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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

**Diplomatic Conference for the adoption
of a European Agreement concerning
the International Carriage of Dangerous
Goods by Inland Waterways (ADN) ***

REPORT OF THE DIPLOMATIC CONFERENCE **

Addendum 1

The secretariat reproduces below:

- the Final Act of the Conference;
- the Resolution adopted by the Conference (Resolution on the follow-up to the Conference);
- the text of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, including the annexed Regulations ***.

* Organized jointly by the Economic Commission for Europe and the Central Commission for the Navigation of the Rhine (CCNR).

** Circulated by the CCNR under the symbol CCNR/MD/ADN/CONF/15/Add.1.

*** Annexes C, D.1 and D.2 only; for Annexes A, B.1 and B.2, refer to documents TRANS/WP.15/AC.2/5 and -/Corr.1, adopted by the Conference.

**FINAL ACT OF THE DIPLOMATIC CONFERENCE FOR THE
ADOPTION OF A EUROPEAN AGREEMENT CONCERNING THE
INTERNATIONAL CARRIAGE OF DANGEROUS GOODS
BY INLAND WATERWAYS (ADN)**

1. The Diplomatic Conference for the Adoption of a European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) was convened jointly by the Executive Secretary of the United Nations Economic Commission for Europe (UN/ECE) and the Secretary-General of the Central Commission for the Navigation of the Rhine (CCNR) pursuant to a decision of the UN/ECE Inland Transport Committee at its fifty-eighth session (12-16 January 1998) and CCNR Resolution 1994-II-6.
2. The Conference was held at the Palais des Nations, Geneva, from 22 to 26 May 2000.
3. Representatives of the following States took part in the work of the Conference: Austria; Belgium; Bulgaria; Croatia; Czech Republic; France; Germany; Hungary; Italy; Netherlands; Poland; Republic of Moldova; Romania; Russian Federation; Slovakia; Switzerland; Ukraine.
4. Representatives of Turkey took part as observers.
5. The European Commission also took part in the Conference.
6. The following intergovernmental organization sent observers to the Conference: Danube Commission.
7. The following non-governmental organizations also sent observers to the Conference: European Petroleum Industry Association (EUROPIA); International Association of Classification Societies (IACS); International Consortium of Rhine Inland Navigation (IAR); International Union for Inland Navigation (UINF).
8. Mr. R.J. van Dijk of the delegation of the Netherlands was elected President of the Conference.
9. The secretariat of UN/ECE and the secretariat of CCNR acted jointly as the secretariat of the Conference.
10. The Conference adopted its draft agenda (ECE/TRANS/ADN/CONF/1-CCNR/MD/ADN/CONF/1 and ECE/TRANS/ADN/CONF/1/Add.1-CCNR/MD/ADN/CONF/1/Add.1).
11. The Conference adopted document ECE/TRANS/ADN/CONF/2- CCNR/MD/ADN/CONF/2 proposed by the secretariat as its rules of procedure, with an amendment to rule 7 where the words "or alternate representatives" were inserted after "representatives".
12. The Conference elected the following two Vice-Presidents:

Mr. M. Rak (Czech Republic);
Mr. G. Kafka (Austria).

13. In accordance with rule 5 of the rules of procedure of the Conference, the secretariat of the Conference examined the credentials and reported to the Conference. On the basis of this report, the Conference accepted the credentials of the States named in paragraph 3.

14. The Conference based its proceedings on the following documents:

- Draft European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ECE/TRANS/ADN/CONF/3-CCNR/MD/ADN/CONF/3);
- Annexes A, B.1 and B.2 of the annexed Regulations (TRANS/WP.15/AC.2/5 and TRANS/WP.15/AC.2/5/Corr.1-CCNR/MD/ADN/CONF/A, B.1, B.2);
- Annex C of the annexed Regulations (ECE/TRANS/ADN/CONF/4-CCNR/MD/ADN/CONF/4);
- Annexes D.1 and D.2 of the annexed Regulations (ECE/TRANS/ADN/CONF/5-CCNR/MD/ADN/CONF/5);
- Draft Conference resolution (ECE/TRANS/ADN/CONF/6-CCNR/MD/ADN/CONF/6).

15. The Conference also had before it a number of documents containing proposals and observations by Governments or the secretariat concerning the above-mentioned draft texts:

- ECE/TRANS/ADN/CONF/7-CCNR/MD/ADN/CONF/7 (France);
- ECE/TRANS/ADN/CONF/8-CCNR/MD/ADN/CONF/8 (Russian Federation);
- ECE/TRANS/ADN/CONF/2000/CRP.1-CCNR/MD/ADN/CONF/9 (Belgium);
- ECE/TRANS/ADN/CONF/2000/CRP.2-CCNR/MD/ADN/CONF/10 (France);
- ECE/TRANS/ADN/CONF/2000/CRP.3-CCNR/MD/ADN/CONF/11 (Germany and France);
- ECE/TRANS/ADN/CONF/2000/CRP.6-CCNR/MD/ADN/CONF/12 (Netherlands);
- ECE/TRANS/ADN/CONF/2000/CRP.7-CCNR/MD/ADN/CONF/13 (Netherlands);
- ECE/TRANS/ADN/CONF/2000/CRP.8-CCNR/MD/ADN/CONF/14 (Secretariat).

16. Following the debate, the Conference adopted the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) in English, French, German and Russian for the Agreement proper (document ECE/TRANS/ADN/CONF/2000/CRP.10) and in French only for the annexed Regulations (document TRANS/WP.15/AC.2/5 and -/Corr.1 for annexes A, B.1 and B.2 and document ECE/TRANS/ADN/CONF/2000/CRP.11 for annexes C, D.1 and D.2).

17. The Agreement will be deposited with the Secretary-General of the United Nations. It will be open for signature in the Office of the Executive Secretary of UN/ECE in Geneva until 31 May 2001. Thereafter it will be open for accession.

18. The Conference also adopted a resolution contained in the document annexed to this Final Act.

19. Belgium made a declaration the text of which will be annexed to the Final Act *.

IN WITNESS WHEREOF, the undersigned have signed this Final Act.

DONE at Geneva, this twenty-sixth day of May two thousand, in a single original copy, in the English, French, German and Russian languages, which will be deposited with the Secretary-General of the United Nations.

* * * * *

* *Note by the secretariat: This declaration was withdrawn by Note verbale No 1717 of 5 June 2000 addressed to the UN/ECE secretariat by the Permanent Mission of Belgium to the United Nations Office and Specialized Agencies at Geneva.*

Resolution

Follow up to the Conference

The Conference,

Recognizing that the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) meet the level of safety required for navigation on European waterways covered by the European Agreement on Main Inland Waterways of International Importance (AGN), particularly on the Rhine, at the time of adoption of this Agreement;

Considering, however, that this level of safety might no longer be deemed suitable at the time of entry into force of the Agreement, depending on the evolution of safety and transport techniques;

Recognizing also the need for harmonization of the provisions of the Regulations annexed to this Agreement with those of other agreements governing other modes of transport for the purpose of facilitating multimodal transport;

Aware of the request by the Central Commission for the Navigation of the Rhine that the level of safety at the time of entry into force of the Agreement should correspond to that applicable at that time on the Rhine;

Aware also of the desire of the Central Commission for the Navigation of the Rhine and of the Danube Commission to remain closely associated in the regulating process;

Noting that the United Nations Economic Commission for Europe, the Central Commission for the Navigation of the Rhine and the Danube Commission have bodies dealing with the transport of dangerous goods by inland waterways;

Considering that, once the Agreement has entered into force, any proposal relating to the annexed Regulations should in principle, before submission to the Administrative Committee, be discussed at meetings of experts of the Contracting Parties and, if necessary, of the other States and international organizations mentioned in article 17, paragraph (2);

1. Invites the United Nations Economic Commission for Europe, the Central Commission for the Navigation of the Rhine and the Danube Commission to establish a joint meeting of experts with the following mandate:

- (a) before entry into force of the Agreement:
 - (i) to prepare the updates of the annexed Regulations in order to enable the Administrative Committee, once the Agreement has entered into force, to adapt them to the evolution of transport techniques and to the ongoing restructuring of the other European regulations governing the carriage of dangerous goods and to bring them into line with the level of safety required for navigation on European waterways covered by AGN, particularly on the Rhine;
 - (ii) to recommend regular implementation, at national level, of the updated provisions of the relevant annexes by all countries interested in becoming parties to the Agreement;

- (iii) to appoint, amongst Contracting States and Signatory States, provisional committees of experts in accordance with Annex C, Chapter 2, paragraph 2.2.2 of the annexed Regulations to consider on a preliminary basis requests from classification societies which wish to be recommended for recognition;
 - (b) after entry into force of the Agreement:
 - to take the place of the Safety Committee referred to in article 18.
- 2. Requests the Executive Secretary of the United Nations Economic Commission for Europe to convene a meeting of the Administrative Committee as soon as possible after the entry into force of the Agreement with a view to:
 - (a) adopting proposals for the revision of the annexed Regulations as prepared in accordance with paragraphs 1 (a) (i) and 1 (b) above so that the Regulations will be applicable on the date scheduled in Article 11, paragraph 1;
 - (b) adopting a list of recommended classification societies on the basis of the preliminary work carried out in accordance with paragraph 1 (a) (iii) above, or appointing new committees of experts in accordance with Annex C, Chapter 2, paragraph 2.2.2 to consider requests from classification societies which wish to be recommended for recognition.

Adopted on 25 May 2000

* * * * *

**European agreement concerning the
international carriage of dangerous goods
by inland waterways (ADN)**

**EUROPEAN AGREEMENT CONCERNING THE
INTERNATIONAL CARRIAGE OF DANGEROUS GOODS
BY INLAND WATERWAYS (ADN)**

THE CONTRACTING PARTIES,

DESIRING to establish by joint agreement uniform principles and rules, for the purposes of:

- (a) increasing the safety of international carriage of dangerous goods by inland waterways;
- (b) contributing effectively to the protection of the environment, by preventing any pollution resulting from accidents or incidents during such carriage; and
- (c) facilitating transport operations and promoting international trade,

CONSIDERING that the best means of achieving this goal is to conclude an agreement to replace the "European Provisions concerning the International Carriage of Dangerous Goods by Inland Waterways" annexed to resolution No. 223 of the Inland Transport Committee of the Economic Commission for Europe, as amended,

HAVE AGREED as follows:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1. This Agreement shall apply to the international carriage of dangerous goods by vessels on inland waterways.
2. This Agreement shall not apply to the carriage of dangerous goods by seagoing vessels on maritime waterways forming part of inland waterways.
3. This Agreement shall not apply to the carriage of dangerous goods by warships or auxiliary warships or to other vessels belonging to or operated by a State, provided such vessels are used by the State exclusively for governmental and non-commercial purposes. However, each Contracting Party shall, by taking appropriate measures which do not impair the operations or operational capacity of such vessels belonging to or operated by it, ensure that such vessels are operated in a manner compatible with this Agreement, where it is reasonable in practice to do so.

