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Working Party on the Transport of Dangerous Goods

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

REPORT OF THE SESSION*

held in Bern from 24 to 28 March 2003

* Circulated by the Central Office for International Carriage by Rail (OCTI) under the symbol OCTI/RID/GT-III/2003-A.

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ATTENDANCE

1. The Joint Meeting of the RID Safety Committee and the Working Party on the Transport of Dangerous Goods of the United Nations Economic Commission for Europe (UN/ECE) held a session in Bern from 24 to 28 March 2003, with Mr. C. Pfauvadel (France) as Chairman and Mr. H. Rein (Germany) as Vice-Chairman. Representatives of the following countries took part in the work of the session: Austria; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Finland; France; Germany; Hungary; Italy; Latvia; Liechtenstein; Netherlands; Norway; Poland; Portugal; Romania; Serbia and Montenegro; Slovakia; Slovenia; Spain; Sweden; Switzerland; United Kingdom. The European Commission was also represented. The following non-governmental organizations were represented: European Liquefied Petroleum Gas Association (AEGPL); International Association of the Soap, Detergent and Maintenance Products Industry (AISE); European Federation of Aerosols; European Chemical Industry Council (CEFIC); European Committee for Standardization (CEN); International Rail Transport Committee (CIT); European Industrial Gases Association (EIGA); International Federation of Forwarding Agents' Associations (FIATA); International Road Transport Union (IRU); International Union of Railways (UIC); International Union of Private Wagons (UIP).

ADOPTION OF THE AGENDA

Documents: TRANS/WP.15/AC.1/91 [Circular letter A 81-02/501.2003 of the Central Office for International Carriage by Rail (OCTI)]

Informal documents: INF.1, INF.2 and INF.33

2. The Joint Meeting adopted the agenda as amended in accordance with informal documents INF.1, INF.2 and INF.33, with some corrections.

3. It was decided to establish a working group on tanks, which met concurrently from 24 to 26 March 2003, and a working group on standards which met outside the times of the plenary meetings.

4. Documents with the symbol TRANS/WP.15/AC.1/ in this report are distributed by OCTI under the symbol OCTI/RID/GT-III/ followed by the same serial number.

TANKS

Documents: TRANS/WP.15/AC.1/90/Add.2 (Report of the Working Group on Tanks at the last session)

TRANS/WP.15/AC.1/2003/1 (Germany)

TRANS/WP.15/AC.1/2003/12 (Germany)

TRANS/WP.15/AC.1/2003/13 (Netherlands)

TRANS/WP.15/AC.1/2003/19 (Germany)

TRANS/WP.15/AC.1/2003/31 (UIC)

TRANS/WP.15/AC.1/2003/33 (UIC)

TRANS/WP.15/AC.1/2003/34 (Belgium)

TRANS/WP.15/AC.1/2003/36 (France)

TRANS/WP.15/AC.1/2003/39 (UIP)

Informal documents: INF.4 (Germany)

INF.6 (Switzerland)

INF.11 (Germany)

INF.14 (OCTI)

INF.15 (EIGA)

INF.27 (Germany)

INF.38 (Italy)

INF.41 (France)

5. After each document had been introduced in the plenary, it was entrusted to the Working Group on Tanks for consideration in detail.

6. In the case of UIC document TRANS/WP.15/AC.1/2003/33 on portable tanks (Chapters 4.2 and 6.7), the Joint Meeting noted that proposals on the same subject had been submitted to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods and had not been adopted. If the Joint Meeting wished to amend these texts concerning multimodal equipment, it would be necessary for the United Nations Sub-Committee of Experts to adopt the Joint Meeting's proposals for possible amendments before changes were made to RID and ADR. The representative of UIC said that this matter had been discussed many times by the Sub-Committee, but that no solution to the problems outstanding had been found to date.

7. The representative of Finland requested that the Working Group should also study the question of plastics tanks. She was invited to set out the problem she had raised in an official document for the next session.

8. The Working Group's report, informal document INF.50, amended in accordance with informal document INF.52, is reproduced as annex 1 to this report (TRANS/WP.15/AC.1/92/Add.1). The Joint Meeting's decisions concerning this report are listed below.

9. Point 1: The Working Group's proposals were adopted. Attention was drawn to standardization for certain requirements and the fact that transitional measures needed to be envisaged.

