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Item 8 of the provisional agenda

Any other business

References to Competent authority in Part 8 and Part 9

Note by the secretariat*

As a follow-up to the discussion held in the Joint Meeting about the references to Competent authorities in RID/ADR/ADN and as requested by the Working Party (see ECE/TRANS/WP.15/244, paragraph 27), the secretariat has compiled in the table annexed to this document instances where the term “competent authority” appears in Parts 8 and 9 of ADR 2019. Where deemed necessary, proposals to further clarify the competent authority referred to is included in the column “Comments” for consideration by the Working Party.

* In accordance with the programme of work of the Inland Transport Committee for 2018–2019 (ECE/TRANS/2018/21/Add.1, cluster 9, 9.1).

Annex

Part 8

Paragraph	Text	Comment
8.1.2.2	Where the provisions of ADR require the following documents to be drawn up, they shall likewise be carried on the transport unit: [...] (c) A copy of the competent authority approval , when required in 5.4.1.2.1 (c) or (d) or 5.4.1.2.3.3.	5.4.1.2.1 (c) refers to the competent authority defined in P101 5.4.1.2.3.3 refers to the competent authority defined in 7.5.2.2, note a.
8.1.4.4	The fire extinguishers shall be subjected to inspections in accordance with authorized national standards in order to guarantee their functional safety. They shall bear a mark of compliance with a standard recognized by a competent authority and a marking indicating the date (month, year) of the next inspection or of the maximum permissible period of use, as applicable.	Of the country of use?
8.2.1.1	Drivers of vehicles carrying dangerous goods shall hold a certificate issued by the competent authority stating that they have participated in a training course and passed an examination on the particular requirements that have to be met during carriage of dangerous goods.	Of the country where they passed the examination?
8.2.1.2	... Training shall be given in the form of a course approved by the competent authority The competent authority may approve basic training courses limited to specific dangerous goods or to a specific class or classes...	In Chapter 8.2, refers to the competent authority of the country where the training and examinations take place.
8.2.1.3	...The competent authority may approve tank specialization training courses limited to specific dangerous goods or to a specific class or classes.	
8.2.1.5	All training courses, practical exercises, examinations and the role of competent authorities shall comply with the provisions of 8.2.2.	
8.2.1.6	All training certificates conforming to the requirements of this section and issued in accordance with 8.2.2.8 by the competent authority of a Contracting Party shall be accepted during their period of validity by the competent authorities of other Contracting Parties .	
8.2.2.4.2	The total duration of the comprehensive training course may be determined by the competent authority , who shall maintain the duration of the basic training course and the specialization training course for tanks, but may supplement it with shortened specialization training courses for Classes 1 and 7.	
8.2.2.6.1	The training courses shall be subject to approval by the competent authority .	
8.2.2.6.4	The competent authority shall organize the supervision of training and examinations.	

Paragraph	Text	Comment
8.2.2.6.5	Approval shall be granted in writing by the competent authority subject to the following conditions: ... (b) The competent authority shall be granted the right to send authorized persons to be present at the training courses and examinations; (c) The competent authority shall be advised in time of the dates and the places of the individual training courses; (d) The approval may be withdrawn if the conditions of approval are not complied with.	
8.2.2.6.7	If the training body, after a training course has been given approval, intends to make any alterations with respect to such details as were relevant to the approval, it shall seek permission in advance from the competent authority . This applies in particular to changes concerning the training programme.	
8.2.2.7.1.3	For this purpose the competent authority shall prepare a catalogue of questions which refer to the items summarized in 8.2.2.3.2. ...	
8.2.2.7.1.5	Each competent authority shall supervise the modalities of the examination; including, if necessary, the infrastructure and organisation of electronic examinations in accordance with 8.2.2.7.1.8, if these are to be carried out.	
8.2.2.7.1.8	(a) The hardware and software shall be checked and accepted by the competent authority ;	
8.2.2.8.2	... The certificate shall be renewed if the driver furnishes proof of participation in refresher training in accordance with 8.2.2.5 and has passed an examination in accordance with 8.2.2.7 in the following cases: (a) In the twelve months before the date of expiry of the certificate. The competent authority shall issue a new certificate, valid for five years, the period of validity of which shall begin with the date of expiry of the previous certificate; (b) Prior to the twelve months before the date of expiry of the certificate. The competent authority shall issue a new certificate, valid for five years, the period of validity of which shall begin from the date on which the refresher examination was passed.	
8.2.2.8.4	The certificate shall be prepared in the language(s) or one of the languages of the country of the competent authority which issued the certificate . If none of these languages is English, French or German, the title of the certificate, the title of item 8 and the titles on the back shall also be drawn up in English, French or German.	
Chapter 8.5, additional requirement S1	(2) Approved official If the national regulations so provide, the competent authority of a country contracting party to ADR may require an approved official to be carried in the vehicle at the carrier's expense. (4) Places of loading and unloading (a) Loading or unloading of substances and articles of Class 1 shall not take place in a public place in a built-up area without special permission from the competent authorities ; (b) Loading or unloading of substances and articles of Class 1 in a public space elsewhere than in a built-up area without prior notice thereof having been given to the competent authorities shall be prohibited, unless operations are urgently necessary for reasons of safety;	