Article 2

Regulations annexed to the Agreement

1. The Regulations annexed to this Agreement shall form an integral part thereof. Any reference to this Agreement implies at the same time a reference to the Regulations annexed thereto.
2. The annexed Regulations include:
 - (a) Provisions concerning the international carriage of dangerous goods by inland waterways;
 - (b) Requirements and procedures concerning inspections, the issue of certificates of approval, recognition of classification societies, derogations, special authorizations, monitoring, training and examination of experts;
 - (c) General transitional provisions;
 - (d) Supplementary transitional provisions applicable to specific inland waterways.

Article 3

Definitions

For the purposes of this Agreement:

- (a) “*vessel*” means an inland waterway or seagoing vessel;
- (b) “*dangerous goods*” means substances and articles the international carriage of which is prohibited by, or authorized only on certain conditions by, the annexed Regulations;
- (c) “*international carriage of dangerous goods*” means any carriage of dangerous goods performed by a vessel on inland waterways on the territory of at least two Contracting Parties;
- (d) “*inland waterways*” means the navigable inland waterways including maritime waterways on the territory of a Contracting Party open to the navigation of vessels under national law;
- (e) “*maritime waterways*” means inland waterways linked to the sea, basically used for the traffic of seagoing vessels and designated as such under national law;
- (f) “*recognized classification society*” means a classification society which is in conformity with the annexed Regulations and recognized, in accordance with the procedures laid down in these Regulations, by the competent authority of the Contracting Party where the certificate is issued;

- (g) "*competent authority*" means the authority or the body designated or recognized as such in each Contracting Party and in each specific case in connection with these provisions;
- (h) "*inspection body*" means a body nominated or recognized by the Contracting Party for the purpose of inspecting vessels according to the procedures laid down in the annexed Regulations.

CHAPTER II

TECHNICAL PROVISIONS

Article 4

Prohibitions on carriage, conditions of carriage, monitoring

1. Subject to the provisions of Articles 7 and 8, dangerous goods barred from carriage by the annexed Regulations shall not be accepted for international carriage.
2. Without prejudice to the provisions of Article 6, the international carriage of other dangerous goods shall be authorized, subject to compliance with the conditions laid down in the annexed Regulations.
3. Observance of the prohibitions and the conditions referred to in paragraphs 1 and 2 shall be monitored by the Contracting Parties in accordance with the provisions laid down in the annexed Regulations.

Article 5

Exemptions

This Agreement shall not apply to the carriage of dangerous goods to the extent to which such carriage is exempted in accordance with the annexed Regulations. Exemptions may only be granted when the quantity of the goods exempted, or the nature of the transport operation exempted, or the packagings, ensure that transport is carried out safely.

Article 6

Sovereign right of States

Each Contracting Party shall retain the right to regulate or prohibit the entry of dangerous goods into its territory for reasons other than safety during carriage.

Article 7

Special regulations, derogations

1. The Contracting Parties shall retain the right to arrange, for a limited period established in the annexed Regulations, by special bilateral or multilateral agreements, and provided safety is not impaired:
 - (a) that the dangerous goods which under this Agreement are barred from international carriage may, subject to certain conditions, be accepted for international carriage on their inland waterways; or
 - (b) that dangerous goods which under this Agreement are accepted for international carriage only on specified conditions may alternatively be accepted for international carriage on their inland waterways under conditions different from those laid down in the annexed Regulations.

The special bilateral or multilateral agreements referred to in this paragraph shall be communicated immediately to the Executive Secretary of the Economic Commission for Europe, who shall communicate them to the Contracting Parties which are not signatories to the said agreements.

2. Each Contracting Party shall retain the right to issue special authorizations for the international carriage in tank vessels of dangerous substances the carriage of which in tank vessels is not permitted under the provisions concerning carriage in the annexed Regulations, subject to compliance with the procedures relating to special authorizations in the annexed Regulations.
3. The Contracting Parties shall retain the right to authorize, in the following cases, the international carriage of dangerous goods on board vessels which do not comply with conditions established in the annexed Regulations, provided that the procedure established in the annexed Regulations is complied with:
 - (a) The use on a vessel of materials, installations or equipment or the application on a vessel of certain measures concerning construction or certain provisions other than those prescribed in the annexed Regulations;
 - (b) Vessel with technical innovations derogating from the provisions of the annexed Regulations.

Article 8

Transitional provisions

1. Certificates of approval and other documents prepared in accordance with the requirements of the Regulations for the Carriage of Dangerous Goods in the Rhine (ADNR), the Regulations for the Carriage of Dangerous Goods on the Danube (ADN-D) or national regulations based on the European Provisions concerning the International Carriage of Dangerous Goods by Inland Waterways as annexed to resolution No. 223 of the Inland Transport Committee of the Economic Commission for Europe or as amended, applicable at the date of application of the annexed Regulations foreseen in Article 11, paragraph 1, shall remain valid until their expiry

- date, under the same conditions as those prevailing up to the date of such application, including their recognition by other States. In addition, these certificates shall remain valid for a period of one year from the date of application of the annexed Regulations in the event that they would expire during that period. However, the period of validity shall in no case exceed five years beyond the date of application of the annexed Regulations.
2. Vessels which, at the date of application of the annexed Regulations foreseen in Article 11, paragraph 1, are approved for the carriage of dangerous goods on the territory of a Contracting Party and which conform to the requirements of the annexed Regulations, taking into account where necessary, their general transitional provisions, may obtain an ADN certificate of approval under the procedure laid down in the annexed Regulations.
 3. In the case of vessels referred to in paragraph 2 to be used exclusively for carriage on inland waterways where ADNR was not applicable under domestic law prior to the date of application of the annexed Regulations foreseen in Article 11, paragraph 1, the supplementary transitional provisions applicable to specific inland waterways may be applied in addition to the general transitional provisions. Such vessels shall obtain an ADN certificate of approval limited to the inland waterways referred to above, or to a portion thereof.
 4. If new provisions are added to the annexed Regulations, the Contracting Parties may include new general transitional provisions. These transitional provisions shall indicate the vessels in question and the period for which they are valid.

Article 9

Applicability of other regulations

The transport operations to which this Agreement applies shall remain subject to local, regional or international regulations applicable in general to the carriage of goods by inland waterways.

CHAPTER III

FINAL PROVISIONS

Article 10

Contracting Parties

1. Member States of the Economic Commission for Europe whose territory contains inland waterways, other than those forming a coastal route, which form part of the network of inland waterways of international importance as defined in the European Agreement on Main Inland Waterways of International Importance (AGN) may become Contracting Parties to this Agreement:
 - (a) by signing it definitively;

- (b) by depositing an instrument of ratification, acceptance or approval after signing it subject to ratification, acceptance or approval;
 - (c) by depositing an instrument of accession.
2. The Agreement shall be open for signature until 31 May 2001 at the Office of the Executive Secretary of the Economic Commission for Europe, Geneva. Thereafter, it shall be open for accession.
 3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

Article 11

Entry into force

1. This Agreement shall enter into force one month after the date on which the number of States mentioned in Article 10, paragraph 1, which have signed it definitively, or have deposited their instruments of ratification, acceptance, approval or accession has reached a total of seven.

However, the annexed Regulations, except provisions concerning recognition of classification societies, shall not apply until twelve months after the entry into force of the Agreement.

2. For any State signing this Agreement definitively or ratifying, accepting, approving or acceding to it after seven of the States referred to in Article 10, paragraph 1, have signed it definitively or have deposited their instruments of ratification, acceptance, approval or accession, this Agreement shall enter into force one month after the said State has signed it definitively or has deposited its instrument of ratification, acceptance, approval or accession.

The annexed Regulations shall become applicable on the same date. In the event that the term referred to in paragraph 1 relating to the application of the annexed Regulations has not expired, the annexed Regulations shall become applicable after expiry of the said term.

Article 12

Denunciation

1. Any Contracting Party may denounce this Agreement by so notifying in writing the Secretary-General of the United Nations.
2. Denunciation shall take effect twelve months after the date of receipt by the Secretary-General of the written notification of denunciation.

Article 13

Termination

1. If, after the entry into force of this Agreement, the number of Contracting Parties is less than five during twelve consecutive months, this Agreement shall cease to have effect at the end of the said period of twelve months.
2. In the event of the conclusion of a world-wide agreement for the regulation of the multimodal transport of dangerous goods, any provision of this Agreement, with the exception of those pertaining exclusively to inland waterways, the construction and equipment of vessels, carriage in bulk or tankers which is contrary to any provision of the said world-wide agreement shall, from the date on which the latter enters into force, automatically cease to apply to relations between the Parties to this Agreement which become parties to the world-wide agreement, and shall automatically be replaced by the relevant provision of the said world-wide agreement.

Article 14

Declarations

1. Any State may, at the time of signing this Agreement definitively or of depositing its instrument of ratification, acceptance, approval or accession or at any time thereafter, declare by written notification addressed to the Secretary-General of the United Nations that this Agreement shall extend to all or any of the territories for the international relations of which it is responsible. The Agreement shall extend to the territory or territories named in the notification one month after it is received by the Secretary-General.
2. Any State which has made a declaration under paragraph 1 of this article extending this Agreement to any territory for whose international relations it is responsible may denounce the Agreement in respect of the said territory in accordance with the provisions of Article 12.
3. (a) In addition, any State may, at the time of signing this Agreement definitively or of depositing its instrument of ratification, acceptance, approval or accession or at any time thereafter, declare by written notification addressed to the Secretary-General of the United Nations that this Agreement shall not extend to certain inland waterways on its territory, provided that the waterways in question are not part of the network of inland waterways of international importance as defined in the AGN. If this declaration is made subsequent to the time when the State signs this Agreement definitively or when it deposits its instrument of ratification, acceptance, approval or accession, the Agreement shall cease to have effect on the inland waterways in question one month after this notification is received by the Secretary-General.

