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Working Party on Road Transport

Group of Experts on European Agreement Concerning Work of Crews of Vehicles Engaged in International Road Transport (AETR)

Seventeenth session

Geneva, 19 February 2018

Item 2 (a) of the provisional agenda

Programme of Work:

**Development of proposals for amending the AETR Agreement,
including Article 22bis**

Revised proposals for amending the AETR Agreement

Status of the Agreement

Submitted by the secretariat¹

1. This document, submitted by the secretariat upon request of the Group of Experts (para. 6, ECE/TRANS/SC.1/GE.21/39), incorporates the comments on ECE/TRANS/GE.21/2017/2 made by the Group at the sixteenth session.
2. The original document, submitted by the Government of the Slovak Republic, proposes to amend Articles 14 and 22 while deleting Article 22bis. According to the proposal, all future amendments to Appendices 1, 1B, (newly proposed) 1C and 2 are to be done through (modified) procedures listed in Article 22. The proposal also adjusts all relevant parts of the AETR Agreement to accommodate references to EU Regulation 165/2014 and 2016/799.

¹ The present document was submitted late due to resource constraints.

Amendment of Article 22 and deletion of Article 22bis

Article 22 is amended as follows:

(a) Paragraphs 1 and 2 of Article 22 are replaced by the following:

The Russian Federation indicated that it would prefer not to include references to Appendix 1C in this document [Russian Federation]

1. Appendices 1, 1B, 1C and 2 to the ~~a~~Annex [secretariat] to this Agreement ~~may~~ **shall** [secretariat] be amended by the procedure specified in this article.

2. At the request of a Contracting Party, any amendments proposed to the appendices 1, 1B, 1C or 2 to the ~~a~~Annex [secretariat] to this Agreement shall be considered by the ~~Principal~~ Working Party on Road Transport of the **United Nations** [secretariat] Economic Commission for Europe.

(b) Paragraph 4 is replaced by the following:

4. The amendment shall be accepted if, within a period of six months following the date of notification, no more than one-half [**Slovakia**] one-third [**Switzerland, Turkey**] of the competent administrations of the Contracting Parties notify the Secretary-General of their objection to the amendment.

(c) A new paragraph 6 is added:

6. If a proposal for the amendment of Appendix 1B or 1C **or 2** [secretariat] to this Agreement requires amendment of other provisions of the Agreement, the amendments to the Appendices 1B or 1C **or 2** [secretariat] cannot enter into force before **the** [secretariat] date of entry into force of the amendments to those other provisions ~~pursuant to Article 21~~. If, in such a case, the amendments to Appendix 1B or 1C **or 2** [secretariat] are ~~presented~~ **proposed** [secretariat] simultaneously with the amendments relating to other provisions of the Agreement, the date of their entry into force shall be the date resulting from the application of the procedure outlined in Article 21.

(2) Article 22bis is deleted.

Notes by the secretariat:

Note 1: It appears that a reference to “Appendix 2” in a new paragraph 6 is necessary.

Note 2: Appendix 1B is “an adaptation of Annex 1B of Council Regulation ... For the complete official text and its subsequent amendments, Contracting Parties shall refer to the Official Journal of the European Union” (see Article 1, Appendix 1B). Given that the above proposal provides an amendment formula for Appendix 1B, it appears necessary to create an up-to-date, consolidated text of Annex 1B (in order to subsequently create Appendix 1B and to incorporate it into the AETR Agreement).

Amendment of Article 14

Article 14 is amended as follows:

(a) The following paragraph 1a is inserted after paragraph 1:

1a. This Agreement shall also be open for ~~signature~~ **accession** [secretariat] by regional integration organisations [**supported by Turkey**] [**not supported by the Russian Federation**]. For the purpose of this Agreement, a "regional integration organisation" means any organisation which is constituted by sovereign States of a given region, which

has competence in respect of certain matters governed by this Agreement and has been duly authorized to ~~sign and to ratify, accept, approve or [secretariat]~~ accede to this Agreement.

For the purposes of amending Appendices 1, 1B, 1C, 2 and 3, the representative of a regional integration organisation Contracting Party to the Agreement delivers the votes of its constituent Member States without their presence being necessary in the vote.

(b) Paragraph 5 is replaced by the following:

5. In respect of each State or regional integration organisation which ratifies, or accedes to, this Agreement after the deposit of the eighth instrument of ratification or accession as referred to in paragraph 4 of this Article, the Agreement shall enter into force one hundred and eighty days after the deposit by that State or regional integration organisation of its instrument of ratification or accession.

Amendment of Article 10

Paragraph 3 of Article 10 is replaced by the following:

3. For vehicles registered for the first time until 14 June 2019, a control device conforming to Council Regulation (EEC) No 3821/85 of 20 December 1985 and Appendix 1B to this Agreement as regards construction, installation, use and testing shall be considered as conforming to the requirements of this Agreement.

For vehicles registered for the first time as from 15 June 2019, a control device conforming to Regulation (EU) No 165/2014 of 4 February 2014 and Appendix 1C to this Agreement as regards construction, installation, use and testing shall be considered as conforming to the requirements of this Agreement.

Appendix 1C

Annex IC to Commission Implementing Regulation (EU) 2016/799 is inserted as Appendix 1C to the Annex to the AETR.

Approval certificate for products in accordance with appendix 1B/1C

Chapter III of Appendix 2 "III. Approval certificate for products in accordance with Appendix IB" is replaced by the following:

III. Approval certificate for products in accordance with appendix 1B/1C (1)

Once the Contracting Party has effected an approval it issues the applicant with an approval certificate, drawn up in accordance with the model below. Contracting Parties use copies of this document in order to communicate to other Contracting Parties approvals granted or any withdrawals.

Approval certificate for products in accordance with appendix 1B/1C (1)

Name of the competent administration

Communication concerning (2):

Approval

Withdrawal of an approval

Of a control device model

Of a control device component (3)

Of a driver card

Of a workshop card

Of a company card

Of an inspector's card

Approval No.....

1. Manufacturing or commercial mark
2. Name of model

3. Name of manufacturer
4. Address of manufacturer
5. Submitted for approval on
6. Test laboratory or laboratories
7. Date and No. of reports
8. Date of approval
9. Date of withdrawal of approval
10. Model (s) of component(s) of control device with which the component is intended to be used
11. Place
12. Date
13. Descriptive documents annexed
14. Remarks (including the affixing of seals if required)

.....

(Signature)

- (1) Specify Appendix 1B or 1C
- (2) Tick the relevant boxes
- (3) Specify the component concerned in the communication