10. Point 2: The Working Group's recommendation to adopt document TRANS/WP.15/AC.1/2003/13 was approved.
11. Point 3: The new wording of the addition proposed by the Working Group was adopted.
12. Point 4: Consideration of the proposals and recommendations of the Working Group were postponed until the next session. The Government of Switzerland would submit a new proposal in order to eliminate ambiguities.
13. Point 5: The Working Group's recommendation to adopt document TRANS/WP.15/AC.1/2003/36, slightly modified, and the amendment of informal document INF.52 was approved.
14. Point 6: The Working Group's recommendation to adopt informal document INF.41 was approved.
15. Point 7: The new texts proposed by the Working Group were adopted.
16. Point 8: The two reworded texts proposed by the Working Group were approved.
17. Point 9: The rewording of the text proposed by the Working Group was adopted; "of 0.9 times" was replaced by "between 0.9 and 1.0" times and the value "50 mm" was placed in square brackets. Transitional measures should be envisaged.
18. Point 10: Consideration of the solution proposed by the Working Group was postponed until the next meeting.
19. Point 11: The question of special provisions would be the subject of a proposal by France to the Joint Meeting. The deletion of the details of the substances was approved by the Working Group and was sent to the RID Committee of Experts for a final decision.
20. Points 12-14: The recommendations and procedures proposed by the Working Group were approved.
21. All the texts adopted under this agenda item appear in annex 2 to this report.
22. The representative of Belgium did not agree with the procedure applied for the adoption of the Working Group's report, and in particular the impossibility of discussing certain points that he considered debatable.

STANDARDS

- Documents: TRANS/WP.15/AC.1/90/Add.3 (Procedure of Cooperation with CEN)
TRANS/WP.15/AC.1/2002/14 (CEN)
TRANS/WP.15/AC.1/2002/16 (CEN)
TRANS/WP.15/AC.1/2002/24 (AEGPL)

Informal documents: INF.8 (CEN)

INF.13 (CEN)

INF.17 (Sweden)

INF.29 (CEN)

INF.31 (CEN)

INF.44 (CEN)

23. Documents INF.31 (as from section B), INF.17 and INF.19 were submitted to the working group on standards for consideration. The working group was asked to finalize a list of standards which did not pose problems and a list of standards on which there was no consensus and on which the Joint Meeting needed to take decisions by vote.

Informal document: INF.48 (Report of the working group)

24. The Joint Meeting considered the various proposals for referring to EN standards put forward by the working group.

25. Proposal No. 2 was adopted by consensus (see annex 2).

26. The Joint Meeting adopted the references to the four standards in proposal No. 4 (see annex 2) but rejected the proposal by Switzerland to reinforce the stringency of the test criteria for rate of leakage referred to in the standard.

27. The reference to standard EN 13110:2002 (proposal No. 5) was adopted (see annex 2), but not the addition of a note to the effect that the requirements of 6.2.3.2.3 should be met.

28. The Joint Meeting confirmed that the draft standards quoted in proposal No. 6 (a) to (c), (e) and (f) were in conformity with RID and ADR, but that the references could not be introduced unless the definitive versions of the standards were published in time and provided that their content had not undergone any modification. The references were therefore put in square brackets for the time being. The Joint Meeting would take a definitive decision once the results of the formal vote within CEN were known.

29. Where draft standard prEN 14025, referred to in proposal No. 6 (d) was concerned, the Joint Meeting noted that the representative of Finland would like to come back to it at the next session.

30. Proposal No. 1 that a NOTE should be added to the tables in 6.2.2, 6.8.2.6 and 6.8.3.6, specifying that the persons or bodies identified in the standards as having responsibilities in accordance with RID/ADR must comply with the requirements of RID/ADR, was adopted (see annex 2).

31. Proposal No. 1 (b) by Switzerland, the purpose of which was to specify in these tables that the rules of RID/ADR must not be modified by the standards, was the subject of lengthy

discussion. On the one hand, this provision as drafted seemed to reflect a general principle addressed to the standardization bodies rather than to the users of RID and ADR. On the other hand, several delegations considered that it was not logical to state that standards were deemed to comply with the requirements of RID/ADR and at the same time stress that in the event of contradictions between RID/ADR and the standards the requirements of RID/ADR took precedence. That would inevitably leave the user in a state of uncertainty and would also call in question the validity of the existence of a working group on standards.

