



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.15/2008/11
31 July 2008

ENGLISH
Original: FRENCH

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

Eighty-fifth session
Geneva, 31 October 2008
Item 5 of the provisional agenda

PROPOSALS FOR AMENDMENTS TO ANNEXES A AND B OF ADR

Mobile explosives manufacturing units

Transmitted by the Government of France*

SUMMARY

Executive summary: The purpose of this proposal is to make provision for a transitional period for the fulfilment of the new requirements concerning mobile explosives manufacturing units (MEMUs).

Action to be taken: Amend 1.6.5.11.

Related documents: ECE/TRANS/WP.15/197, paras. 55 to 66.

* The present document is submitted in accordance with paragraph 1 (c) of the terms of reference of the Working Party, as contained in document ECE/TRANS/WP.15/190/Add.1, which provides a mandate to “develop and update the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)”.

Introduction

1. When the requirements concerning the mobile explosives manufacturing units (MEMUs) were adopted in May 2008, it was decided to introduce the following new paragraph 1.6.5.11 in the 2009 ADR:

“1.6.5.11 MEMUs which have been constructed and approved before 1 January 2009 in accordance with the provisions of national law but which do not, however, conform to the construction and approval requirements applicable as from 1 January 2009 may be used with the approval of the competent authorities in the countries of use.”

The date of 1 January 2009 presents difficulties, as new texts entering into force on 1 January 2009 cannot reasonably be expected to be enforced immediately. In our view, this date should be replaced by 1 July 2009 to leave a six-month period for manufacturers and the competent authorities to adapt to the new requirements.

Proposal

2. Amend the text of 1.6.5.11 as follows:

“MEMUs which have been constructed and approved before 1 July 2009 in accordance with the provisions of national law but which do not, however, conform to the construction and approval requirements applicable as from 1 January 2009 may be used with the approval of the competent authorities in the countries of use.”

Justification

Safety: No problem.

Feasibility: No problem.

Enforcement: This amendment makes it possible to resolve the problems of enforcing the new requirements as from 1 January 2009.
