

DISCLAIMER: *The Commission and Australia are publishing the texts of the Agreement following the announcement of conclusion of the negotiations on 24 March 2026. The texts are published in view of the public interest in the Agreement, for information purposes only and they may undergo further minor modifications, including as a result of the process of legal and linguistic revision. These texts are without prejudice to the final outcome of the Agreement between the EU and Australia. The texts will be final upon signature. The Agreement will become binding on the Parties under international law only after completion by each Party of its applicable legal requirements and procedures necessary for the entry into force of the Agreement.*

ANNEX 8-B

MOTOR VEHICLES AND EQUIPMENT AND PARTS THEREOF

ARTICLE 1

Objectives

With regard to the products covered, the objectives of this Annex are to:

- (a) prevent, identify and minimise any non-tariff barriers to bilateral trade;
- (b) promote compatibility and convergence of regulations based on international standards;
- (c) promote recognition of approvals based, in particular, on approval schemes applied under the agreements administered by WP.29 and those based on EU type-approvals;
- (d) reinforce competitive market conditions based on principles of openness, non-discrimination and transparency;
- (e) secure the protection of human health, safety and the environment; and
- (f) enhance cooperation to foster continued mutually beneficial development in trade.

ARTICLE 2

Scope

1. This Annex applies to trade between the Parties of Category L1, L2, L3, L4, L5, M, N, and O vehicles as defined in the UNECE Consolidated Resolution on the Construction of Vehicles (R.E.3) Revision 6¹ (hereinafter referred to as "products covered"), including equipment and parts used in the manufacture of such vehicles and incorporated into such vehicles, but excluding special purpose vehicles, as defined in the UNECE R.E.3 Revision 6.
2. This Annex does not apply to aftermarket components, aftermarket equipment and aftermarket parts.²

ARTICLE 3

Definitions

1. For the purpose of this Annex, the following definitions apply:
 - (a) "1958 Agreement" means the Agreement Concerning the Adoption of Harmonized Technical United Nations Regulation 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 done at Geneva on 20 March 1958 and administered by the WP.29;
 - (b) "1998 Agreement" means the Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be Used on Wheeled Vehicles done at Geneva on 25 June 1998 and administered by the WP.29;

¹ ECE/TRANS/WP.29/78/Rev.6 of 11 July 2017.

² For greater certainty, nothing in this Annex shall be construed to preclude the importation of a category of vehicle, aftermarket equipment, aftermarket component or aftermarket part excluded from the scope of this Annex, if it complies with the importing Party's laws and regulations.

- (c) "Applying a UN Regulation" means that a UN Regulation enters into force for a Party in accordance with Article 1 of the 1958 Agreement;
- (d) "GTR" means the global technical regulations established and placed on the Global Registry in accordance with the 1998 Agreement;
- (e) "UN Regulation" means a regulation adopted in accordance with the 1958 Agreement;
- (f) "UNECE" means United Nations Economic Commission for Europe;
- (g) "U-IWVTA" means universal international whole vehicle type-approvals; and
- (h) "WP.29" means the World Forum for Harmonisation of Vehicle Regulations within the framework of the UNECE.

2. Terms used in this Annex shall have the same meaning as defined in the 1958 Agreement, including the Consolidated Resolution on the Construction of Vehicles (R.E.3) Revision 6, the 1998 Agreement and Annex 1 to the TBT Agreement.

ARTICLE 4

Relevant international standards

The Parties recognise that the WP.29 is a relevant international standardising body, and that UN Regulations and GTRs are relevant international standards for the products covered by this Annex.

