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## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on the Transport of Perishable Foodstuffs

##### Sixty-ninth session

Geneva, 8-11 October 2013

Item 5 (b) of the provisional agenda

##### Proposals of amendments to the ATP: New proposals

## Proposals aimed at clarifying provisions in annex 1, appendix 1

### Transmitted by the Government of Belgium

#### Introduction

1. The proposed amendments to annex 1, appendix 1, paragraphs 1 and 3 are inspired by informal document INF. 14 issued at the sixty-eighth session of WP.11.
2. Some countries perform tests thanks to the terms "registered or recorded". Belgium is of the view that the word "recorded" should only be used if it is not possible to have a registration (license plate) on the body.
3. However, it should be possible that vehicles registered in a country are checked by a testing station in another country when there is written and approved agreement between the two countries involved.

#### Proposals

4. Amend annex 1, appendix 1, paragraph 1 as follows:  
"Checks for conformity with the standards prescribed in this annex shall be made:
  - (a) before equipment enters into service;
  - (b) periodically, at least once every six years;
  - (c) whenever required by the competent authority.

Except in the cases provided for in appendix 2, sections 5 and 6, to this annex, the checks shall be made by at:

(a) a testing station designated or approved by the competent authority of the country in which the equipment is registered or, when it cannot be registered, recorded for exploitation, unless, in the case of the check referred to in (a) above, a check has already been made on the equipment itself or on its prototype in a testing station designated or approved by the competent authority of the country in which the equipment was manufactured.

(b) a testing station designated or approved by the competent authority of the country that has a written and approved agreement with the country in which the equipment is registered.

In both cases, the certificate shall be provided by the competent authority of the country in which the equipment is registered or, when it cannot be registered, recorded for exploitation except if there is a written and approved agreement between both concerned countries."

5. Amend annex 1, appendix 1, paragraph 3 as follows:

"3. A certificate of compliance with the standards shall be issued by the competent authority of the country in which the equipment is to be registered or, when it cannot be registered, recorded for exploitation. This certificate shall conform to the model reproduced in appendix 3 to this annex.

The certificate of compliance shall be carried on the equipment during carriage and be produced whenever so required by the control authorities. However, if a certification plate of compliance, as reproduced in appendix 3 to this annex, is fixed to the equipment, the certification plate of compliance shall be recognized as equivalent to a certificate of compliance. A certification plate of compliance may be fixed to the equipment only when a valid certificate of compliance is available. Certification plates of compliance shall be removed as soon as the equipment ceases to conform to the standards laid down in this annex.

In the case of equipment transferred to another country, which is a Contracting Party to ATP, it shall be accompanied by the following documents so that the competent authority of the country in which the equipment is to be registered, or, when it cannot be registered, recorded for exploitation, can issue a certificate of compliance:

(a) in all cases, the test report of the equipment itself or, in the case of serially produced equipment, of the reference equipment;

(b) in all cases, the certificate of compliance issued by the competent authority of the country of manufacture or, for equipment in service, the competent authority of the country of registration. This certificate will be treated as a provisional certificate if necessary with a maximum validity of six months ~~valid, if necessary, for three months~~;

(c) in the case of serially produced equipment, the technical specification of the equipment to be certified as issued by the manufacturer of the equipment or his duly accredited representative (this specification shall cover the same items as the descriptive pages concerning the equipment which appear in the test report and shall be drawn up in at least one of the official languages).

In the case of equipment transferred after it has been in use, the equipment may be subject to a visual inspection to confirm its identity before the competent authority of the country, in which it is to be registered or, when it cannot be registered, recorded for exploitation, issues a certificate of compliance."



7. Add a new footnote 16 after the Certificate model to read as follows:

<sup>16</sup> *If applicable, mention the name of the country with which a bilateral agreement has been signed.*"

### **Justification**

The proposal aims to avoid ambiguous interpretations of the original text and permits bilateral/multilateral agreements between countries about the compliance of ATP certificates.

### **Costs**

8. No additional costs.

### **Feasibility**

9. Immediate for new certificates. A transition period will be required for existing certificates.

### **Enforceability**

10. Easily enforceable with modification of the certificate.

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