

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

1 March 2018

Bern, 12-16 March 2018

Item 5 (b) of the provisional agenda

Proposals for amendments to RID/ADR/ADN: new proposals

Proposal for an adjustment in Chapter 6.2 of RID/ADR/ADN

Transmitted by the European Cylinder Makers Association (ECMA) and the European Industrial Gases Association (EIGA)

Background

1. The Government of the Russian Federation has transmitted informal paper 12 to the Joint Meeting.
2. Informal paper 12 proposes to delete from 6.2.4.1. references to the Directives of the European Council, 84/525/EEC, 84/526/EEC and 84/527/EEC
3. The proposal to remove references to these directives was made at the Joint meeting in Spring 2011. The discussion is reported in ECE/TRANS/WP.15/AC.1/122, Report of the Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods on its Spring 2011 session.
4. The relevant section from ECE/TRANS/WP.15/AC.1/122 is:

B. Status of annexes to directives referenced in section 6.2.4

Document: ECE/TRANS/WP.15/AC.1/2011/27 (CEN)

20. The Joint Meeting noted that directives 84/525/EEC, 84/526/EEC and 84/527/EEC would be repealed with effect from 1 July 2011. Nonetheless, as ADR and RID sections 6.2.4 contained references to the annexes to those directives and not to the directives themselves. As the annexes had been published in the Official Journal of the European Communities in 1984 and were therefore still publicly available, the Joint Meeting considered that even if there was no reason to apply them under the repealed directives, they would still be applicable in the legal framework of RID and ADR.
 21. Consequently, the Joint Meeting considered that there was no legal void to fill urgently. However, to avoid misunderstandings and allow technical progress, it would be desirable for CEN to prepare standards reproducing the contents of the annexes to serve as references in the future.
5. To date neither ECMA or EIGA is aware of any work being undertaken to produce standards that reproduce the contents of the annexes 84/525/EEC, 84/526/EEC and 84/527/EEC.

6. ECMA and EIGA are aware that there are cylinders still being constructed in accordance to the annexes of 84/525/EEC, 84/526/EEC, 84/527/EEC.

Proposal

7. ECMA and EIGA proposes that the decision made at the Spring 2011 Joint Meeting and recorded in ECE/TRANS/WP.15/AC.1/122 is confirmed.

8. ECMA and EIGA shall discuss with a number of stakeholders including about how to progress in preparing CEN standards that replicate the contents of the annexes of 84/525/EEC, 84/526/EEC and 84/527/EEC.