ARTICLE 5

Regulatory convergence

1. If UN Regulations and GTRs exist or their completion is imminent, each Party shall use them as a basis for its technical regulations, markings or conformity assessment procedures, except when they would be an ineffective or inappropriate means for the fulfilment of a legitimate objective specified in Article 2.2 of the TBT Agreement and of the 1958 and 1998 Agreements.
2. If UN Regulations and GTRs do not exist or their completion is not imminent, Australia shall give positive consideration to EU regulations or directives as a basis for its technical regulations, markings or conformity assessment procedures.
3. If a Party does not use a relevant UN Regulation or GTR as a basis for a technical regulation, marking or conformity assessment procedure, it shall, on request of the other Party and in accordance with Article 2.9 of the TBT Agreement, justify the reasons for its decision. This justification shall include identifying the substantive deviation from the relevant international standard, explaining why the international standard was considered to be ineffective or inappropriate in that instance, and providing the supporting information on which this consideration was based.
4. If a Party's technical regulations, markings or conformity assessment procedures differ from the relevant UN Regulations and GTRs, it shall regularly review those technical regulations, markings or conformity assessment procedures with a view to increasing their convergence to the relevant UN Regulations or GTRs and enhancing safety, environmental protection, energy efficiency and anti-theft performance.
5. If a Party undertakes a review, it shall consider whether the reasons for its decision not to use the relevant UN Regulations and GTRs still exist and whether its technical regulations, markings or conformity assessment procedures are more trade-restrictive than necessary to fulfil a legitimate objective referred to in Article 2.2 of the TBT Agreement.
6. Each Party shall consider, *inter alia*, any new developments in the relevant UN Regulations or GTRs and any change in circumstances justifying a Party's decision not to use the relevant UN Regulations or GTRs. The outcome of these reviews, including any relevant information, shall be notified to the other Party upon request.

7. Recognising the importance of international efforts to harmonise technical regulations, markings or conformity assessment procedures, each Party shall, prior to introducing or applying a unique technical regulation, marking or conformity assessment procedure, endeavour to develop new or amend existing UN Regulations or GTRs.

ARTICLE 6

Market access

1. Each Party shall accept, on their markets, products that are covered by a valid UN type-approval certificate³ as compliant with a Party's technical regulations, markings and conformity assessment procedures into their markets without further testing or marking requirements to verify or attest compliance with any requirement covered by such UN type-approval.
2. A Party shall only be required to accept valid UN type-approval certificates issued pursuant to the latest version of the UN Regulations that it is applying in accordance with the 1958 Agreement.
3. For the purposes of this Annex, only those UN type-approval certificates issued by a Contracting Party to the 1958 Agreement that has applied the relevant UN regulations shall be considered for the purpose of assessing compliance with a Party's technical regulations, markings and conformity procedures.
4. Each Party may apply its own vehicle type-approval arrangements to ensure vehicles comply with the relevant UN Regulations referred to in paragraph 2. If the UN type-approval does not cover all aspects of a Party's technical regulations, markings and conformity assessment procedures, that Party may apply additional testing and approval procedures to ensure a vehicle complies with its technical regulations, markings and conformity assessment procedures.

³ For greater certainty, the term "UN type-approval certificate" includes UN Regulation type-approvals at the level of vehicles, systems and components, including Universal whole-vehicle type approvals (U-IWVTA).

5. If a Party does not apply the UN Regulation according to which the other Party has type approved and marked a product, the Party shall not, by default, prevent the access of such a product to its market and shall consider its admissibility.
6. Australia shall accept on its market products that are covered by a valid EU type-approval certificate⁴ as compliant with its technical regulations, markings and conformity assessment procedures into its market without further testing or marking requirements to verify or attest compliance with any Australian requirement covered by such EU type-approval.
7. If the EU type-approval does not cover all aspects of Australia's technical regulations, markings and conformity assessment procedures, Australia may apply additional testing and approval procedures without undue delay or unnecessary additional scrutiny to ensure a vehicle complies with Australia's technical regulations, markings and conformity assessment procedures.
8. An economic operator may follow the EU whole vehicle type-approval route if the additional Australian requirements, testing and approval procedures do not invalidate the EU whole vehicle type-approval. Alternatively, the economic operator may use the Australian road vehicle type-approval route, including the UN whole vehicle type-approval route.⁵
9. For the purposes of this Article, the following shall be considered sufficient proof of a valid EU or UN type-approval:⁶
 - (a) for whole vehicles, a valid EU Certificate of Conformity⁷ or UN Declaration of Conformance certifying compliance with a U-IWVTA;

⁴ For greater certainty, the term "EU type-approval certificate" includes both component-based type-approvals and European whole vehicle type-approvals.