(b) However, any State on whose territory there are inland waterways covered by AGN, and which are, at the date of adoption of this Agreement, subject to a mandatory regime under international law concerning the carriage of dangerous goods, may declare that the implementation of this Agreement on these waterways shall be subject to compliance with the procedures set out in the statutes of the said regime. Any declaration of this

nature shall be made at the time of signing this Agreement definitively or of depositing its instrument of ratification, acceptance, approval or accession.

4. Any State which has made a declaration under paragraphs 3 (a) or 3 (b) of this article may subsequently declare by means of a written notification to the Secretary-General of the United Nations that this Agreement shall apply to all or part of its inland waterways covered by the declaration made under paragraphs 3 (a) or 3 (b). The Agreement shall apply to the inland waterways mentioned in the notification one month after it is received by the Secretary-General.

Article 15

Disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Agreement shall so far as possible be settled by negotiation between the Parties in dispute.
2. Any dispute which is not settled by direct negotiation may be referred by the Contracting Parties in dispute to the Administrative Committee which shall consider it and make recommendations for its settlement.
3. Any dispute which is not settled in accordance with paragraphs 1 or 2 shall be submitted to arbitration if any one of the Contracting Parties in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the Parties in dispute. If within three months from the date of the request for arbitration the Parties in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those Parties may request the Secretary-General of the United Nations to nominate a single arbitrator to whom the dispute shall be referred for decision.
4. The decision of the arbitrator or arbitrators appointed under paragraph 3 of this article shall be binding on the Contracting Parties in dispute.

Article 16

Reservations

1. Any State may, at the time of signing this Agreement definitively or of depositing its instrument of ratification, acceptance, approval or accession, declare that it does not consider itself bound by Article 15. Other Contracting Parties shall not be bound by Article 15 in respect of any Contracting Party which has entered such a reservation.
2. Any Contracting State having entered a reservation as provided for in paragraph 1 of this article may at any time withdraw such reservation by notifying in writing the Secretary-General of the United Nations.
3. Reservations other than those provided for in this Agreement are not permitted.

Article 17

Administrative Committee

1. An Administrative Committee shall be established to consider the implementation of this Agreement, to consider any amendments proposed thereto and to consider measures to secure uniformity in the interpretation and application thereof.
2. The Contracting Parties shall be members of the Administrative Committee. The Committee may decide that the States referred to in Article 10, paragraph 1 of this Agreement which are not Contracting Parties, any other Member State of the Economic Commission for Europe or of the United Nations or representatives of international intergovernmental or non-governmental organizations may, for questions which interest them, attend the sessions of the Committee as observers.
3. The Secretary-General of the United Nations and the Secretary-General of the Central Commission for the Navigation of the Rhine shall provide the Administrative Committee with secretariat services.
4. The Administrative Committee shall, at the first session of the year, elect a Chairperson and a Vice-Chairperson.
5. The Executive Secretary of the Economic Commission for Europe shall convene the Administrative Committee annually, or at other intervals decided on by the Committee, and also at the request of at least five Contracting Parties.
6. A quorum consisting of not less than one half of the Contracting Parties shall be required for the purpose of taking decisions.
7. Proposals shall be put to the vote. Each Contracting Party represented at the session shall have one vote. The following rules shall apply:
 - (a) Proposed amendments to the annexed Regulations and decisions pertaining thereto shall be adopted in accordance with the provisions of Article 19, paragraph 2;
 - (b) Proposed amendment to the annexed Regulations and decisions pertaining thereto shall be adopted in accordance with the provisions of Article 20, paragraph 4;
 - (c) Proposals and decisions relating to the recommendation of agreed classification societies, or to the withdrawal of such recommendation, shall be adopted in accordance with the procedure of the provisions of Article 20, paragraph 4;
 - (d) Any proposal or decision other than those referred to in paragraphs (a) to (c) above shall be adopted by a majority of the Administrative Committee members present and voting.
8. The Administrative Committee may set up such working groups as it may deem necessary to assist it in carrying out its duties.
9. In the absence of relevant provisions in this Agreement, the Rules of Procedure of the Economic Commission for Europe shall be applicable unless the Administrative Committee decides otherwise.

Article 18

Safety Committee

A Safety Committee shall be established to consider all proposals for the amendment of the Regulations annexed to the Agreement, particularly as regards safety of navigation in relation to the construction, equipment and crews of vessels. The Safety Committee shall function within the framework of the activities of the bodies of the Economic Commission for Europe, of the Central Commission for the Navigation of the Rhine and of the Danube Commission which are competent in the transport of dangerous goods by inland waterways.

Article 19

Procedure for amending the Agreement, excluding the annexed Regulations

1. This Agreement, excluding its annexed Regulations, may be amended upon the proposal of a Contracting Party by the procedure specified in this article.
2. Any proposed amendment to this Agreement, excluding the annexed Regulations, shall be considered by the Administrative Committee. Any such amendment considered or prepared during the meeting of the Administrative Committee and adopted by it by a two-thirds majority of the members present and voting shall be communicated by the Secretary-General of the United Nations to the Contracting Parties for their acceptance.
3. Any proposed amendments communicated for acceptance in accordance with paragraph 2 shall come into force with respect to all Contracting Parties six months after the expiry of a period of twenty-four months following the date of communication of the proposed amendment if, during that period, no objection to the amendment in question has been communicated in writing to the Secretary-General of the United Nations by a Contracting Party.

Article 20

Procedure for amending the annexed Regulations

1. The annexed Regulations may be amended upon the proposal of a Contracting Party.

The Secretary-General of the United Nations may also propose amendments with a view to bringing the annexed Regulations into line with other international agreements concerning the transport of dangerous goods and the United Nations Recommendations on the Transport of Dangerous Goods, as well as amendments proposed by a subsidiary body of the Economic Commission for Europe with competence in the area of the transport of dangerous goods.
2. Any proposed amendment to the annexed Regulations shall in principle be submitted to the Safety Committee, which shall submit the draft amendments it adopts to the Administrative Committee.
3. At the specific request of a Contracting Party, or if the secretariat of the Administrative Committee considers it appropriate, amendments may also be proposed directly to the Administrative Committee. They shall be examined at a first session and if they are deemed to

- be acceptable, they shall be reviewed at the following session of the Committee at the same time as any related proposal, unless otherwise decided by the Committee.
4. Decisions on proposed amendments and proposed draft amendments submitted to the Administrative Committee in accordance with paragraphs 2 and 3 shall be made by a majority of the members present and voting. However, a draft amendment shall not be deemed adopted if, immediately after the vote, five members present declare their objection to it. Adopted draft amendments shall be communicated by the Secretary-General of the United Nations to the Contracting Parties for acceptance.
 5. Any draft amendment to the annexed Regulations communicated for acceptance in accordance with paragraph 4 shall be deemed to be accepted unless, within three months from the date on which the Secretary-General circulates it, at least one-third of the Contracting Parties, or five of them if one-third exceeds that figure, have given the Secretary-General written notification of their objection to the proposed amendment. If the amendment is deemed to be accepted, it shall enter into force for all the Contracting Parties, on the expiry of a further period of three months, except in the following cases:
 - (a) In cases where similar amendments to other international agreements governing the carriage of dangerous goods have already entered into force, or will enter into force at a different date, the Secretary-General may decide, upon written request by the Executive Secretary of the Economic Commission for Europe, that the amendment shall enter into force on the expiry of a different period so as to allow the simultaneous entry into force of these amendments with those to be made to such other agreements or, if not possible, the quickest entry into force of this amendment after the entry into force of such amendments to other agreements; such period shall not, however, be of less than one month's duration.
 - (b) The Administrative Committee may specify, when adopting a draft amendment, for the purpose of entry into force of the amendment, should it be accepted, a period of more than three months' duration.

Article 21

Requests, communications and objections

The Secretary-General of the United Nations shall inform all Contracting Parties and all States referred to in Article 10, paragraph 1 of this Agreement of any request, communication or objection under Articles 19 and 20 above and of the date on which any amendment enters into force.

Article 22

Review conference

1. Notwithstanding the procedure provided for in Articles 19 and 20, any Contracting Party may, by notification in writing to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing this Agreement.

- A review conference to which all Contracting Parties and all States referred to in Article 10, paragraph 1, shall be invited, shall be convened by the Executive Secretary of the Economic Commission for Europe if, within a period of six months following the date of notification by the Secretary-General, not less than one fourth of the Contracting Parties notify him of their concurrence with the request.
2. Notwithstanding the procedure provided for in Articles 19 and 20, a review conference to which all Contracting Parties and all States referred to in Article 10, paragraph 1, shall be invited, shall also be convened by the Executive Secretary of the Economic Commission for Europe upon notification in writing by the Administrative Committee. The Administrative Committee shall make a request if agreed to by a majority of those present and voting in the Committee.
 3. If a conference is convened in pursuance of paragraphs 1 or 2 of this article, the Executive Secretary of the Economic Commission for Europe shall invite the Contracting Parties to submit, within a period of three months, the proposals which they wish the conference to consider.
 4. The Executive Secretary of the Economic Commission for Europe shall circulate to all the Contracting Parties and to all the States referred to in Article 10, paragraph 1, the provisional agenda for the conference, together with the texts of such proposals, at least six months before the date on which the conference is to meet.

Article 23

Depositary

The Secretary-General of the United Nations shall be the depositary of this Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Geneva, this twenty-sixth day of May two thousand, in a single copy, in the English, French, German and Russian languages for the text of the Agreement proper, and in the French language for the annexed Regulations, each text being equally authentic for the Agreement proper.

The Secretary-General of the United Nations is requested to prepare a translation of the annexed Regulations in the English and Russian languages.

The Secretary-General of the Central Commission for the Navigation of the Rhine is requested to prepare a translation of the annexed Regulations in the German language.

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ANNEXES A, B.1 and B.2

**Text of document TRANS/WP.15/AC.2/5 as modified
by TRANS/WP.15/AC.2/5/Corr.1**

ANNEX C

**Requirements and procedures concerning inspections,
the issue of certificates of approval, classification societies,
derogations, special authorizations, checks, training
and examination of experts**

ANNEX C

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CHAPTER 1

PROCEDURE FOR THE ISSUE OF THE CERTIFICATE OF APPROVAL

Certificates of approval shall conform to the requirements set out in marginals 10 282 and 10 283 of Annex B.1, or marginals 210 282 and 210 283 of Annex B.2 of these Regulations. They shall be issued in accordance with the following procedure:

1.1 Issue and recognition of certificates of approval

1.1.1 *Certificate of approval*

1.1.1.1 The certificate of approval referred to in marginal 10 282 or 210 282 shall be issued by the competent authority of the Contracting Party where the vessel is registered, or in its absence, of the Contracting Party where it has its home port or, in its absence, of the Contracting Party where the owner is domiciled or in its absence, by the competent authority selected by the owner or his representative.

