



COMMISSION OF THE EUROPEAN COMMUNITIES

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2003/0248 (AVC)

Proposal for a

COUNCIL DECISION

on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. GENERAL

By Council Decision 97/836/EC of 27 November 1997, the European Community became a contracting party to the Revised 1958 Agreement of the United Nations Economic Commission for Europe (UN/ECE) on 24 March 1998.

Article 4 of that Decision states in particular that, where a draft Regulation of the The said Regulation will not be incorporated into the Community system for the type-approval of motor vehicles is submitted to a vote within the appropriate bodies of the UN/ECE, the draft concerned must be approved by the Council, after having received the assent of the European Parliament, before the Community can vote in favour of adopting such a draft Regulation.

The agenda for a forthcoming meeting of the World Forum for Harmonisation of Vehicle Regulations of the The said Regulation will not be incorporated into the Community system for the type-approval of motor vehicles includes in particular a vote on a (new) draft Regulation concerning the approval of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use.

The aim of the Regulation is in particular to establish harmonised technical provisions to avoid the creation of technical barriers to trade in motor vehicles between the Contracting Parties, while ensuring a high level of safety and environmental protection.

It should be stressed that the position of the EC at the time of the vote will be taken on the basis of the documents available in the official languages of the UN/ECE (French and English). Indeed, the EC, having become a Contracting Party to the 1958 Revised Agreement of the UN/ECE, is required to observe the procedures envisaged in the aforementioned agreement.

In conformity with the requirements of Article 4(5) of Decision 97/836/EC, the Regulation will be published in all the official languages of the Communities in the *Official Journal of the European Union*, before entering into force.

2. CONTENTS OF THE PROPOSAL FOR A DECISION

The purpose of the proposal for a Decision is to enable the Commission representative to vote on behalf of the Community on the draft Regulation in question at a forthcoming meeting of the World Forum for Harmonisation of Vehicle Regulations of the UN/ECE.

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on the position of the European Community on the draft Regulation of the United Nations Economic Commission for Europe on uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions¹, and in particular the second indent of Article 4(2) thereof,

Having regard to the proposal from the Commission²,

Having regard to the assent of the European Parliament³,

Whereas:

- (1) The draft Regulation of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use will abolish the technical barriers to trade in motor vehicles between the Contracting Parties as far as these components are concerned, while ensuring a high level of safety and environmental protection.
- (2) It is necessary to establish the position to be taken by the Community on the draft Regulation.
- (3) The said Regulation will not be incorporated into the Community system for the type-approval of motor vehicles,

¹ OJ L 346, 17.12.1997, p. 78.

² JO C , , p. .

³ JO C , , p. .

HAS DECIDED AS FOLLOWS:

Article 1

The draft Regulation of the United Nations Economic Commission for Europe (UN/ECE) concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use, as set out in document TRANS/WP.29/2002/3 Rev.1, is hereby approved.

Article 2

The Community, represented by the Commission, should vote in favour of the draft Regulation referred to in Article 1 during the vote at the meeting of the Administrative Committee at a forthcoming meeting of the World Forum for Harmonisation of Vehicle Regulations of the UN/ECE.

Article 3

The UN/ECE Regulation concerning the adoption of uniform technical prescriptions relating to the protection of motor vehicles against unauthorised use will not be incorporated into the Community system for the type-approval of motor vehicles.

Done at Brussels,

*For the Council
The President*