32. Some delegations, however, considered that there was a risk in the future that the Joint Meeting would forget to check the standards cited when the provisions of RID/ADR were updated, and that procedures should be envisaged for deleting references to obsolete standards or for simultaneously updating standards relating to amended provisions.

33. The representative of Switzerland considered that, in view of the differences in the procedures and publication periods for the standards and RID/ADR, it was not possible to guarantee their timely concordance.

34. It was finally decided to entrust consideration of the proposal by Switzerland to the working group on standards.

35. The Joint Meeting approved the reference to standard EN 12245:2002 (proposal No. 3) for composite cylinders for gases.

36. The representative of AEGPL said that his organization was not in favour of using this standard for cylinders intended for liquefied petroleum gas.

Informal document: INF.13 (CEN)

37. The Joint Meeting adopted the proposal by CEN to amend the second paragraph of step 3 of the procedure of cooperation with CEN, adopted at the last Joint Meeting (see TRANS/WP.15/AC.1/90/Add.3-OCTI/RID/GT-III/2002-B/Add.3), in order to prevent the Formal Vote process from being blocked in the event of negative comments.

38. It was agreed that if a standard did not meet the requirements of RID/ADR, reference would not be made to it. It would then be for CEN to revise it accordingly.

4. MISCELLANEOUS PROPOSALS FOR AMENDMENTS TO RID/ADR/ADN

Part 1

Document: TRANS/WP.15/AC.1/2003/18 (AEGPL)

39. The proposal by AEGPL to amend the provision of 1.1.3.2 (f) to solve a practical problem concerning uncleaned, empty, fixed (stationary) pressure tanks (not in conformity with RID/ADR) was adopted, by means of amendments so as not to specify any particular type of closure, except that it must be hermetic (see annex 2).

Document: TRANS/WP.15/AC.1/2003/30 (UIC)

40. The representative of UIC introduced his document resulting from the discussions at the thirty-ninth session of the RID Committee of Experts on bringing RID into line with ADR with reference to new paragraph 1.1.4.2.2 of ADR. He raised the following problems in particular:

- Whether documents used for transport by sea and air can be used as annexes to the ADR transport document or can be used as a full replacement for the ADR transport document;
- What the position is of the provisions specific to ADR, in particular those relating to special provisions 645 and 640 [5.4.1.2.1 (g) and 5.4.1.1.16] and provision 5.4.1.1.7.

41. These questions gave rise to a long discussion. The representative of FIATA (author of the original proposal) reminded the meeting that the goal of this provision was to facilitate multimodal transport. He considered that some of these provisions specific to ADR concerned safety while others were bureaucratic. The former could be included in the IMDG Code and in the ICAO Technical Instructions (TI). The latter should be deleted.

42. In order to break the deadlock, it was agreed that a working group would be convened to be held in Hamburg on 10 and 11 June 2003, at the invitation of Germany.

43. The following mandate was decided:

- (a) Determination of the differences between land transport and maritime/air transport.
- (b) Evaluation of these differences from the utilitarian and safety points of view and drafting of proposed solutions.
- (c) Solution of problems of documentation at the interface between maritime/air and land transport.
- (d) Examination of the obligations of the new consignor (forwarding agent) in ports and airports.

44. The representative of UIC asked the meeting to reflect on the fact that the new consignor, insofar as he did not load or unload the goods himself, was not required to have a safety adviser. The representative of CIT suggested that consideration should be given to the role and objective of the “Dangerous goods declaration”.

45. The representative of the United Kingdom proposed that the secretariats of IMO and ICAO should be invited so that their collaboration could be ensured from the start of the work.

Document: TRANS/WP.15/AC.1/2003/29 (UIC)

Informal document: INF.34 (Germany)

46. The representative of UIC submitted his proposal to include definitions of “boiling point” and “initial boiling point of mixtures”, specifying that this question concerned carriage in RID/ADR tanks only, in view of the parameters specific to RID/ADR (initial boiling point of less than 35° C and vapour pressure of 110 kPa or less).

47. In informal document INF.34 the representative of Germany proposed to settle the question by means of a special provision in Chapter 3.3 (6xx) for the substances concerned.

