

Economic Commission for Europe

Inland Transport Committee

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Working Party on the Transport of Dangerous Goods

Joint Meeting of Experts on the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (ADN Safety Committee)

Twenty-eighth session

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Item 5 (b) of the provisional agenda

Proposals for amendments to the Regulations annexed to ADN

Other proposals

Certificate of approval

Transmitted by the Government of Germany

Related Document

ECE/TRANS/WP.15/AC.2/2016/20 (Informal Correspondence Working Group (ICWG))
Proposals to amend Chapter 1.16 and 9.3.X.8.1 – Proposals of consequential and additional amendments

Introduction

Germany participated in the Informal Correspondence Working Group (ICWG)) Proposals to amend Chapter 1.16 and 9.3.X.8.1 and fully supports the abovementioned proposal.

After the completion of the proposal some additional aspects emerged, which might be considered in this context.

Additional Proposals and Justifications

1. Amend subsection 1.16.2.1 as follows: Delete the last sentence.

The maximum validity of the certificate of approval is already regulated in paragraph 1.16.1.1.2.

2. Amend subsection 1.16.10.3 as follows:

“1.16.10.3 A periodic inspection may also be requested during a period of twelve months after the expiry of the certificate of approval. After this period of time, the vessel shall undergo a first inspection in accordance with 1.16.8.”

To illustrate the interrelations, a reference to 1.16.8 should be inserted.

3. Amend subsection 1.16.10.4 as follows:

“1.16.10.4 The competent authority shall establish the period of validity of the new certificate of approval on the basis of the results of the periodic inspection.”

As the first inspection is additionally mentioned in the previous paragraph, it is to be emphasized here that this paragraph deals with the periodic inspection.

4. Amend the first sentence of section 1.16.11 as follows:

“By derogation from 1.16.10, at the substantiated request of the owner or his representative, the competent authority that has issued the certificate of approval may grant an extension of the validity of this certificate of approval of not more than one year without an inspection.”.

The extension of the certificate of approval requires detailed knowledge of the vessel. Within the framework of extending the approval, the authority itself has to assess whether the vessel continues to meet the applicable requirements of ADN and whether safety deficiencies stand in the way of a continued deployment of the vessel. The extension constitutes a modification of an official decision that is still valid and applicable and can, thus, only be effected by the same authority.

See also: 1.16.13.2:

“The certificate of approval may only be withdrawn by the authority by which it has been issued.”

5. Amend subsection 1.16.11 as follows:

“8.1.2.1 In addition to the documents required by other regulations, the following documents shall be kept on board:

(a) The vessel’s certificate of approval referred to in ~~8.1.8~~ 1.16.1;

{- (b) to (i) remain unchanged -}

(j) ~~(deleted)~~ any extension of the validity of the certificate of approval according 1.16.11.“.

Ad (a) The provisions on the certificate of approval in section 8.1.8 ADN were deleted.

Ad (j) In accordance with 1.16.11, the written extension of the validity of the certificate of approval shall be kept on board the vessel; therefore, it should be listed in this catalogue.

6. Insert a new section 8.6.5:

“8.6.5 Mandatory content of the inspection report according subsection 1.16.3.1

- Name, address, email and phone number of the Inspection Body or the recognized classification society that carried out the inspection
- Purchaser of the inspection
- Names of the office and surveyor(s) which carried out the inspection
- Date and place of the inspection
- Type of the inspected vessel
- Identification of the vessel (name, vessel number, ENI number, etc)
- Declaration that the vessel conforms partially or completely to the applicable requirements of ADN on the construction and equipment of the vessel (in the version applicable on the date of the inspection or, if later, on the estimated date of issuance of the certificate of approval)
- Indication (list and description) of any non-conformities
- Used transitional provisions

- Used equivalents and derogations from the regulations applicable to the vessel with reference to the relevant recommendation of the ADN Administrative Committee
- Date of issuance of the inspection report
- Signature and official seal of the inspection body or recognized classification society”.

In the past, the competent authority of Germany received some inspection reports in which the individual entity carrying out the inspection was not clearly indicated, and no explicit declaration was made that the vessel complies fully with the relevant provisions of ADN.

The used transitional provisions, equivalents and derogations are necessary to justify the issuance of the certificate of approval, although the vessel does not comply with the current version of ADN.

Information about the name of the firm, address, contact details, name of surveyors, signature and seal are necessary to prove the authenticity of the inspection report and to show the binding character of the declaration on the compliance of the vessel with the current regulations.

The inspection report is deemed to be a part of the “vessel record” to be introduced in 9.1.0.1 and 9.3.x.1 of ADN. With regard to the increasing number of inspection bodies and recognized classification societies in the area of application of the ADN, mandatory elements of the reports comprehensible to all competent authorities that might use the vessel record seem to be necessary.
