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Inland Transport Committee

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)

Thirty-fourth session

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Item 5 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:
other proposals**

Subsection 9.3.x.8.4

Transmitted by the Government of Luxembourg*,**

Introduction

1. In the amendments to the Regulations annexed to ADN, adopted by the Safety Committee concerning explosion protection for dry cargo vessels and tank vessels entering into force on 1 January 2019, practically identical paragraphs in different parts of ADN have been identified which have the same regulatory content.
2. A new section 8.1.7.2 has been added and refers to letters r) to v), of the also new inserted in section 8.1.2.3.
3. 8.1.7.2 reads:
“8.1.7.2 Installations and equipment intended for use in explosion hazardous areas, “limited explosion risk” type equipment, installations and equipment complying with 9.3.1.51, 9.3.2.51 and 9.3.3.51 and autonomous protective systems.

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Such installations, equipment and autonomous protective systems and their compliance with the documents referred to in 8.1.2.2 (e) to (h) or 8.1.2.3 (r) to (v) in respect of the situation on board shall be inspected whenever the certificate of approval is renewed and, in addition, within the third year from the date of issue of the certificate of approval, by a person authorized for this purpose by the classification society that classified the vessel or by the competent authority. A certificate concerning this inspection shall be carried on board."

4. 9.3.3.x.8.4 reads:

"9.3.3.8.4 The conformity of the documents required in 8.1.2.3 (r) to (v) with the circumstances on board shall be inspected by a recognized classification society, an inspection body or by a person authorized for that purpose by the competent authority whenever the certificate of approval is renewed and, in addition, once during the third year of validity of the certificate of approval. A signed certificate must be available on board."

5. The two texts of the regulations have the same regulatory content, the only difference being the group of persons who has to check the conformity of the documents required in 8.1.2.3 (r) to (v) with the conditions on board.

6. To avoid any misunderstanding in the future, we consider necessary to delete one of the paragraphs and therefore propose the deletion of 9.3.x.8.4.

7. Taking into account the considerations in paragraphs 9 to 11 below, it is therefore proposed to delete 9.3.x.8.4 of the Regulations annexed to ADN and the corresponding transitional provision in 1.6.7.2.2.2

Proposal

9.3.1.8.4, 9.3.2.8.4, 9.3.2.8.4 Delete and insert "(Deleted)".

Consequential amendment

1.6.7.2.2.2 Delete the transitional provision for 9.3.1.8.4, 9.3.2.8.4, 9.3.2.8.4.

Justification

8. Deletion is necessary to avoid having similar provisions repeated in different parts of ADN which in turn would avoid any misunderstandings in the future.

9. Paragraph 9.3.x.8.4 should be deleted because these kind of provisions should be systematically placed in Part 8 "Crew, Equipment, Operations and Documentation Requirements".

10. Also, paragraph 8.1.7.2 should be maintained, as it requires that not only the conformity of the plans with the conditions on board are to be verified, but also the installations, equipment and protection systems themselves mentioned in the title of the standard.

11. In addition, subsection 8.1.7.2, unlike 9.3.x.8.4, states that the inspection needs be carried out by the classification society that classified the vessel or by a person approved by the competent authority. This requirement increases safety, as this classification society has a knowledge advantage over any other classification society with regard to the specific vessel.

Effects on safety

12. Transport safety is not compromised.

Practicality

13. It is not necessary to make any changes in shipbuilding or logistics that could impose a burden on the parties. A provision is deleted to avoid any potential misunderstanding.
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