48. The Chairman proposed that the question should be resolved by an ad hoc working group, in particular so that provision could be made, for example, for an additional row in Table A in order not to modify the packing group and as a result the classification.

49. The representative of UIC recalled that a precedent already existed in RID/ADR for petrol. This did not pose problems at the multimodal level.

50. It was agreed that a policy decision would only be taken once the ad hoc working group had submitted a new text.

Informal documents: INF.46 (Report of the ad hoc group)

INF.47 (Belgium)

51. During discussion of the text of the provision proposed by the ad hoc group (INF.46), it was pointed out that the problem for petroleum crude oil (UN No. 1267), petroleum distillates (UN No. 1268) and liquid hydrocarbons (UN No. 3295) was that these mixtures contained a very small proportion of very volatile fractions, which meant that even if the vapour pressure was less than 110 kPa, the initial boiling point might be very low, depending on the test method used to determine it. That would mean assigning packing group I, but no provision existed for this case in the list for assigning tank codes. The problem did not arise using the ASTM D 86-01 method, which produced an initial boiling point greater than 35° C and therefore meant that packing group II applied.

52. The Joint Meeting adopted the proposal to introduce a special provision indicating that standard ASTM D 86-01 was suitable for determining the initial boiling point of these substances (see annex 2).

53. On the basis of informal document INF.47, as revised by document INF.51, the Joint Meeting also agreed to include the additional rows in Table A for the substances in question (see annex 2).

Document: TRANS/WP.15/AC.1/2003/5 (Liechtenstein)

54. Many delegations considered that a fixed period for the refresher courses referred to in 1.3.3 was not desirable since the need for refresher courses also depended on the nature of the activities of the persons concerned and some flexibility in putting them into effect would be preferable. A few others supported the proposal for a fixed interval between courses. Some considered that it would be a good idea to establish a period of two years rather than three, so that the refresher periods would correspond to the usual cycle of amendments.

55. The representative of Liechtenstein withdrew his proposal but requested that the question should remain on the agenda for the next session.

Document: TRANS/WP.15/AC.1/2003/15 (Serbia and Montenegro)

56. After a general discussion of this proposal, it was agreed to entrust points 1 to 4 to the RID Working Group on Tank and Vehicle Technology for evaluation.

Safety adviser - Section 1.8.3

Documents: TRANS/WP.15/AC.1/2003/26-OCTI/RID/GT-III/2003/26 (IRU)

TRANS/WP.15/AC.1/2003/3-OCTI/RID/GT-III/2003/3 (Liechtenstein)

TRANS/WP.15/AC.1/2003/15-OCTI/RID/GT-III/2003/15, point 6
(Serbia and Montenegro)

Informal documents: INF.21 (Spain)

INF.22 (IRU)

INF.23 (Belgium)

INF.39 (France)

57. Since informal document INF.23 covered the same subject but contained specific proposals, documents TRANS/WP.15/AC.1/2003/3 and informal document INF.21 were withdrawn.

58. The Chairman noted that certain documents, particularly TRANS/WP.15/AC.1/2003/26, paragraph 2 (b), went back over principles already put forward at the last Joint Meeting (see TRANS/WP.15/AC.1/90, paragraph 33), namely, with reference to paragraph 1.8.3.16 (renewal of the certificate).

59. Several participants took the floor on the subject of the interpretation of the use of the terms “refresher course” or “examination” in 1.8.3.16. It was agreed that the European directive provided for at least one of the two possibilities and that it also provided that when it was incorporated into domestic legislation more binding provisions could be included, in particular the requirement of a refresher course and an examination which had already been included in domestic legislation in certain cases.

60. Several delegations expressed the view that the existing text of 1.8.3.16 meant that the competent authority could prescribe either an approved refresher course or an approved examination.

61. As for who made the choice between the two possibilities, several delegations noted that it was the holder of the certificate himself and not the competent authority who had the choice if domestic legislation made provision for a choice.

62. Realizing that a decision would not be reached during the meeting because of the very full agenda and the lengthy discussions to which consideration of these documents would give rise, the representative of Germany proposed that a working group should be convened. The Joint Meeting accepted this proposal and it was agreed that the group would meet from 9 to 11 July in Geneva, in a room which the representative of IRU offered to make available.