The other Contracting Parties shall recognize such certificates of approval.

The period of validity, which shall not exceed five years, shall be entered in the certificate of approval.

1.1.1.2 The competent authority of any of the Contracting Parties may request the competent authority of any other Contracting Party to issue a certificate of approval in its stead.

1.1.1.3 The competent authority of any of the Contracting Parties may delegate the authority to issue the certificate of approval to an inspection body as defined in 1.3.

1.1.2 *Provisional certificate of approval*

The provisional certificate of approval referred to in marginal 10 283 or in marginal 210 283 shall be issued by the competent authority of one of the Contracting Parties for the cases and under the conditions referred to in these marginals.

The other Contracting Parties shall recognize such provisional certificates of approval.

1.2 Inspection procedure

1.2.1 The competent authority of the Contracting Party shall supervise the inspection of the vessel. Under this procedure, the inspection may be performed by an inspection body designated by the Contracting Party or by a recognized classification society. The inspection body or the recognized classification society shall issue an inspection report certifying that the vessel conforms partially or completely to the provisions of these Regulations.

1.2.2 This inspection report shall be drawn up in a language accepted by the competent authority and shall contain all the necessary information to enable the certificate to be drawn up.

1.3 Inspection body

1.3.1 Inspection bodies shall be subject to recognition by the Contracting Party administration as expert bodies on the construction and inspection of inland navigation vessels and as expert bodies on the transport of dangerous goods by inland waterway. They shall meet the following criteria:

- Compliance by the body with the requirements of impartiality;
- Existence of a structure and personnel that provide objective evidence of the professional ability and experience of the body;
- Compliance with the material contents of standard EN 45004: 1995 supported by detailed inspection procedures.

1.3.2 Inspection bodies may be assisted by experts (e.g. an expert in electrical installations) or specialized bodies according to the national provisions applicable (e.g. classification societies).

1.3.3 The Administrative Committee shall maintain an up-to-date list of the inspection bodies appointed.

1.4 Application for the issue of a certificate of approval

The owner of a vessel, or his representative, who requests a certificate of approval, shall deposit an application with the competent authority referred to in 1.1.1.1. The competent authority shall specify the documents to be submitted to it. In order to obtain a certificate of approval a valid vessel certificate shall accompany the request.

1.5 Particulars entered in the certificate of approval and amendments thereto

1.5.1 The owner of a vessel, or his representative, shall inform the competent authority of any change in the name of the vessel or change of official number or registration number and shall transmit to it the certificate of approval for amendment.

1.5.2 All particulars or amendments to the certificate of approval provided for in these Regulations and in the other regulations drawn up by mutual agreement by the Contracting Parties may be entered in the certificate by the competent authority.

1.5.3 When the owner of the vessel, or his representative, has the vessel registered in another Contracting Party, he shall request a new certificate of approval from the competent authority of that Contracting Party. The competent authority may issue the new certificate for the remaining period of validity of the existing certificate without making a new inspection of the vessel, provided that the state and the technical specifications of the vessel have not undergone any modification.

1.6 Presentation of the vessel for inspection

1.6.1 The owner, or his representative, shall present the vessel for inspection unladen, cleaned and equipped; he shall be required to provide such assistance as may be necessary for the inspection, such as providing a suitable launch and personnel, and uncovering those parts of the hull or installations which are not directly accessible or visible.

1.6.2 In the case of a first, special or periodical inspection, the inspection body or the recognized classification society may require a dry-land inspection.

1.7 First inspection

If a vessel does not yet have a certificate of approval or if the validity of the certificate of approval expired more than six months ago, the vessel shall undergo a first inspection.

1.8 Special inspection

If the vessel's hull or equipment has undergone alterations liable to diminish safety in respect of the carriage of dangerous goods, or has sustained damage affecting such safety, the vessel shall be presented without delay by the owner or his representative for further inspection.

1.9 Periodic inspection and renewal of the certificate of approval

1.9.1 To renew the certificate of approval, the owner of the vessel, or his representative, shall present the vessel for a periodic inspection. The owner of the vessel or his representative may request an inspection at any time.

1.9.2 If the request for a periodic inspection is made during the last year preceding the expiry of the validity of the certificate of approval, the period of validity of the new certificate shall commence when the validity of the preceding certificate of approval expires.

1.9.3 A periodic inspection may also be requested during a period of six months after the expiry of the certificate of approval.

1.9.4 The competent authority shall establish the period of validity of the new certificate of approval on the basis of the results of the inspection.

1.10 Extension of the certificate of approval without an inspection

By derogation from 1.9, at the substantiated request of the owner or his representative, the competent authority may grant an extension of the validity of the certificate of approval of not more than one year without an inspection. This extension shall be granted in writing and shall be kept on board the vessel. Such extensions may be granted only once every two validity periods.

1.11 Official inspection

1.11.1 If the competent authority of a Contracting Party has reason to assume that a vessel which is in its territory may constitute a danger in relation to the transport of dangerous goods, for the persons on board or for shipping or for the environment, it may order an inspection of the vessel in accordance with 1.2.

1.11.2 When exercising this right to inspect, the authorities will make all possible efforts to avoid unduly detaining or delaying a vessel. Nothing in this Agreement affects rights relating to compensation for undue detention or delay. In any instance of alleged undue detention or delay the burden of proof shall lie with the owner or operator of the vessel.

1.12 Withholding and return of the certificate of approval

1.12.1 When an inspection body or a classification society observes, in the course of an inspection, that a vessel or its equipment suffers from serious defects in relation to dangerous goods which might jeopardize the safety of the persons on board or the safety of shipping, or constitute a hazard for the environment, it shall immediately notify the competent authority to which it answers with a view to a decision to withhold the certificate.

If this authority which decided to withdraw the certificate is not the authority which issued the certificate, it shall immediately inform the latter and, where necessary, return the certificate to it if it presumes that the defects cannot be eliminated in the near future.

1.12.2 When the inspection body or the classification society referred to in 1.12.1 above ascertains, by means of a special inspection according to 1.8, that these defects have been remedied, the certificate of approval shall be returned by the competent authority to the owner or to his representative.

This inspection may be made at the request of the owner or his representative by another inspection body or another classification society. In this case, the certificate of approval shall be returned through the competent authority to which the inspection body or the classification society answers.

1.12.3 When a vessel is finally immobilized or scrapped, the owner shall send the certificate of approval back to the competent authority which issued it.

1.13 Duplicate copy

In the event of the loss, theft or destruction of the certificate of approval or when it becomes unusable for other reasons, an application for a duplicate copy, accompanied by appropriate supporting documents, shall be made to the competent authority which issued the certificate.

This authority shall issue a duplicate copy of the certificate of approval, which shall be designated as such.

1.14 Register of certificates of approval

1.14.1 The competent authorities shall assign a serial number to the certificates of approval which they issue. They shall keep a register of all the certificates issued.

1.14.2 The competent authorities shall keep copies of all the certificates which they have issued and enter all particulars and amendments in them, as well as cancellations and replacements of certificates.

CHAPTER 2

RECOGNITION OF CLASSIFICATION SOCIETIES

2.1 General

In the event of the conclusion of an international agreement concerning more general regulations for the navigation of vessels on inland waterways and containing provisions relating to the full range of activities of classification societies and their recognition, any provision of this Chapter in contradiction with any of the provisions of the said international agreement would, in the relations among Parties to this Agreement which had become parties to the international agreement and as from the day of the entry into force of the latter, automatically be deleted and replaced ipso facto by the relevant provision of the international agreement. This Chapter would become null and void once the international agreement came into force if all Parties to this Agreement became Parties to the international agreement.

2.2 Procedure for the recognition of classification societies

2.2.1 A classification society which wishes to be recommended for recognition under this Agreement shall submit its application for recognition, in accordance with the provisions of this chapter, to the competent authority of a Contracting Party.

The classification society shall prepare the relevant information in accordance with the provisions of this chapter. It shall produce it in, at least, an official language of the State where the application is submitted and in English.

The Contracting Party shall forward the application to the Administrative Committee unless in its opinion the conditions and criteria referred to in 4.3 have manifestly not been met.

2.2.2 The Administrative Committee shall appoint a Committee of Experts and determine its composition and its rules of procedure. This Committee of Experts shall consider the proposal; it shall determine whether the classification society meets the criteria set out in 2.3 and shall make a recommendation to the Administrative Committee within a period of six months.

2.2.3. The Administrative Committee shall examine the report of the experts. It shall decide in accordance with the procedure set out in Article 17, 7(c), within one year maximum, whether or not to recommend to the Contracting Parties that they should recognize the classification society in question. The Administrative Committee shall establish a list of the classification societies recommended for recognition by the Contracting Parties.

2.2.4 Each Contracting Party may or may not decide to recognize the classification societies in question, only on the basis of the list referred to in 2.2.3. The Contracting Party shall inform the Administrative Committee and the other Contracting Parties of its decision.

The Administrative Committee shall update the list of recognitions issued by Contracting Parties.

2.2.5 If a Contracting Party considers that a classification society no longer meets the conditions and criteria set out in 2.3, it may submit a proposal to the Administrative Committee for withdrawal from the list of recommended societies. Such a proposal shall be substantiated by convincing evidence of a failure to meet the conditions and criteria.

2.2.6 The Administrative Committee shall set up a new Committee of Experts following the procedure set out under 2.2.2 which shall report to the Administrative Committee within a period of six months.

2.2.7 The Administrative Committee may decide, according to Article 17, 7 (c), to withdraw the name of the society in question from the list of societies recommended for recognition.

In such a case the society in question shall immediately be so informed. The Administrative Committee shall also inform all the Contracting Parties that the classification society in question no longer meets the requirements to act as a recognized classification society in the context of the Agreement and shall invite them to take the necessary steps in order to remain in conformity with the requirements of the Agreement.

2.3 Conditions and criteria for the recognition of a classification society applying for recognition under this Agreement

A classification society applying for recognition under this Agreement shall meet all the following conditions and criteria:

2.3.1 A classification society shall be able to demonstrate extensive knowledge of and experience in the assessment of the design and construction of inland navigation vessels. The society should have comprehensive rules and regulations for the design, construction and periodical inspection of vessels. These rules and regulations shall be published and continuously updated and improved through research and development programmes.

