

**Proposed amendments to "Guideline to Regulatory Procedures"
(document ECE/TRANS/WP.29/2017/107)**

Proposal:

Document ECE/TRANS/WP.29/2017/107, paragraph 31., amend to read:

- "31. In the case of Supplements that have ~~entered into force~~ **been adopted by AC.1:**
- (a) Under Revision 2 of the 1958 Agreement, and unless specifically otherwise foreseen, extensions of existing approvals may continue to be granted on the basis of the provisions that were valid at the time of the original approval;
 - (b) Under Revision 3 of the 1958 Agreement, a Supplement shall apply to new extensions of existing approvals. However, the Supplement may foresee that it will not affect existing approvals."

Justification:

The WP.29 sessions of March and June 2017 adopted a number of Supplements to various UN Regulations. While these Supplements had been developed and adopted under the framework of the 58 Agreement in its Rev.2 version, they will in fact enter into force under the 58 Agreement in its Rev.3 version.

These Supplements were developed and adopted under the guidelines for regulatory procedures valid at that time (WP29/1044/Rev 1), which state in paragraph 30 that "Unless specifically foreseen otherwise, extensions of existing approvals may continue to be granted on the basis of the provisions valid at the time of the original approval."

However, their entry into force will occur under the new guidelines for regulatory procedures (see WP29/2017/107), which state in their new §31 that "a Supplement shall apply to new extensions of existing approvals. However, the Supplement may foresee that it will not affect existing approvals."

In addition, the current guidelines (WP29/1044/Rev 1) as well as all previous drafts for their revision (up to document WP29/2017/67) clearly stated that "...Supplements become applicable for all procedures for new approvals issued after the date of its entry into force ..." This means that until now, supplements only applied to new approvals (and therefore not to extensions).

Finally, it should be recalled that the version of §31 contained in doc. WP29/2017/107 had not been supported by IWVTA-24 of June 2017.

In order to overcome potential difficulties, OICA proposes a slight amendment to the title of §31, clarifying that the Supplements in question are those that have been adopted by AC.1 under Rev. 2 of the 58 Agreements; all others would not be affected by this slight clarification.

OICA believes that the above proposal is a far more simple solution than having to check each of the supplements adopted at the March and June 2017 WP29 sessions in order to, where needed, amend them again to specify that they do not apply to extensions of previously granted approvals.
