

**Economic and Social Council**Distr.: General  
24 July 2019

Original: English

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**Economic Commission for Europe****Inland Transport Committee****Working Party on the Transport of Perishable Foodstuffs****Seventy-fifth session**

Geneva, 8-11 October 2019

Item 5 (b) of the provisional agenda

**Proposals of amendments to ATP:****new proposals****Proposal to amend Annex 1, Appendix 1, Section 3:  
Certificates of compliance for equipment that is not fitted  
with a thermal appliance until it has been transferred to  
another country****Transmitted by the Government of Germany***Summary*

**Executive summary:** Owners and operators need to be put in a position to freely decide on the point of purchase and the kind of equipment that they want to purchase. Therefore, it is necessary to add a clear provision in the ATP agreement on how to obtain certificates of compliance for equipment that is not fitted with a thermal appliance until it has been transferred to another country.

**Action to be taken:** Amend Annex 1, Appendix 1, Section 3

**Related documents:** -

**Introduction**

1. Owners and operators need to be put in a position to freely decide on the point of purchase and the kind of equipment that they want to purchase.
2. For instance, it is general practice that companies buy bodies or tanks in different countries than the corresponding thermal appliance.
3. However, the ATP agreement is lacking a clear provision on how to obtain full compliance in such cases.

4. Therefore, it is necessary to add a clear provision in the ATP agreement on how to obtain certificates of compliance for equipment that is not fitted with a thermal appliance until it has been transferred to another country.

## Proposed amendment

5. Amend the following paragraph in Annex 1, Appendix 1, Section 3:

In the case of equipment transferred to another country, which is a Contracting Party to ATP, it shall be accompanied by the following documents so that the competent authority of the country in which the equipment is to be registered or recorded ~~can~~ **will** issue a certificate of compliance **if all the provisions of the ATP agreement are met.**

6. Add a new paragraph after section 3 (c) in Annex 1, Appendix 1:

**In the case of new insulated equipment that is not fitted with a thermal appliance until it has been transferred to another country, which is a Contracting Party to ATP, the competent authorities shall issue a certificate of compliance if the thermal appliance is fitted within a period of six months after production of the equipment starting from the earliest date of production and if the documents mentioned in section 6 (a), (b), (c) are provided.**

## Impact

Cost: No impact.

Feasibility: The proposed amendment can easily be implemented in ATP.  
A transitional period is not needed.

Enforceability: No problems are expected.

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