63. The mandate to be given to this working group was the subject of a long discussion. Many suggestions were submitted and priorities were proposed, like those already put forward at the last Joint Meeting (see TRANS/WP.15/AC.1/90, paragraphs 31 and 35).

64. The representative of Portugal reminded the meeting that the European safety adviser directive was modelled on the Directive concerning admission to the occupation of road haulage operator (Directive 96/26/EC, as amended), and made no provision for the approval of refresher training. The Chairman said that if the conditions for obtaining the renewal of the certificate were more stringent than the requirements for obtaining the initial certificate, the latter should be also be revised.

65. Agreement was reached, however, on the absolute priority of establishing a set of conditions or minimum requirements for 1.8.3.16, in order to achieve a minimum level of harmonization.

66. It was considered that the group's mandate should be limited and precise while remaining flexible. The eventuality of recourse to a multilateral agreement to extend provisionally the validity of the certificates was mentioned if the working group was unable to come up with proposals which might be favourably received by the Joint Meeting.

67. At the request of several delegations, the mandate proposed orally by the representative of Germany and based on paragraph 1.8.3.3 was submitted in writing (INF.49) and adopted (see annex 3).

68. The representative of Belgium said that this work was likely to give rise to contradictions with the current European directive on the subject. The representative of the European Commission confirmed that the Commission would adapt the text of the directive in accordance with the decisions taken by the Joint Meeting, and might also envisage repealing the directive depending on the development of the regulations concerning the transport of dangerous goods by inland waterway, particularly the status of the implementation of ADN in member States of the European Union.

Urgent matters

69. The Joint Meeting adopted the proposals contained in the following informal documents, with some amendments (see annex 2):

INF.5 (Germany): Transitional measures for IBCs

INF.18 (OCTI): Corrections

INF.42 (UN/ECE): Corrections

The corrections will be included in the corrigenda to the 2003 editions of RID/ADR/ADN.

HARMONIZATION WITH THE UNITED NATIONS MODEL REGULATIONS

Security in the transport of dangerous goods

Documents: TRANS/WP.15/AC.1/2003/21 (OCTI)

TRANS/WP.15/AC.1/2003/22 (UN/ECE secretariat)

Informal documents: INF.25 (France, Germany, United Kingdom)

INF.37 (UIC)

INF.40 (France)

70. The Joint Meeting took note of the report on the discussions of the RID Committee of Experts (Bern, 18-21 November 2002) concerning the initial proposal from the United Kingdom on behalf of a group of participants, for submission to the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods (ST/SG/AC.10/C.3/2002/65), to introduce security provisions into the various regulations for the transport of dangerous goods.

71. The Joint Meeting also took note of the provisional opinion of the legal service of OCTI at the meeting in question, that the measures proposed perhaps went beyond the scope and objectives of RID, and that it would be preferable for the provisions proposed to be made mandatory for States Parties to COTIF in the form of another instrument of international law.

72. The Joint Meeting further noted that the Sub-Committee of Experts had since then adopted a final text, differing from the initial proposal, which would be incorporated into the United Nations Model Regulations on the Transport of Dangerous Goods as Chapter 1.4. In view of the discussions which had taken place at the last session of the United Nations Working Party on the Transport of Dangerous Goods on the need not to introduce safety provisions that might be discriminatory, and a recent General Assembly resolution to the effect that the Commission on Human Rights should be consulted about new security measures which might be taken by United Nations bodies, Chapter 1.4 of the Model Regulations was brought to the attention of the secretariat of the Commission on Human Rights which confirmed that it did not raise any human rights problems.

73. The Joint Meeting also noted that these provisions would be included in the next version of the IMDG Code to be published in 2004.

74. The representative of UIC supported the position adopted by the legal service of OCTI. He noted, however, that the texts proposed in informal document INF.25 represented considerable progress compared with the original text. The Union had consulted the International Association of Railway Police on the subject, but had not had a reply. He said that it would be very costly to implement the proposed measures and that he would have liked a cost/efficiency assessment.

75. Several delegations said that attention should be paid to the opinion of OCTI's legal service and that it should not be ignored. They would also have liked to consult the United Nations Office of Legal Affairs as to whether the inclusion of such measures in the Annexes to ADR would be compatible with the scope and objectives of the Agreement itself.

