II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 21 December 1977

amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(78/315/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas certain systems or parts of vehicles which form a separate technical unit are already marketed both separately and after being fitted to a vehicle; whereas, if it is possible to check such systems or parts before they are fitted to a vehicle, their free movement may be facilitated by the introduction of EEC type-approval also for these separate technical units;

Whereas it is therefore desirable that Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (3) should be supplemented without delay by provisions introducing such type-approval, without prejudice to other amendments to that Directive, in particular those contained in the Commission's proposal of 5 January 1977;

Whereas the EEC type-approval of separate technical units to be fitted to vehicles simplifies the motor vehicle type-approval procedure by avoiding the repetition of certain checks during type-approval; whereas it must be possible, when granting EEC type-approval for separate technical units, to lay down restrictions for their use and/or conditions for their fitting;

Whereas it must always remain possible to adapt the separate Directives to technical progress in the production of separate technical units; whereas the procedure laid down in Article 13 of Directive 70/156/EEC is appropriate for this purpose,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following Article 9a shall be added after Article 9:

'Article 9a

1. Where the separate Directives make express provision for so doing, EEC type-approval may also

(1) OJ No C 118, 16. 5. 1977, p. 29.
(2) OJ No C 114, 11. 5. 1977, p. 1.
(3) OJ No L 42, 23. 2. 1970, p. 1.