2.3.2 Registers of the vessels classified by the classification society shall be published annually.

2.3.3 The classification society shall not be controlled by shipowners or shipbuilders, or by others engaged commercially in the manufacture, fitting out, repair or operation of ships. The classification society shall not be substantially dependent on a single commercial enterprise for its revenue.

2.3.4 The headquarters or a branch of the classification society authorized and entitled to give a ruling and to act in all areas incumbent on it under the regulations governing inland navigation shall be located in one of the Contracting Parties.

2.3.5 The classification society and its experts shall have a good reputation in inland navigation; the experts shall be able to provide proof of their professional abilities.

2.3.6 The classification society:

- shall have sufficient professional staff and engineers for the technical tasks of monitoring and inspection and for the tasks of management, support and research, in proportion to the tasks and the number of vessels classified and sufficient to keep regulations up to date and develop them in the light of quality requirements;
- shall have experts in at least two Contracting Parties.

2.3.7 The classification society shall be governed by a code of ethics.

2.3.8 The classification society shall have prepared and implemented and shall maintain an effective system of internal quality based on the relevant aspects of internationally recognized quality standards

and conforming to the standards EN: 45004: 1995 (control mechanisms) and ISO 9001 or EN 29001: 1997. The classification society is subject to certification of its quality system by an independent body of auditors recognized by the administration of the State in which it is located.

2.4 Obligations of recommended classification societies

2.4.1 Recommended classification societies shall undertake to cooperate with each other so as to guarantee the equivalence of their technical standards and their implementation.

2.4.2 Recommended classification societies shall undertake to bring their requirements into line with the present and future provisions of this Agreement.

CHAPTER 3

PROCEDURE FOR EQUIVALENTS AND DEROGATIONS

3.1 Procedure for equivalents

When the provisions of these Regulations prescribe for a vessel the use or the presence on board of certain materials, installations or equipment or the adoption of certain construction measures or certain fixtures, the competent authority may agree to the use or the presence on board of other materials, installations or equipment or the adoption of other construction measures or other fixtures for this vessel if, in line with recommendations established by the Administrative Committee, they are accepted as equivalent.

3.2 Derogations on a trial basis

The competent authority may, on the basis of a recommendation by the Administrative Committee, issue a trial certificate of approval for a limited period for a specific vessel having new technical characteristics departing from the requirements of these Regulations, provided that these characteristics are sufficiently safe.

3.3 Particulars of equivalents and derogations

The equivalents and derogations referred to in 3.1 and 3.2 shall be entered in the certificate of approval.

CHAPTER 4

SPECIAL AUTHORIZATIONS CONCERNING TRANSPORT IN TANK VESSELS

4.1 Special authorizations

4.1.1 In accordance with paragraph 2 of Article 7, the competent authority shall have the right to issue special authorizations to a carrier or a shipper for the international carriage in tank vessels of dangerous substances, including mixtures, the carriage of which in tank vessels is not authorized under these Regulations, in accordance with the procedure set out below.

4.1.2 The special authorization shall be valid, due account being taken of the restrictions specified therein, for the Contracting Parties and on whose territory the transport operation will take place, for not more than two years but unless it is repealed at an earlier date. With the approval of the Competent authorities of these Contracting Parties, the special authorization may be renewed for a period of not more than one year.

4.1.3 The special authorization shall include a statement concerning its repeal at an earlier date and shall conform to the model given in these Regulations.

4.2 Procedure

4.2.1 The carrier or the shipper shall apply to the competent authority of a Contracting Party on whose territory the transport operation takes place for the issue of a special authorization.

The application shall include the particulars mentioned in these Regulations. The applicant shall be responsible for the accuracy of the particulars.

4.2.2 The competent authority shall consider the application from the technical and safety point of view. If it has no reservations, it shall draw up a special authorization in accordance with the criteria established by the administrative Committee and immediately inform the other competent authorities involved in the carriage in question. The special authorization shall be issued only when the authorities concerned agree to it or have not expressed opposition within a period of two months after receiving the information. The applicant shall receive the original of the special authorization and keep a copy of it on board the vessel(s) involved in the carriage in question. The competent authorities shall immediately communicate to the Administrative Committee the applications for special authorizations, the applications rejected and the special authorizations granted.

4.2.3 If the special authorization is not issued because doubts or opposition have been expressed, the Administrative Committee shall decide whether or not to issue a special authorization.

4.3 Update of the list of substances authorized for carriage in tank vessels

4.3.1 The Administrative Committee shall consider all the special authorizations and applications communicated to it and decide whether the substance is to be included in the list of substances in these Regulations, authorized for carriage in tank vessels.

4.3.2 If the Administrative Committee enters technical or safety reservations concerning the inclusion of the substance in the list of substances of these Regulations authorized for carriage in tank vessels or concerning certain conditions, the competent authority shall be so informed. The competent authority shall immediately withdraw or, if necessary, modify the special authorization.

CHAPTER 5

MONITORING THE CARRIAGE OF DANGEROUS GOODS BY INLAND WATERWAYS

5.1 Monitoring compliance with requirements

Contracting Parties shall ensure that a representative proportion of consignments of dangerous goods carried by inland waterways is subject to monitoring in accordance with the provisions of this Chapter.

5.2 Monitoring procedure

5.2.1 In order to carry out the checks provided for in this Agreement, the Contracting Parties shall use the checklist to be developed by the Administrative Committee. A copy of this checklist or a certificate showing the result of the check drawn up by the competent authority which carried it out shall be given to the master of the vessel and presented on request in order to simplify or avoid, where possible, subsequent checks. This paragraph shall not prejudice Contracting Parties' right to carry out specific measures for detailed checks.

5.2.2 The checks shall be random and shall as far as possible cover an extensive portion of the inland waterway network.

5.2.3 When exercising the right to monitor, the authorities shall make all possible efforts to avoid unduly detaining or delaying a vessel.

5.3 Infringements or requirements

Without prejudice to other penalties which may be imposed, vessels in respect of which one or more infringements of the rules on the transport of dangerous goods are established may be detained at a place designated for this purpose by the authorities carrying out the check and required to be brought into conformity before continuing their journey or may be subject to other appropriate measures, depending on the circumstances or the requirements of safety.

5.4 Checks in companies and at places of loading and unloading

5.4.1 Checks may be carried out at the premises of undertakings, as a preventive measure or where infringements which jeopardize safety in the transport of dangerous goods have been recorded during the voyage.

5.4.2 The purpose of such checks shall be to ensure that safety conditions for the transport of dangerous goods by inland waterways comply with the relevant laws.

5.5 Sampling

Where appropriate and provided that this does not constitute a safety hazard, samples of the goods transported may be taken for examination by laboratories recognized by the competent authority.

5.6 Cooperation of the competent authorities

5.6.1 Contracting Parties shall assist one another in order to give proper effect to these requirements.

5.6.2 Serious or repeated infringements jeopardizing the safety of the transport of dangerous goods committed by a foreign vessel or undertaking shall be reported to the competent authority in the Contracting Party where the certificate of approval of the vessel was issued or where the undertaking is established.

5.6.3 The competent authority of the Contracting Party where serious or repeated infringements have been recorded may ask the competent authority of the Contracting Party where the certificate of approval of the vessel was issued or where the undertaking is established for appropriate measures to be taken with regard to the offender or offenders.

5.6.4 The latter competent authority shall notify the competent authorities of the Contracting Party where the infringements were recorded of any measures taken with regard to the offender or offenders.

5.7 Administrative assistance during the checking of a foreign vessel

If the findings of a check on a foreign vessel give grounds for believing that serious or repeated infringements have been committed which cannot be detected in the course of that check in the absence of the necessary data, the competent authorities of the Contracting Parties concerned shall assist one another in order to clarify the situation.

CHAPTER 6

TRAINING AND EXAMINATION OF EXPERTS

The following provisions are applicable to the approval of expert training courses in accordance with marginals 10 315 of Annex B.1 and 210 315, 210 317 and 210 318 of Annex B.2 of these Regulations.

The purpose of the training courses is to provide persons who are to work as experts and persons wishing to obtain the certificate showing that they have completed a training course on the transport of dangerous goods by inland waterways with the necessary theoretical and practical knowledge, in accordance with marginals 10 315 or 210 315, 210 317 and 210 318.

6.1. Training

6.1.1 General

Special knowledge shall be acquired through initial theoretical and practical training. Theoretical knowledge shall be tested by means of an examination concerning these Regulations.

Training shall recommence before the expiry of the period referred to in marginals 10 315 (5), 210 315 (5), 210 317 (5) or 210 318 (5).

6.1.2 Organization of training and subjects

6.1.2.1 Organization

Basic courses and refresher and further training courses shall be organized in accordance with marginals 10 315 or 210 315, while specialization courses shall be organized in accordance with marginals 210 317 and 210 318. The courses referred to in marginals 10 315 or 210 315 may have three variants: transport of dry cargo, transport in tankers and combined transport of dry cargo using tankers.

6.1.2.2 Basic course and refresher and further training courses

Basic course on the transport of dry cargo

Prior training: none
Knowledge: ADN in general, Annexes A and B.1
Authorized for: vessels carrying dry cargo only

Basic course on transport by tanker

Prior training: none
Knowledge: ADN in general, Annexes A, B.1 and B.2
(excluding marginals 311 000-320 999 and 321 000-330 999)
Authorized for: type N tankers only

Combined basic course dry cargo and transport in tankers

Prior training: none

Knowledge: ADN in general, Annexes A, B.1 and B.2
(excluding marginals 311 000-320 999 and 321 000-330 999)

Authorized for: dry cargo vessels and type N tankers

Specialization course in gases

Prior training: basic tanker or combined training

Knowledge: ADN, Annex B.2, marginals 311 000-320 999

Authorized for: tankers of types N and G

Specialization course in chemicals

Prior training: basic tanker or combined training

Knowledge: ADN, Annex B.2, marginals 321 000-330 999

Authorized for: tankers of types N and C

6.1.2.3 Refresher and further training courses based on the certified basic courses referred to in paragraph 6.1.2.2

Prior training: Valid ADN certificate referred to in paragraph 6.1.2.2 with a refresher course in accordance with marginals 10 315, 210 315, 10 315/210 315, 210 317 or 210 318.

6.2. Purpose and content of training course

6.2.1 The following provisions are applicable to the approval of the expert training courses in accordance with marginal 10 315 or marginals 210 315, 210 317 and 210 318.

6.2.2 The purpose of the training courses is to provide the theoretical and practical knowledge referred to in paragraph 6.1.2.

