

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

10 March 2017

Bern, 13-17 March 2017

Item 4 of the provisional agenda

Interpretation of RID/ADR/ADN

Clarification of the Implication of 1.8.1 for the competent authorities

Transmitted by the Government of France

Introduction

1. France is involved in some twinning and consulting activities. When looking at the way checks should be organized, an interpretation issue was raised, concerning the implication of the provisions in 1.8.1 for administrative controls.
2. These provisions say that the competent authorities may conduct checks (spot checks – 1.8.1.1, or in premises 1.8.1.3).
3. One part of the issue come from the meaning of the word “may” in this context and to which extent this implies the obligation for the concerned companies to have to accept being inspected.

Question

4. More precisely, if a national law in a contracting party makes it impossible for the competent authority to access the facilities where the checks according 1.8.1.3 have to be conducted, or makes it impossible to check some cargo, would this be considered as non conforming to RID/ADR/ADN, and what would be the consequences?
 5. The Joint meeting is invited to clarify this issue.
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