



Economic and Social Council

Distr.: General
20 July 2016
English
Original: French

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Perishable Foodstuffs

Seventy-second session

Geneva, 4-7 October 2016

Item 5 (a) of the provisional agenda

Proposals of amendments to the ATP:

Pending proposals

Period of validity of certificates for equipment manufactured for transfer to another country

Transmitted by the Government of France

Context and challenges

1. Annex 1, appendix 1, to ATP specifies the conditions of transfer of equipment from one country to another without setting a period of validity for the certificate issued by the country of manufacture.
2. The owner of the equipment has three months to convert the ATP certificate of the country of manufacture into a certificate of the new country of use. Owners are not always informed of this by the seller or do not always follow the guidelines. As a result, equipment owners do not always convert the certificates, in particular when they have a certificate issued by the country of manufacture which is valid for up to six years, as is the case for new equipment.
3. This has led to problems in implementing the Agreement that have been reported by a number of competent authorities on several occasions and distortion of competition among manufacturers and operators alike.
4. In order to address the issue, some countries issue equipment intended for export with certificates that are valid for no longer than three months and may be renewed only once. This step helps to make the conversion of certificates — and compliance with the Agreement, which is the objective of all signatory parties and their competent authorities — virtually systematic.

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5. At the last session of the WP11, only one country opposed this measure. As a consensus had almost been reached, France would like the proposed amendment to be discussed again.

Objectives

6. The objective is to put in place a simple and inexpensive mechanism to ensure that the Agreement is implemented in the fairest and most uniform way possible in the countries that are parties to it.

Proposed solution

7. It is proposed to include a provision in the Agreement that imposes a time limit on certificates for equipment intended for export.

8. It appears that a period of three months would allow the authority of the country of destination of the equipment to put the relevant provisions into practice to convert the certificate. The certificate could be renewed once if necessary.

Proposed amendment to ATP

9. Amend annex 1, appendix 1, paragraph 3, to read as follows:

“3. A certificate of compliance with the standards shall be issued by the competent authority of the country in which the equipment is to be registered and recorded on a form conforming to the model reproduced in appendix 3 to this annex. **When the certificate is issued for equipment to be transferred to another country which is a signatory to the Agreement and has a competent authority, the competent authority concerned shall issue a certificate that is valid for a period of three months and may be renewed once.**”
