Provided that it has the technical competence to do so (see paragraph 2.8. of UN Regulation No. 0) the Contracting Party may issue type approvals according to UN Regulation No. 0 (both U-IWVTA and L-IWVTA). This is regardless of whether the Contracting Party applies the individual UN Regulations listed in Annex 4.
- (c) It may retain additional requirements in its national/regional whole vehicle type approval process, but only for vehicle systems, equipment and parts which are not covered by UN Regulation No. 0.
- (d) Notwithstanding the obligation to accept U-IWVTA, it may also accept L-IWVTA. If it decides to do so it has the obligation to notify which differences to the universal level it will accept (see paragraph 13.5. of UN Regulation No. 0).
- (e) It may notify that it will not accept spare parts for vehicles covered by an IWVTA approved to UN Regulations which the Contracting Party does not apply.

A Contracting Party which applies UN Regulation No. 0 assumes the following **obligations**:

- (a) It must accept a U-IWVTA as evidence of compliance for all vehicle systems, equipment and parts approved therein.
- (b) It may not ask for additional proof of compliance to national/regional requirements for vehicle systems, equipment and parts which are covered by an IWVTA it accepts.
- (c) Regardless of whether a Contracting Party applies any UN Regulations listed in Annex 4, Part A, Section I, it shall for the purpose of granting an IWVTA accept any type approvals issued according to those UN Regulations.
- (d) In the case the Contracting Party decides to accept IWVTA with limited recognition, it shall notify which differences to the universal level it will accept (see paragraph 13.5. of UN Regulation No. 0).
- (e) It shall accept spare parts for vehicles covered by an IWVTA even if these spare parts are approved according to UN Regulations which the Contracting Party does not apply. In the latter case, however, the Contracting Party may notify the United Nations that it is not bound by this obligation.

Q19: Must a Contracting Party applying UN Regulation No. 0 accept a U-IWVTA?

Answer to Q19:

Yes, based on the mutual recognition principles, a Contracting Party to the 1958 Agreement that is applying UN Regulation No. 0 has to accept a universal whole vehicle type approval.

Q20: Must a Contracting Party applying UN Regulation No. 0 accept a U-IWVTA, even if it is not applying all UN Regulations listed in Annex 4 of UN Regulation No. 0?

Answer to Q20:

Yes, based on the mutual recognition principles, a Contracting Party to the 1958 Agreement that is applying UN Regulation No. 0 has to accept a universal whole vehicle type approval regardless of its application of any UN Regulation listed in Annex 4 of UN Regulation No. 0.

Q21: May a Contracting Party applying UN Regulation No. 0 require, upon the presentation of an IWVTA, other/additional requirements to be fulfilled in addition to the UN Regulations listed in UN Regulation No. 0?

Answer to Q21:

Yes, as the IWVTA system under the 1958 Agreement is launched in a first stage of implementation with a partial IWVTA (see also Question 4) a Universal IWVTA may not cover all requirements mandated by a Contracting Party for the registration of a vehicle. Consequently, a Contracting Party may require, for the purpose of national/regional type approval, the proof of compliance for requirements which are not in the scope of IWVTA. This could be:

- (1) UN Regulations not covered by IWVTA but which are mandatory for national/regional type approval;
 - (2) National/regional regulations, not covered by IWVTA and which remain applicable even after UN Regulation No. 0 is adopted;
 - (3) National/regional regulations applicable for vehicles not subject to the scope of the corresponding individual UN Regulations listed in Annex 4 of UN Regulation No. 0
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Q22: Must a Contracting Party accept a L-IWVTA?

Answer to Q22:

No, a Contracting Party applying UN Regulation No. 0 is not obliged to accept a whole vehicle type approval with limited recognition (L-IWVTA). However, if a Contracting Party chooses to accept an L-IWVTA it shall notify the UNECE Secretariat of all those UN Regulations for which it will accept type approvals to earlier versions than those specified in Annex 4 of UN Regulation No. 0 and/or the absence of type approvals. In this case, that Contracting Party shall accept as evidence of compliance an IWVTA with limited recognition which includes at least the type approvals in accordance with the notification by the Contracting Party. For all vehicle systems, equipment and parts approved therein, approvals to later versions of the individual Regulations than those notified shall also be accepted (unless the Contracting Party has explicitly ruled out later versions in its notification). The versions specified for U-IWVTA always have to be accepted regardless of the details of the notification.

Q23: Must a Contracting Party accept a L-IWVTA regardless of its application of any UN Regulations listed in Annex 4 of UN Regulation No. 0?

Answer to Q23:

No. The application of any UN Regulations listed in Annex 4 does not affect the acceptance of L-IWVTA (see also Q22 above).

Q24: Where a Contracting Party applying UN Regulation No.0 has notified its acceptance of a L-IWVTA to the secretariat of the Administration Committee to the 1958 Agreement, can this Contracting Party additionally require a vehicle type to comply with only some of the requirements of a UN Regulation listed in Annex 4 but not contained in the L-IWVTA? For example, can a Contracting Party accepting L-IWVTA without a UN type approval pursuant to R48 additionally require a vehicle type to comply with some of requirements of R48?

Answer to Q24:

Yes, it can. If it is the case, when the Contracting Party notifies its acceptance of a L-IWVTA to secretariat of the Administrative Committee, it is also invited to make publicly available its domestic requirements supplementary to L-IWVTA.

Q25: Must a Contracting Party accept the approval for a spare part for a vehicle covered by an IWVTA, if it is not applying the individual UN Regulation to which the spare part is approved?

Answer to Q25:

Yes, a Contracting Party applying UN Regulation No. 0 shall, for the purpose of placing on the market equipment and spare parts for vehicles covered by an IWVTA accepted by that Contracting Party, accept type approvals to the UN Regulations listed in Annex 4 as evidence of compliance for the respective equipment and parts.

However, a Contracting Party may notify the secretariat of the Administrative Committee that it is not bound by this obligation for UN Regulations which it is not applying.

Q26: May a Contracting Party applying UN Regulation No. 0 grant an IWVTA if it is not applying all UN Regulations listed in Annex 4, Part A, Section I of UN Regulation No. 0?

Answer to Q26:

Yes, a Contracting Party applying UN Regulation No. 0 may grant an IWVTA for a new type of vehicle, regardless of its application of any UN Regulation listed in Annex 4 of UN Regulation No. 0.

However, the Contracting Party applying UN Regulation No. 0 shall ensure that:

- (a) it has the competence to verify compliance of the vehicle with UN Regulation No. 0;
 - (b) it has verified that the type approvals granted according to the UN Regulations listed in Annex 4 of UN Regulation No. 0 cover all vehicle variants contained in the IWVTA;
 - (c) it is satisfied with the arrangements established by the vehicle manufacturer for ensuring conformity of production of the new type of vehicle with the approved type;
 - (d) it can ensure through conformity of production procedures that the vehicles conform to the IWVTA type for which the IWVTA has been granted.
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Q27: May a Contracting Party applying UN Regulation No. 0, for the purpose of granting a U-IWVTA, ask for alternative requirements to be fulfilled instead of the UN Regulations listed in UN Regulation No. 0?

Answer to Q27:

No, a Contracting Party may not establish alternative requirements to those stipulated by the UN Regulations listed in Annex 4 of UN Regulation No. 0. However, with the possibility to grant a L-IWVTA, a Contracting Party may replace a UN Regulation by an earlier version of the UN Regulation or may completely remove a UN Regulation from the list of Annex 4, for the national application in its territory.