6.2.2.1 Initial training

The following periods of training are to be completed:

basic training course on dry cargo vessels:	24 lessons of 45 minutes each
basic training course on tankers:	24 lessons of 45 minutes each
combined basic training course:	32 lessons of 45 minutes each
specialization course on gases:	16 lessons of 45 minutes each
specialization course on chemicals:	16 lessons of 45 minutes each

One day's training may comprise a maximum of eight lessons.

If theoretical training is by correspondence, equivalences with the above-mentioned lessons shall be determined. Training by correspondence must be completed within nine months.

Approximately 30% of basic training shall be devoted to practical exercises. These practical exercises shall if possible be completed during the theoretical training period; in any event, they shall take place not more than three months following the completion of theoretical training.

6.2.2.2 Refresher and further training courses

Additional training courses are intended to refresh existing knowledge and provide information on new developments in the technical and legal fields and in relation to subject matter.

These courses shall take place before the expiry of the period referred to in marginal 10 315 (5) or, where pertinent, in marginals 210 315 (5), 210 317 (5) and 210 318 (5).

The duration of training courses shall be as follows:

Basic refresher course:

- dry cargo vessels	16 lessons of 45 minutes each
- tankers	16 lessons of 45 minutes each
- combined dry cargo vessels and tankers	16 lessons of 45 minutes each
Specialization refresher course on gases:	8 lessons of 45 minutes each
Specialization refresher course on chemicals:	8 lessons of 45 minutes each

Each day of training may comprise not more than eight lessons.

If the theoretical training is by correspondence, equivalences to the above-mentioned lessons shall be determined. Training by correspondence shall be completed within a period of nine months.

Approximately 50% of basic training shall be devoted to practical exercises. Practical exercises shall, where possible, be undertaken during the period of theoretical training; in any event, they shall be completed not later than three months following the completion of theoretical training.

6.3. Approval of training courses

6.3.1 Training courses shall be approved by the competent authority.

6.3.2 Approval shall be granted only on written application. Application for approval may be made by individuals or corporate entities.

Applications for approval shall be accompanied by:

- (a) the detailed course curriculum showing the course topics and the length of time to be devoted to them, as well as the teaching method envisaged;
- (b) the roster of teaching staff, listing their qualifications and the subjects to be taught by each one;
- (c) information on classrooms and teaching materials, as well as on the facilities available for practical exercises;
- (d) enrolment requirements.

The competent authority may ask for additional information or documents concerning the qualifications of teachers particularly with regard to adult education.

6.3.3 The competent authority may, where it deems necessary, require amendments to be made to the documents relating to the approval application.

6.3.4 *Granting of approval*

6.3.4.1 The competent authority shall grant approval in writing. Such approval shall be subject to the following conditions, inter alia:

- training courses shall conform to the information accompanying the application for approval;
- the competent authority may send inspectors to attend training courses;
- the timetables for the various training courses shall be notified in advance to the competent authority;
- approval may be withdrawn in the event of failure to abide by the approval conditions.

The approval document shall indicate whether the course in question is a basic training course, a specialized course or a refresher and further training course.

6.3.4.2 If, after approval is granted, the organizer of the training course wishes to change conditions affecting the approval, he shall seek the prior agreement of the competent authority. This provision shall apply in particular to the replacement of serving teachers and amendments to syllabuses.

6.4. Conduct of training courses

6.4.1 Training courses shall take account of the current developments in the various subjects taught. The course organizer shall be responsible for ensuring that recent developments are brought to the attention of, and properly understood by, teachers.

6.4.2 Training courses shall be as practically oriented as possible. Course syllabuses shall be based on the subjects listed in 6.1.2. Basic training courses shall also comprise a practical component (see 6.2.2 above).

6.4.3 During the refresher and further training courses, exercises and tests should ensure that the participant has taken an active part in the course.

6.5. Examinations

6.5.1 *Basic training courses*

After initial training, including practical exercises, an ADN basic training examination shall be taken. This examination shall be held either immediately after the training courses or within six months following the completion of such courses.

The list of questions drawn up by the competent authority shall be used for this purpose.

Candidates shall be asked 30 questions. The examination shall last 60 minutes. It is deemed to have been passed if at least 25 of the 30 questions have been answered correctly. During the examination, candidates may consult the texts of regulations on dangerous goods.

Each competent authority shall determine the conditions of the ADN examination on the basis of the programme described in marginals 10 315 (3) or 210 315 (3) of Annex 1 and the list of questions drawn up by the competent authority.

6.5.2 *Specialization course on gases and chemicals*

Candidates who are successful in the ADN basic training examination may apply for enrolment in a “gases” and/or “chemicals” specialization course, to be followed by an examination. The examination shall be based on the competent authority’s list of questions.

The candidate is to be asked 30 multiple-choice questions and one substantive question. The examination shall last a total of 120 minutes, of which 60 minutes for the multiple-choice questions and 60 minutes for the substantive question.

The examination shall be marked out of a total of 60, of which 30 marks will go to the multiple-choice questions (one mark per question) and 30 to the substantive question (the distribution of marks is left to the appreciation of the competent authority). A total of 44 marks must be achieved to pass. However, not less than 20 marks must be obtained in each subject. If the candidate obtains 44 but does not achieve 20 in one subject, the subject in question may be set in a resit.

The texts of regulations and technical literature are permitted during the examination.

Each competent authority shall determine the conditions of the examination on the basis of the programme described in marginal 210 317 (3) or 210 318 (3) and the competent authority's list of questions.

6.6. ADN specialized knowledge certificate

The issue and renewal of the ADN specialized knowledge certificate conforming to model No. 3 of Annex B.1, Appendix 1, or model No. 3 of Annex B.2, Appendix 1, shall be the responsibility of the competent authority.

Certificates shall be issued to:

- candidates who have attended a basic training course and have passed the ADN examination;
- candidates who have taken part in a refresher or further training course.

The validity of the “gases” and/or “chemicals” specialized training certificate shall be brought into line with the validity of the basic training certificate.

If the training was not completed before the expiry of the period of validity of the certificate, a new certificate shall not be issued until the candidate has completed a further initial basic training course and passed an ADN examination or an examination referred to in 6.5.2 above.

CHAPTER 7

Special bilateral and multilateral agreements

The period of validity of the special bilateral or multilateral agreements referred to in Article 7, paragraph 1, shall not be more than five years from the date of their entry into force.

ANNEX D.1

General transitional provisions

Annex D.1 - GENERAL TRANSITIONAL PROVISIONS

1. In this Annex D.1

“Vessel in service” means a vessel according to Article 8, paragraph 2 of the Agreement; “N.R.M.” means that the requirement does not apply to vessels in service except where the parts concerned are replaced or modified, i.e. it applies only to vessels which are new, or to parts which are replaced or modified; where existing parts are replaced by spare or replacement parts of the same type and manufacture, this shall not be considered a replacement “R” as defined in these transitional provisions.

Modification shall also be taken to mean the conversion of an existing type of tank vessel, a type of cargo tank or a cargo tank design to another type or design at a higher level.

“Renewal of the certificate of approval after the ...” means that the requirement shall be met at the next renewal of the certificate of approval following the date indicated. If the certificate of approval expires during the first year after the date of application of these Regulations, the requirement shall be mandatory only after the expiry of this first year.

2. Vessels in service shall meet:

- the requirements of marginals and, where necessary, paragraphs and subparagraphs mentioned in the table below within the period established therein;
- the requirements of marginals and, where necessary, paragraphs and subparagraphs not mentioned in the table below at the date of application of these Regulations.