⁵ For greater certainty, the term "type-approval route" refers to the mechanism used by the manufacturer to demonstrate compliance with Australia's national road vehicle standards (Australian Design Rules).

⁶ For greater certainty, only legal representatives of manufacturers may submit proof of type-approval validity.

⁷ For greater certainty, the term "EU Certificate of Conformity" includes EC and EU Certificates of Conformity.

- (b) for equipment and parts, a valid EU or UN type-approval mark affixed to the product; or
- (c) for equipment and parts to which a type-approval mark⁸ cannot be affixed, a valid EU or UN type-approval certificate.

10. The competent authorities of each Party may verify or seek further information to confirm that:

- (a) the information provided in support of the application is accurate; and
- (b) the products covered comply, as appropriate, with:
 - (i) all the technical regulations of the importing Party; or
 - (ii) the EU or UN technical regulations of which compliance has been attested, in application of this Article by a valid EU Certificate of Conformity or UN Declaration of Conformance certifying compliance with a U-IWVTA, for whole vehicles, or a valid EU or UN type-approval mark affixed to the product or a valid EU or UN type-approval certificate, for equipment and parts.

11. The verification referred to in paragraph 10 may be carried out by random sampling in the market and in accordance with the technical regulations referred to in points (a) or (b) of paragraph 10 but shall not involve vehicle-by-vehicle inspection.

12. If an EU type-approval has been granted and provides an exemption for a new technology or a new feature, the economic operator concerned shall notify the importing Party. The importing Party shall consider the new technology or new feature in accordance with Article 7 (Products with new technologies or new features).

⁸ For greater certainty, the term "type-approval mark" includes EC and EU type-approval marks.

13. A Party may require a supplier to withdraw a product that includes a new technology or new feature from its market if the product concerned does not comply with applicable technical regulations or would represent a risk for human health, safety or the environment.

ARTICLE 7

Products with new technologies or new features

1. A Party shall not prevent or restrict the access to its market of a product covered by this Annex and approved by the exporting Party solely on the basis that the product incorporates a new technology or a new feature that is not anticipated by the importing Party's regulations.

2. Notwithstanding paragraph 1, an importing Party may prevent or restrict access to its market or require the withdrawal from its market of such a product incorporating a new technology or a new feature if that new technology or that new feature would create a risk for human health, safety, the environment or transport infrastructure.

3. For the purposes of this Article, if a Party is considering the risks specified in paragraph 2, it may request details of the other Party's assessment of the product to facilitate its consideration.

4. If a Party decides to prevent or restrict access to its market, or requires the withdrawal from its market of a product in accordance with paragraph 2, it shall notify this decision without undue delay to the economic operators. The other Party may also request that notification. That notification shall include any relevant information considered in the Party's decision.

ARTICLE 8

Other measures restricting trade

Each Party shall refrain from nullifying or impairing the benefits accruing to the other Party under this Annex through regulatory measures specific to the products covered. This is without prejudice

to the right of the Parties to adopt measures necessary for road safety, the protection of the environment or public health and the prevention of deceptive practices.

ARTICLE 9

Cooperation

1. The Parties shall, subject to available resources, cooperate and exchange information on issues relevant to the implementation of this Annex, including in the Committee on Trade in Goods and Technical Barriers to Trade. This may include updates and discussions on the Union's plans to introduce new or amend existing EU regulations not based on UN Regulations.
2. The Parties shall work together, as appropriate, to progress areas of mutual interest in relevant international standardising bodies. That cooperation may include regular dialogue and information exchanges on mutually agreed issues in WP.29 on development of UN technical regulations, standards, certification and testing for type-approvals.