



Vehicle Standard (Australian Design Rule – Harmonisation) 2012

made under Section 12 of the *Road Vehicle Standards Act 2018*

Compilation: 2 (up to and including Vehicle Standard (Australian Design Rule)
Amendment Instrument 2021 (No.2))

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Compiled by: Vehicle Safety Policy and Partnerships, Department of
Infrastructure, Transport, Regional Development and
Communications

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1. LEGISLATIVE PROVISIONS

1.1 NAME OF STANDARD

This standard is the Vehicle Standard (Australian Design Rule – Harmonisation) 2012.

This standard may also be cited as the Australian Design Rule – Harmonisation.

2. SCOPE

This standard implements the harmonisation and mutual recognition elements of the 1958 Agreement within Australia.

3. DEFINITIONS

3.1 In this Vehicle Standard:

1958 Agreement means the *Agreement Concerning the Adoption of Harmonized Technical United Nations Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these United Nations Regulations*

ADR means a national road vehicle standard determined under section 12 of the *Act*, but is not limited to any particular series, revision, supplement, amendment or corrigendum

alternative standard, in relation to an ADR, means an alternative standard specified in the ADR.

apply, in relation to a United Nations Regulation, means apply the regulation in accordance with Article 1 of the 1958 Agreement.

the Act means the *Road Vehicle Standards Act 2018*.

United Nations Regulation means a regulation adopted in accordance with Article 1 of the 1958 Agreement, but is not limited to any particular series, revision, supplement, amendment or corrigendum.

3.2 Unless the contrary intention appears, a word or expression that is used in this Vehicle Standard and in the Act has the same meaning in this Vehicle Standard as it has in the Act.

4. APPLICATION OF UNITED NATIONS REGULATIONS

- 4.1 Subject to clause 4.2, a new vehicle or a vehicle component is taken to comply with an ADR if:
- (a) the ADR specifies a United Nations Regulation as an alternative standard; and
 - (b) Australia applies the United Nations Regulation; and
 - (c) the new vehicle or vehicle component complies with the United Nations Regulation in force from time to time.
- 4.2 Clause 4.1 does not apply if:
- (a) the United Nations Regulation is not valid or is no longer valid. This includes the situation where the regulation is cancelled or withdrawn in accordance with Article 1 of the 1958 Agreement; or
 - (b) Australia no longer applies the United Nations Regulation. This includes the situation where Australia ceases to apply the regulation in accordance with Article 1 of the 1958 Agreement.

5. MUTUAL RECOGNITION OF UNITED NATIONS REGULATIONS

- 5.1 Subject to clause 5.2, a new vehicle or a vehicle component is taken to comply with an ADR if:
- (a) the ADR specifies a United Nations Regulation as an alternative standard; and
 - (b) the type (of vehicle or component) has been approved in accordance with Article 2 of the 1958 Agreement:
 - (i) for the United Nations Regulation; and
 - (ii) by a Contracting Party to the 1958 Agreement applying the United Nations Regulation; and
 - (c) the approval corresponds to:
 - (i) where Australia applies the United Nations Regulation, the same version of the United Nations Regulation as specified in the alternative standard or the United Nations Regulation in force from time to time; or
 - (ii) where Australia does not apply the United Nations Regulation, the same version of the United Nations Regulation as specified in the alternative standard.
- 5.2 Clause 5.1 does not apply if:
- (a) the approval (by the Contracting Party) is not valid or is no longer valid. This includes the situation where the approval is cancelled or withdrawn in accordance with Article 2 of the 1958 Agreement; or

- (b) the approval is (or relevant products are) subject to remedial action in accordance with Article 4 of the 1958 Agreement.

NOTES

This compilation of Vehicle Standard (Australian Design Rule – Harmonisation) 2012 includes all the instruments set out in the Table of Instruments. The Table of Amendments provides a history of clauses that have been amended, inserted or deleted.

Table of Instruments

Name of Instrument	FRLI Registration Date	Commencement Date
Vehicle Standard (Australian Design Rule – Harmonisation) 2012	17/02/2012 (see F2012L00336)	18/02/2012
Vehicle Standard (Australian Design Rule – Harmonisation) 2012 Amendment 1	24/05/2012 (see F2012L01076)	25/05/2012
Vehicle Standard (Australian Design Rule) Amendment Instrument 2021 (No.2)	29/11/2021 (see F2021L01629)	30/11/2021

Table of Amendments

Clause affected	How affected	Amending instrument
1.2	del	<i>Legislation Act 2003</i> – section 48D
3.	rr	Vehicle Standard (Australian Design Rule) Amendment Instrument 2021 (No.2)
4.	rr	Vehicle Standard (Australian Design Rule) Amendment Instrument 2021 (No.2)
5.	rr	Vehicle Standard (Australian Design Rule) Amendment Instrument 2021 (No.2)
5.1 (c)	am	Amendment 1

ad = added or inserted

am = amended

del = deleted or removed

rr = removed and replaced

→ = clause renumbered. This takes the format of old no. → new no.