The construction and equipment of vessels in service shall be maintained at least at the previous standard of safety.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
110 212 (1)	Ventilation of holds	N.R.M. The following requirements apply on board vessels in service: Each hold shall have appropriate natural or artificial ventilation; for the carriage of substances of Class 4.3, each hold shall be equipped with forced-air ventilation; the appliances used for this purpose must be so constructed that water cannot enter the hold.
110 212 (3)	Ventilation of service spaces	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
110 217 (2)	Gas-tight openings facing holds	N.R.M. The following requirements apply on board vessels in service: Openings of accommodation and the wheelhouse facing the holds must be capable of being tightly closed.
110 217 (3)	Entrances and openings in the protected area	N.R.M. The following requirements apply on board vessels in service: Openings of accommodation and the wheelhouse facing holds shall be capable of being tightly closed.
110 231 (2)	Air intakes of engines	N.R.M.
110 232 (2)	Air pipes 50 cm above the deck	N.R.M.
110 234 (1)	Exhaust pipes	N.R.M.
110 235	Stripping pumps in the protected area	N.R.M. The following requirements apply on board vessels in service: In the event of the carriage of substances of Class 4.1, 52°, of all substances of Class 4.3 in bulk or unpackaged and polymeric beads, expandable, of Class 9, 4° (c), the stripping of the holds may only be effected using a stripping installation located in the protected area. The stripping installation located above the engine room must be clamped.
110 240 (1)	Fire extinguishers, two pumps, etc.	N.R.M.
110 240 (2)	Fire extinguishing systems permanently fixed in engine rooms	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
110 241 in conjunction with 10 341	Fire and naked light	N.R.M. The following requirements apply on board vessels in service: The outlets of funnels shall be located not less than 2.00 m from the nearest point on hold hatchways. Heating and cooking appliances shall be permitted only in metal-based accommodation and wheelhouses. However: Heating appliances fuelled with liquid fuels having a flashpoint above 55° C shall be permitted in engine rooms; Central-heating boilers fuelled with solid fuels shall be permitted in spaces situated below deck and accessible only from the deck.
120 231 (2)	Air intakes of engines	N.R.M.
120 234 (1)	Position of exhaust pipes	N.R.M.
120 241 in conjunction with 10 341	Fire and naked light	N.R.M. The following requirements apply on board vessels in service: Outlets of funnels shall be located not less than 2.00 m from the nearest point on hold hatchways. Heating and cooking appliances shall be permitted only in metal-based accommodation and wheelhouses. However: Heating appliances fuelled with liquid fuels having a flashpoint above 55° C shall be permitted in engine rooms; central-heating boilers fuelled by solid fuels shall be permitted in spaces situated below the deck and accessible only from the deck.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
210 014	Limited explosion risk electrical apparatus	N.R.M. The following requirements apply on board vessels in service: Limited explosion risk electrical apparatus is: Electrical apparatus which, during normal operation, does not cause sparks or exhibit surface temperatures exceeding 200° C; or electrical apparatus with a spray-water protected housing which, during normal operation, does not exhibit surface temperatures above 200° C.
210 014	Hold space	Not applicable to Type N open vessels whose hold spaces contain auxiliary appliances and which are carrying only substances of Class 8, 1° (a), 1° (b) or 42° (b).
210 206	Approved gas detection system	N.R.M.
210 208 (2) and (3)	Classification of Type N open vessels with flame-traps and Type N open vessels	N.R.M.
210 219 (3)	Vessels used for propulsion	N.R.M.
210 320	Use of cofferdams for ballasting	On board vessels in service, cofferdams may be filled with water during unloading to provide trim and to permit residue-free drainage if possible.
210 320 (1)	Ballast water Prohibition against filling cofferdams with water	N.R.M. The following requirements apply on board vessels in service: Cofferdams may be filled with ballast water only when cargo tanks are empty.
210 320 (1)	Proof of stabilization in the event of a leak connected with ballast water for Type G vessels	N.R.M.
210 325 (1)(c)	Connections prohibited between pipes for loading and unloading and pipes located outside the cargo area	N.R.M. for oil-separator vessels.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
210 331 (2)	Motor vehicles only outside the cargo area: Type N open	N.R.M. The following requirements apply in board vessels in service: The vehicle shall not be started on board.
210 342 (3)	Use of the cargo heating system	Not applicable to vessels in service of Type N open.
210 351 (3)	Live sockets for Type G and Type N vessels	N.R.M.
210 381 (1)(h)	Damage control plan: Type G	N.R.M.
210 381 (1)(i)	Documents concerning intact stability	N.R.M.
210 422 (1)	Opening of openings Type N open	N.R.M. On board vessels in service cargo tank hatches may be opened during loading for control and sampling.
311 200 (3)(d) 321 200 (3)(d) 331 200 (3)(d)	Fire-resistant materials of accommodation and wheelhouse	N.R.M.
331 208 (1) in conjunction with 210 208	Continuation of class for Type N open vessels with flame-traps and Type N open vessels	N.R.M. The following requirements apply on board vessels in service: Except where otherwise provided, the type of construction, the strength, the subdivision, the equipment and the gear of the vessel shall conform or be equivalent to the construction requirements for classification in the highest class of a recognized classification society.
311 210 (2) 321 210 (2) 331 210 (2)	Door coamings, etc.	N.R.M. The following requirements apply on board vessels in service, with the exception of Type N open vessels: This requirement may be met by fitting vertical protection walls not less than 0.50 m in height; On board vessels in service less than 50.00 m long, the height of 0.50 m may be reduced to 0.30 m in passageways leading to the deck.
311 211 (1)(b)	Ratio of length to diameter of pressure cargo tanks	Not applicable to Type G vessels whose keels were laid before 1 January 1977.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
331 211 (1)(d)	Limitation of length of cargo tanks	N.R.M.
311 211 (2)(a)	Arrangement of cargo tanks Distance between cargo tanks and side walls Height of saddles, spacers	<p>N.R.M.</p> <p>Not applicable to Type G vessels whose keels were laid before 1 January 1977.</p> <p>N.R.M.</p> <p>The following requirements apply on board vessels in service:</p> <p>Where tank volume is more than 200 m³ or where the ratio of length to diameter is less than 7 but more than 5, the hull in the tank area shall be such that, in the event of a collision, the tanks remain intact as far as possible. This requirement shall be considered as having been met where, in the tank area, the vessel:</p> <p>is double-hulled with a distance of at least 80 cm between the side plating and the longitudinal bulkhead, or is designed as follows:</p> <p>(a) Between the gangboard and the top of the floorplates there shall be side stringers at regular intervals of not more than 60 cm;</p> <p>(b) The side stringers shall be supported by web frames spaced at intervals of not more than 2.00 m. The height of the web frames shall be not less than 10% of the depth and in any event not less than 30 cm. They shall be fitted with a face plate made of flat steel having a cross section of not less than 15 cm²;</p> <p>(c) The side stringers referred to in (a) shall have the same height as the web frames and be fitted with a face plate made of flat steel having a cross section of not less than 7.5 cm².</p>
311 211 (2)(b) 321 211 (2)(b) 331 211 (2)(a)	Cargo tank fastenings	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 211 (2)(c) 321 211 (2)(c) 331 211 (2)(b)	Capacity of suction well	N.R.M.
311 211 (3)(a)	End bulkheads of cargo area with "A-60" insulation. Distance of 0.50 m from cargo tanks in hold spaces	N.R.M.
321 211 (3)(a) 331 211 (3)(a)	Width of cofferdams of 0.60 m Hold spaces with cofferdams or "A-60" insulated bulkheads Distance of 0.50 m from cargo tanks in hold spaces	N.R.M. The following requirements apply on board vessels in service: Type C: minimum width of cofferdams: 0.50 m; Type N: minimum width of cofferdams: 0.50 m, on board vessels with a deadweight of up to 150 t: 0.40 m; Type N open: cofferdams shall not be required with deadweight up to 150 t: The distance between cargo tanks and end bulkheads of hold spaces shall be at least 0.40 m.
331 211 (4)	Passages through the end bulkheads of hold spaces	Shall not apply to Type N open vessels whose keels were laid before 1 January 1977.
331 211 (6)(a)	Form of cofferdam arranged as a pump room	Shall not apply to Type N vessels whose keels were laid before 1 January 1977.
311 211 (7) 331 211 (7)	Arrangement of service spaces located in the cargo area below decks	N.R.M.
311 211 (8) 331 211 (8)	Dimensions of openings for access to spaces within the cargo area	N.R.M.
311 211 (8) 321 211 (10) 331 211 (8)	Interval between reinforcing elements	N.R.M.
311 212 (2) 331 212 (1)	Ventilation systems in double-hull spaces and double bottoms	N.R.M.
311 212 (3) 321 212 (2) 331 212 (2)	Height above the deck of the air intake for service spaces located below deck	N.R.M.
311 212 (6) 321 212 (5) 331 212 (5)	Distance of ventilation inlets from cargo area	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
331 212 (6)	Approval of flame-arresters	Shall not apply to Type N vessels whose keels were laid before 1 January 1977.
311 213 331 213	General stability	N.R.M.
311 214 331 214	Intact stability	N.R.M.
311 215	Stability after damage	N.R.M.
311 216 (1) 331 216 (1)	Distance of openings of engine rooms from the cargo area	N.R.M.
331 216 (1)	Internal combustion engines outside the cargo area for Type N open vessels	N.R.M.
311 216 (2) 331 216 (2)	Hinges of doors facing the cargo area	Shall not apply to vessels whose keels were laid before 1 January 1977 where alterations would obstruct other major openings.
	Engine rooms accessible from the deck for Type N open vessels	N.R.M.
311 217 (1) 331 217 (1)	Accommodation and wheelhouse outside the cargo area	Shall not apply to vessels whose keels were laid before 1 January 1977, provided that there is no connection between the wheelhouse and other enclosed spaces.
	Type N open	Shall not apply to vessels up to 50 m in length whose keels were laid before 1 January 1977 and whose wheelhouses are located in the cargo area even if it provides access to another enclosed space, provided that safety is ensured by appropriate service requirements of the competent authority. N.R.M.
311 217 (2) 321 217 (2) 331 217 (2)	Arrangement of entrances and openings of forward superstructures	N.R.M.
	Entrances facing the cargo area	Shall not apply to vessels up to 50.00 m in length whose keels were laid before 1 January 1977, provided that gas screens are installed.
	Entrances and openings on Type N open vessels	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
331 217 (3)	Entrances and openings must be capable of being closed Type N open	N.R.M.
311 217 (4) 331 217 (4)	Distance of openings from the cargo area	N.R.M.
331 217 (5) (b), (c)	Approval of shaft passages and displaying of instructions Type N open	N.R.M.
311 217 (6) 331 217 (6)	Pump-room below deck	N.R.M. The following requirements apply on board vessels in service: Pump-rooms below deck shall meet the requirements for service spaces: for Type G vessels: marg. 311 212 (3) for Type N vessels: marg. 331 212 (2)
321 220 (1) 331 220 (1)	Access and ventilation openings 0.50 m above the deck	N.R.M.
321 220 (2) 331 220 (2)	Intake valve	N.R.M.
331 220 (2)	Filling of cofferdams with pump Type N open	N.R.M.
321 220 (2) 331 220 (2)	Filling of cofferdams within 30 minutes	N.R.M.
331 221 (1)(b)	Liquid level gauge Type N open with flame-trap Type N open	N.R.M.
331 221 (1)(c)	Level alarm device	Not applicable to open Type N vessels in service permitted only to carry sulphur in the molten state, UN No. 2448.
331 221 (1)(d) 321 221 (1)(d) 331 221 (1)(d)	Sensor for actuating the facility against overflowing	Applicable only to vessels to be loaded in a Contracting Party where the shore installation is equipped accordingly.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
321 221 (1)(e)	Alarm of the instrument for measuring the pressure in each cargo tank in the event of the carriage of substances for which deck spraying is required	Renewal of certificate of approval after 1 January 1999.
321 221 (1)(f) 331 221 (1)(f)	Installation of the instrument for measuring the temperature	Renewal of certificate of approval after 1 January 1999.
331 221 (1)(g)	Sampling opening Type N open	N.R.M.
311 221 (4) 321 221 (4) 331 221 (4)	Independent liquid-level alarm device	N.R.M.
311 221 (5) 321 221 (5) 331 221 (5)	Socket close to the shore connections and cut-out of vessel's pump	N.R.M.
331 221 (5)(c)	Rapid closure device enabling the supply to be shut off	31 December 2003
311 221 (7) 321 221 (7) 331 221 (7)	Alarms for over-pressure, vacuum and temperature in cargo tanks	N.R.M.
331 221 (12)	Self-closing lid	N.R.M.
331 222 (1)(b)	Cargo tank openings 0.50 m above the deck	Shall not apply to vessels whose keels were laid before 1 January 1977.
311 222 (3) 321 222 (4)(b) 331 222 (4)(b)	Position of outlets of valves above the deck	N.R.M.
321 222 (4)(b) 331 222 (4)(b)	Pressure setting of high-velocity vent valves	N.R.M.
331 223 (2)	Test pressure for cargo tanks	Shall not apply to vessels whose keels were laid before 1 January 1977, for which a test pressure of 15 kPa (0.15 bar) is required. A test pressure of 10 kPa (0.10 bar) shall be sufficient.
331 223 (3)	Test pressure for pipes for loading and unloading	On board oil-separator vessels in service before 1 January 1999 a test pressure of 400 kPa is sufficient.
321 225 (1) 331 225 (1)	Shut-down of cargo pumps	N.R.M.
311 225 (1) 321 225 (1) 331 225 (1)	Distance of pumps, etc. from accommodation, etc.	N.R.M.
331 225 (2)(a)	Pipes for loading and unloading located in the below-deck area	N.R.M. for oil-separator vessels.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 225 (2)(d) 321 225 (2)(d)	Position of loading and unloading pipes on deck	N.R.M.
311 225 (2)(e) 321 225 (2)(e) 331 225 (2)(e)	Distance of shore connections from accommodation, etc.	N.R.M.
311 225 (2)(i) 311 225 (2)(j) 311 225 (2)(k)	Position of cargo piping	N.R.M.
331 225 (8)(a)	Ballasting suction pipes located within the cargo area but outside the cargo tanks	N.R.M.
311 227 (2)	Refrigeration system List of 12° instead of 10°	N.R.M.
311 231 (2) 321 231 (2) 331 231 (2)	Distance of engine air intakes from the cargo area	N.R.M.
311 231 (4) 321 231 (4) 331 231 (4)	Temperature of outer parts of engines, etc.	N.R.M. The following requirements apply on board vessels in service: the temperature of outer parts shall not exceed 300 °C.
311 231 (5) 321 231 (5) 331 231 (5)	Temperature in the engine room	N.R.M. The following requirements apply on board vessels in service: the temperature in the engine room shall not exceed 45 °C.
311 232 (2) 321 232 (2) 331 232 (2)	Ventilation pipes 0.50 m above the deck	N.R.M.
331 234 (1)	Exhaust pipes	N.R.M.
311 235 (1) 331 235 (1)	Stripping and ballast pumps in the cargo area	N.R.M.
331 235 (3)	Suction pipes for ballasting located within the cargo area but outside the cargo tanks	N.R.M.
311 240 (1) 321 240 (1) 331 240 (1)	Fire extinguishing systems, two pumps, etc.	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 240 (2) 321 240 (2) 331 240 (2)	Fixed fire extinguishing system in engine room	N.R.M.
311 241 (1) 331 241 (1)	Outlets of funnels located not less than 2 m from the cargo area	Not applicable to vessels whose keels were laid before 1 January 1977.
331 241 (1)	Outlets of funnels	N.R.M. for oil-separator vessels.
311 241 (2) 321 241 (2) 331 241 (2) in conjunction with 210 341	Heating, cooking and refrigerating appliances	N.R.M.
331 242 (2)	Cargo heating system: Type N open	N.R.M. The following requirements apply on board vessels in service: This can be achieved by an oil separator fitted to the condensed water return pipe.
311 251 (2) 321 251 (2) 331 251 (2)	Visual and audible alarm	N.R.M.
311 251 (3) 321 251 (3) 331 251 (3)	Temperature class and explosion group	N.R.M.
331 252 (1)(b) 331 252 (1)(c) 331 252 (1)(d) 331 252 (1)(e)	Electrical installations: Type N open	N.R.M.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 252 (1)(e) 331 252 (1)(e)	Electrical installations of the "certified safe" type in the cargo area	<p>Shall not apply to vessels whose keels were laid before 1 January 1977. The following conditions shall be met during loading, unloading and gas-freeing on board vessels having non-gastight wheelhouse openings (e.g. doors, windows, etc.) giving on to the cargo area:</p> <p>(a) All electrical installations designed to be used shall be of a limited explosion-risk type, i.e. they shall be so designed that there is no sparking under normal operating conditions and the temperature of their outer surfaces does not rise above 200° C, or be of a type protected against water spray the temperature of whose outer surfaces does not exceed 200° C under normal operating conditions;</p> <p>(b) Electrical installations which do not meet the requirements of (a) above shall be marked in red and it shall be possible to switch them off by means of a central switch.</p>
331 252 (2)	Accumulators located outside the cargo area	N.R.M.
311 252 (3)(a) 311 252 (3)(b) 331 252 (3)(a) 331 252 (3)(b)	Electrical installations used during loading, unloading or gas-freeing	<p>Shall not apply to the following installations on vessels whose keels were laid before 1 January 1977:</p> <p>Lighting installations in accommodation, with the exception of switches near the entrances to accommodation;</p> <p>radio telephone installations in accommodation and wheelhouses and combustion engine control appliances.</p>