76. A member of the UN/ECE secretariat said that the legal framework of ADR differed from that of RID. While ADR first and foremost provided a response to safety objectives, the term "safety" could be more broadly interpreted, notably when security provisions contributed to increasing safety, all the more so because ADR had from the start included in its Annexes security provisions (vehicle supervision, convoy escorts, etc.) which were still to be found in Chapters 8.4 and 8.5.

77. The Joint Meeting also noted that although article 4, paragraph 1, of ADR permitted Contracting Parties to refuse the entry of dangerous goods into their territories for reasons other than safety - for example, security - this did not prevent them from being able to include in the Annexes to ADR security provisions which could be given harmonized application during international transport operations.

78. The representatives of FIATA and IRU said that non-governmental transport organizations and industry had been associated with the drafting of the proposed provisions and that the text adopted by the United Nations represented an acceptable compromise for all active participants in the economy. The representative of IRU emphasized, however, that this compromise was acceptable only if the provisions were harmonized to apply to all transport modes.

79. Some delegations considered that it was unnecessary to introduce a special new chapter on security; the proposed provisions could be incorporated differently into the existing chapters, for example, Chapter 1.3, and for ADR Chapters 8.4 and 8.5.

80. The Chairman asked finally whether the Joint Meeting could accept the proposal to introduce security provisions. The proposal was rejected by a small majority.

81. Some delegations considered that the discussion was closed, but others said that while they did not oppose the idea they could not accept document INF.25 without further discussion and that the terms of the vote had been insufficiently clear with reference to the overall adoption of document INF.25.

82. The Chairman then called for a further vote - this time a roll-call vote - on the principle of introducing new provisions concerning security into RID, ADR or ADN. The results of the vote were as follows:

In favour: Czech Republic, France, Germany, Latvia, Liechtenstein, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Sweden, United Kingdom.

Against: Belgium, Bulgaria, Hungary, Italy, Serbia and Montenegro, Spain, Switzerland.

Abstaining: Austria, Croatia, Denmark, Finland, Romania.

83. After this policy vote, the Chairman proposed that the paragraphs of informal document INF.25 which were the subject of proposals for additions or amendments as contained in informal documents INF.37 (UIC) and INF.40 (France) should be considered first, followed by the other provisions. A decision would then be taken on a new structure which could be considered in September if the Joint Meeting agreed (distribution of the provisions at the pertinent points of RID/ADR); this would not, however, constitute a move towards harmonization and would not facilitate its implementation.

Paragraph 1.x.1.3

84. The proposal by UIC to clarify competences gave rise to a very lengthy discussion on the scope of this provision. In particular, it was asked whether it was generally necessary to specify that the provisions of sections 1.x.1 and 1.x.2 should apply to all dangerous goods with the exception of those subject to exemptions (limited quantities of Chapter 3.4, per transport unit of 1.1.3.6) or to all the exemptions of section 1.1.3.

85. With reference to temporary storage areas, it was agreed not to take into consideration temporary storage due to stops occasioned by conditions of carriage and traffic conditions (on the road/in lay-by areas and in parking places), but rather intermediate temporary storage for the purpose of changing transport modes or means of transport (marshalling yards, container terminals) in accordance with the definition of transport in 1.2.1.

86. The deletion of 1.x.1.3 was also proposed. In order to break the deadlock, the Chairman proposed that an ad hoc working group should be entrusted with revising the text in the light of the discussion, so as to clarify the scope.

87. The Joint Meeting finally adopted a paragraph 1.x.1.3 on the basis of informal document INF.25 as amended by the ad hoc group (informal document INF.45), with some corrections (see annex 2).

88. In correlation with Table 1.x.1 (List of high consequence dangerous goods) it was considered that it would perhaps be wise to revise or adapt Chapters 8.4 and 8.5 within WP.15.

89. With reference to the amendments to 1.x.3.3 and 1.x.3.4 proposed in informal document INF.37, the representative of UIC said that the obligation to lock means of transport posed major practical problems, particularly in the case of wagons and large containers, but that his organization was continuing to study the problems raised by these paragraphs. He would possibly come back to these questions at the next session.

