



**Committee of Experts on the Transport of Dangerous Goods
and on the Globally Harmonized System of Classification
and Labelling of Chemicals****Sub-Committee of Experts on the Transport of Dangerous Goods****Forty-third session**

Geneva, 24–28 June 2013

Item 6 (j) of the provisional agenda

**Miscellaneous proposals for amendments to the Model Regulations
on the Transport of Dangerous Goods: other proposals****Status of standards referenced in the Regulations and of the
standards referenced within those standards – paragraph
1.1.1.7****Transmitted by the expert from the United Kingdom¹**

1. The status of standards referenced in the regulations was clarified in the seventeenth revision of the Model Regulations in paragraph 1.1.1.7. However, further questions have been raised about how standards shall be applied. In particular, regulators in Europe have been asked if the standards that are referenced within a standard (the normative references) need to be followed or if alternative standards or specifications can be used instead. The United Kingdom provided informal paper INF. 19 for the forty-second session of the Sub-Committee of experts on the Transport of Dangerous Goods. However, it was not discussed due to shortage of time. The United Kingdom now wishes to resubmit the proposal for consideration with the addition of a final sentence.

2. To the expert from the United Kingdom it seems logical that the standards referenced are part of the regulations and, with the exception of conflicting requirements described in 1.1.1.7, shall be applied with the same rigour. Also, it must be realised that when standards are written, they are constructed to create a safe piece of equipment or to give a safe method of work. It would be potentially unsafe to vary requirements. Standards are based on research and operational experience and are a consensus of experts. The thinking and experience behind the requirements in standards are not explained so the

¹ In accordance with the programme of work of the Sub-Committee for 2013-2014 approved by the Committee at its sixth session (refer to ST/SG/AC.10/C.3/84, para. 86 and ST/SG/AC.10/40, para. 14).

reader does not have the information to make a safe judgement when following alternative solutions.

3. Therefore, it is necessary to state in the Regulations that the standard shall be applied as written and that alternative solutions are not permitted unless the text clearly provides for this.

Proposal

4. Amend paragraph 1.1.1.7 by adding the sentence shown underlined.

1.1.1.7 Application of standards

Where the application of a standard, or part of a standard, is required and there is any conflict between the provisions of the standard and those of these Regulations, the provisions of these Regulations take precedence. The requirements of the standard that do not conflict with these Regulations shall be applied as specified, including the requirements of any other standard, or part of a standard, referenced within that standard. Alternative requirements shall only be recognised where this is explicitly allowed by these Regulations.