Table of transitional provisions		
Marginal	Subject	Time limit and comments
	Type N open	All other electrical installations shall meet the following requirements: (a) Generators, engines, etc. P13 protection mode (b) Control panels, lamps, etc. IP23 protection mode (c) Appliances, etc. IP55 protection mode. N.R.M.
311 252 (3)(b) 321 252 (3)(b) 331 252 (3)(b) in conjunction with paragraph (3)(a)	Electrical installations used during loading, unloading and gas-freeing	N.R.M. On board vessels in service, paragraph (3) (a) shall not apply to: Lighting installations in accommodation, with the exception of switches near entrances to accommodation; Radiotelephone installations in accommodation and wheelhouses.
311 252 (4) 321 252 (4) 331 252 (4) last sentence	Disconnection of such installations from a centralized location	N.R.M.
331 252 (4)	Red mark on electrical installations Type N open	N.R.M.
331 252 (5)	Cut-out switch for continuously driven generator: Type N open	N.R.M.
331 252 (6)	Permanently fitted sockets: Type N open	N.R.M.
311 256 (1) 331 256 (1)	Metallic sheaths for all cables	Shall not apply to vessels whose keels were laid before 1 January 1977.
331 256 (1)	Metallic sheath	N.R.M. for oil-separator vessels.
311 256 (3) 321 256 (3) 331 256 (3)	Movable cables in the cargo area	N.R.M.

3. The goods for which Type N open, Type N closed with a minimum valve setting of 10 kPa (0.10 bar) is required in the list of substances (Annex B.2, Appendix 4) may be carried in tank-vessels in service of Type N closed with a minimum valve setting of 6 kPa (0.06 bar) (cargo tank test pressure of 10 kPa (0.10 bar)).

4. Vessels carrying only the dangerous goods referred to below shall be subject to this Agreement as from 1 January 2005 only:

Classe 4.1 3175 solids or mixtures of solids (such as preparations or wastes) containing flammable liquid n.o.s. having a flashpoint up to 61 °C of 4° (c);

1350 sulphur (also flowers of sulphur) of 11° (c);

Class 4.2 substances of 3° (c) and 16° (c) in bulk;

Class 9 2969 castor beans of 35° (b).

Vessels must, however, still meet the requirements of marginals 10 011(2) and 10 351(4) of Annex B.1.

ANNEX D.2

Supplementary transitional provisions applicable to specific inland waterways

**Annex D.2 - SUPPLEMENTARY TRANSITIONAL PROVISIONS APPLICABLE
TO SPECIFIC INLAND WATERWAYS**

1. In this Annex D.2:

- “Vessel in service” means a vessel according to Article 8, paragraph 3 of the Agreement;
- “N.R.M.” means that the requirement does not apply to vessels in service except where the parts concerned are replaced or modified, i.e. it applies only to vessels which are new, or to parts which are replaced or modified; where existing parts are replaced by spare or replacement parts of the same type and manufacture, this shall not be considered a replacement “R” as defined in these transitional provisions.

Modification shall also be taken to mean the conversion of a type of tank vessel, a type of cargo tank or a category of cargo tank to another type or category at a higher level.

2. Vessels in service to which the transitional provisions of this Annex are applied shall meet:

- the requirements of marginals and, where necessary, paragraphs and subparagraphs mentioned in the table below and in the table of general transitional provisions within the period established therein;
- the requirements of marginals and, where necessary, paragraphs and subparagraphs not mentioned in the table below or in the table of general transitional provisions at the date of application of these Regulations.

The construction and equipment of vessels in service shall be maintained at least at the previous standard of safety.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
110 211 (1) (b)	Holds, common bulkheads with oil fuel tanks	N.R.M. The following requirements apply on board vessels in service: Holds may share a common bulkhead with the oil fuel tanks, provided that the cargo or its packaging does not react chemically with the fuel.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
110 292	Emergency exit	<p style="text-align: center;">N.R.M.</p> <p>The following requirements apply on board vessels in service:</p> <p>Spaces the entrances or exits of which are partly or fully immersed in damaged condition shall be provided with an emergency exit not less than 0.075 m above the damage waterline.</p>
110 295 (1) (c)	Height of openings above damage waterline	<p style="text-align: center;">N.R.M.</p> <p>The following requirements apply on board vessels in service:</p> <p>The lower edge of any non watertight openings (e.g. doors, windows, access hatchways) shall, at the final stage of flooding, be not less than 0.075 m above the damage waterline.</p>
110 295 (2) 321 215 (2)	Extent of the stability diagram (damaged condition).	<p style="text-align: center;">N.R.M.</p> <p>The following requirements apply on board vessels in service:</p> <p>At the final stage of flooding the angle of heel shall not exceed:</p> <p>20° before measures to right the vessel;</p> <p>12° following measures to right the vessel.</p>
210 208 (1)	Classification of Type N open vessels	N.R.M.
311 211 (1) (a) 321 211 (1) (a) 331 211 (1) (a)	Maximum capacity of cargo tanks.	<p style="text-align: center;">N.R.M.</p> <p>The following requirements apply on board vessels in service:</p> <p>The maximum permissible capacity of a cargo tank shall be 760 m³.</p>

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 212 (3) 321 212 (2) 331 212 (2)	Position of air inlets	N.R.M. The following requirements apply on board vessels in service: The air inlets to be positioned at least 5.00 m from the safety-valve outlets
321 211 (1) (d)	Length of cargo tanks	N.R.M. The following requirements apply on board vessels in service: The length of a cargo tank may exceed 10 m and 0.2 L.
331 208 (1)	Classification of Type N open vessels	N.R.M.
321 215 (1) (c)	Height of openings above damage waterline	N.R.M. The following requirements apply on board vessels in service: The lower edge of any non watertight openings (e.g. doors, windows, access hatchways) shall, at the final stage of flooding, be not less than 0.075 m above the damage waterline.
321 220 (2) 331 220 (2)	Filling of cofferdams with water	N.R.M. The following requirements apply on board vessels in service: Cofferdams shall be fitted with a system for filling with water or inert gas.

Table of transitional provisions		
Marginal	Subject	Time limit and comments
311 292 321 292	Emergency Exit	N.R.M. The following requirements apply on board vessels in service: Spaces the entrances or exits of which are partly or fully immersed in damaged condition shall be provided with an emergency exit not less than 0.075 m above the damage waterline.

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