
Economic Commission for Europe**Inland Transport Committee****5 August 2011****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)****Nineteenth session**

Geneva, 22–25 August 2011

Item 4 of the provisional agenda

Proposals for amendments to the Regulations annexed to ADN

Proposal to amend 8.1.2.4**Transmitted by the European Barge Union (EBU)**

1. Paragraph 8.1.2.4 currently reads as follows: "The instructions in writing referred to in 5.4.3 shall be handed to the master before loading. They shall be kept readily at hand in the wheelhouse. On board dry cargo vessels, the transport documents shall be handed to the master before loading and on board tank vessels they shall be handed to him after loading."
2. Concerning the obligations of the Carrier, paragraph 1.4.2.2.1 reads:
"In the context of 1.4.1, where appropriate, the carrier shall in particular:
(a) ascertain that the dangerous goods to be carried are authorized for carriage in accordance with ADN;
(b) ascertain that all information prescribed in ADN related to the dangerous goods to be carried has been provided by the consignor before carriage, that the prescribed documentation is on board the vessel or if electronic data.....of paper documentation;
....."
3. Paragraph 1.4.2.2.3 further states: "If the carrier observes an infringement of the requirements of ADN, in accordance with 1.4.2.2.1, he shall not forward the consignment until the matter has been rectified."

The problem

4. There seems to be some confusion about the meaning of "after loading" in 8.1.2.4 and vessel operators are often asked to manoeuvre the vessel to other parts of the port for loading additional cargo or to await berths to receive the necessary paperwork. During this time and transport (forward) the vessel operator is at risk of being in breach of paragraph 1.4.2.2 and on numerous instances operators have actually been fined.

Proposal

5. In order to make it clearer that documentation needs to be provided to the carrier before forwarding the cargo, it is proposed to add the word "immediately" before "after loading".

6. In the German language version of ADN 2011 the word immediately (direkt) is already included and is in line with the previously used ADNR.

7. Paragraph 8.1.2.4 would be amended to read as follows: "The instructions in writing referred to in 5.4.3 shall be handed to the master before loading. They shall be kept readily at hand in the wheelhouse.

On board dry cargo vessels, the transport documents shall be handed to the master before loading and on board tank vessels they shall be handed to him **immediately** after loading."
