

Annex A

Codes of Practice

The 3 Codes of Practice which set out the process and terms under which defect investigations are conducted currently cover:

- Passenger Cars, Commercial and Passenger Carrying Vehicles, two and three wheeled Motorcycles, Quadracycles, Commercial Trailers, Agricultural Equipment, Motor Homes/caravans, Trailer Caravans, Private Trailers, Components fitted as original equipment and parts and accessories supplied to the automotive market.
- Tyres, Wheels and Associated Parts in the Vehicle Aftermarket.
- Pedal Cycles

Statutory powers under the terms of the General Product Safety Regulations 2005 - which empower VOSA as the Enforcement Authority in the UK with specific responsibility for vehicles and component parts, can be used to apply penalties or compel producers/distributors to take action on defect reports or institute recall action.

The Codes provide for a structured and uniform approach to these matters by the manufacturing industries. From time to time the Codes are reviewed and, if necessary, amended to allow for changing circumstances or legislative requirements.

Definition of a Safety Defect

The General Product Safety Regulations 2005 define a 'safe product'. In the case of a vehicle or component part it is not so easy to define the point at which the product becomes unsafe. The Codes of Practice provide for a definition of a 'safety defect' and it is this definition on which VSB automotive engineers will focus when assessing the implications for safety and which will then define those cases that can be pursued by VSB and which will be accepted by the producer.

A 'Safety Defect' is defined as a feature of design or construction liable to cause significant risk of personal injury or death.

Defects which are not attributable to the original design or construction of the vehicle or component, or defects caused by non-compliance with any reasonable warnings or instructions that accompany the vehicle at point of sale, or defects due to abnormal use, fair wear and tear, give adequate warning or are due to abuse are outside of the scope of the Codes and not normally taken forward.