Informal document: INF.40 (France)

90. After discussion of the proposed addition of a paragraph 1.x.3.5 for the purpose of immediately informing the competent authority of all incidents liable to affect security, the representative of France withdrew his proposal. It was noted in particular that the problem had already been dealt with in paragraph 1.4.1.2, although the term “immediately” in the English text of this paragraph did not seem to correspond to the French “directement”.

91. In view of the agenda and the numerous comments, the Chairman said that it would not be possible to envisage adopting the new chapter at the current session; it was agreed to attach the texts of document INF.25 as amended to the report, but to put them in square brackets for a final decision at the next session. Delegations wishing to amend these texts were requested to submit official proposals.

92. The suggestion by Belgium (see paragraph 83) of distributing the new texts among the existing sections of RID/ADR/ADN rather than grouping them in a special chapter did not receive support.

93. With reference to the discussions specific to RID and ADR, a member of the UN/ECE secretariat pointed out that the agenda for the November session of the WP.15 Working Party would be very full and that if delegations had essential questions to raise, it would be helpful if they could already be discussed informally at the May session.

94. The representative of UIC pointed out that RID contained a Chapter 1.10 on emergency measures in marshalling yards which should be taken into account. The representative of Austria was of the opinion that this chapter had nothing to do with security issues.

FUTURE WORK

95. The ad hoc working group on harmonization with the thirteenth revised edition of the Model Regulations would meet in Geneva (Palais des Nations) from 26 to 28 May 2003. The discussions would be in English with no interpretation. The documents prepared by the UN/ECE secretariat would appear as they were drafted on the Transport Division’s web site (under the symbol INF.30 and addenda) (www.unece.org/trans/danger/danger.htm). France, Germany, Netherlands, Norway, Romania, Switzerland, United Kingdom, UIC and OCTI announced that they would participate.

Agenda for the next session

96. The next Joint Meeting would be held in Geneva from 1 to 10 September 2003, with the following provisional agenda:

1. Harmonization with the thirteenth revised edition of the United Nations Model Regulations, including security in the transport of dangerous goods;
2. Safety adviser;
3. Documents pending from the current session.

97. The authors of INF. informal documents were requested to inform the secretariats which of those informal documents were to become official documents. Documents INF.19, INF.20 and INF.38 were already listed.

98. At the request of the representative of Germany, the Joint Meeting expressed the wish for an additional week of meetings before the end of the year in order to implement and adopt the 2005 edition of RID/ADR, in view of the importance and the volume of the amendments.

99. In view of the budgetary restrictions, one solution would be to invert the session of the WP.15 Working Party scheduled from 3 to 7 November 2003 in Geneva and the session of the Joint Meeting scheduled from 22 to 26 March 2004. There would therefore be only one session of the Joint Meeting in 2004 (in Bern in September). The fortieth session of the RID Committee of Experts from 17 to 21 November 2003 would be maintained.

100. The secretariat was asked to study the various possibilities in order to arrive at a solution in accordance with UN/ECE rules and procedures. Delegates were invited to contact their Governments in order to stress the need for additional meeting time and support the amendments to the programme of work which the secretariat would put forward in view of this request.

ADOPTION OF THE REPORT

101. The Joint Meeting adopted the report and its annexes on the basis of a draft prepared by the secretariats.

Annex 1

REPORT OF THE WORKING GROUP ON TANKS

(see TRANS/WP.15/AC.1/92/Add.1)

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Annex 2

Annex 2

TEXTS ADOPTED BY THE JOINT MEETING

(see TRANS/WP.15/AC.1/92/Add.2)

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Annex 3

TERMS OF REFERENCE FOR THE SAFETY ADVISER WORKING GROUP

1. Examination of the documents submitted to the Joint Meeting or the working group.
2. Evaluation of the adequacy of the basic requirements and conditions for obtaining the initial and renewed certificate.
3. Drafting proposals setting out minimum requirements for the approval of training and/or examination in the light of the evaluation under item 2.
4. Proposal for short-term solutions regarding renewal of the certificate in the member States of COTIF or the Contracting Parties of ADR.
5. Exchange of experience on applying the requirements in section 1.8.3 and evaluation of any matters arising.

Ground rules for the work of the working group:

- The basis for discussion is the existing duties of the safety adviser as set out in 1.8.3.3.
- The aim is to ensure a harmonized qualification for safety advisers.