Paragraph	Text	Comment
Chapter 8.5, additional requirement S1	(4) Places of loading and unloading (a) Loading or unloading of substances and articles of Class 1 shall not take place in a public place in a built-up area without special permission from the competent authorities ; (b) Loading or unloading of substances and articles of Class 1 in a public space elsewhere than in a built-up area without prior notice thereof having been given to the competent authorities shall be prohibited, unless operations are urgently necessary for reasons of safety;	Competent authorities of the country of loading or unloading?
Chapter 8.5, additional requirement S1	(5) Convoys ... (b) The competent authority may lay down rules for the order or composition of convoys.	Of the countries where the carriage takes place?
Chapter 8.5, additional requirement S1	(6) Supervision of vehicles ... In addition, these substances and articles shall be supervised at all times in order to prevent any malicious act and to alert the driver and the competent authorities in the event of loss or fire.	Of the countries where the carriage takes place?
Chapter 8.5, additional requirement S8	When a transport unit is loaded with more than 2 000 kg of these substances, stops for service requirements shall as far as possible not be made near inhabited places or frequented places. A longer stop near such places is permissible only with the consent of the competent authorities .	Of the countries where the stops take place?
Chapter 8.5, additional requirement S9	During the carriage of these substances, stops for service requirements shall as far as possible not be made near inhabited places or frequented places. A longer stop near such places is permissible only with the consent of the competent authorities .	Of the countries where the stops take place?
Chapter 8.5, additional requirement S16	In addition, vehicles carrying more than 500 kg of these substances shall be subject at all times to supervision to prevent any malicious act and to alert the driver and competent authorities in the event of loss or fire.	Of the countries where the carriage takes place?
Chapter 8.5, additional requirement S21	...In addition, these goods shall be subject at all times to supervision to prevent any malicious act and to alert the driver and the competent authorities in the event of loss or fire.	Of the countries where the carriage takes place?

Paragraph	Text	Comment
8.6.2	Road signs or signals governing the passage of vehicles carrying dangerous goods The tunnel category, assigned in accordance with 1.9.5.1 by the competent authority to a given road tunnel for the purpose of restricting the passage of transport units carrying dangerous goods, shall be indicated as follows by means of road signs and signals:	Refers to the competent authority of a country contracting Party to ADR responsible for the categorization of tunnels within its jurisdiction in accordance with 1.9.5.1.
8.6.3.1	... restrictions to the passage through tunnels may, however, be part of the special arrangement approved by the competent authority(ies) on the basis of 1.7.4.2.	Refers to 1.7.4.2.

Part 9

Paragraph	Text	Comment
9.1.1.2	"ADR approval" means certification by a competent authority of a Contracting Party that a single vehicle intended for the carriage of dangerous goods satisfies the relevant technical requirements of this Part as an EX/II, EX/III, FL, OX, or AT vehicle or as a MEMU.	
9.1.2.1	EX/II, EX/III, FL, OX and AT vehicles and MEMUs shall comply with the relevant requirements of this Part. Every complete or completed vehicle shall be subjected to a first inspection by the competent authority in accordance with the administrative requirements of this Chapter to verify conformity with the relevant technical requirements of Chapters 9.2 to 9.8. The competent authority may waive the first inspection for a tractor for a semi-trailer type-approved in accordance with 9.1.2.2 for which the manufacturer, his duly accredited representative or a body recognised by the competent authority has issued a declaration of conformity with the requirements of Chapter 9.2. The conformity of the vehicle shall be certified by the issue of a certificate of approval in accordance with 9.1.3...	Of the country of approval / Of the country of registration? <i>Proposal:</i> Replace "...a body recognised by the competent authority" by "...a body recognised by this competent authority "?
9.1.2.2	Requirements for type-approved vehicles At the request of the vehicle manufacturer or his duly accredited representative, vehicles subject to ADR approval according to 9.1.2.1 may be type-approved by a competent authority . The relevant technical requirements of Chapter 9.2 shall be considered to be fulfilled if a type approval certificate has been issued by a competent authority in accordance with UN Regulation No. 105 ² provided that the technical requirements of the said Regulation correspond to those of Chapter 9.2 of this Part and provided that no modification of the vehicle alters its validity. In the case of MEMUs, the type approval mark affixed in accordance with UN Regulation No. 105 may identify the vehicle as either MEMU or EX/III. MEMUs need only be identified as such on the certificate of approval issued in accordance with 9.1.3. This type approval, granted by one Contracting Party , shall be accepted by the other Contracting Parties as ensuring the conformity of the vehicle when the single vehicle is submitted for inspection for ADR approval. At the inspection for ADR approval , only those parts of the type-approved incomplete vehicle which have been added or modified in the process of completion shall be inspected for compliance with the applicable requirements of Chapter 9.2.	of a country contracting party to ADR?
9.1.3.1	Conformity of EX/II, EX/III, FL, OX and AT vehicles and MEMUs with the requirements of this Part is subject to a certificate of approval (certificate of ADR approval) ⁴ issued by the competent authority of the country of registration for each vehicle whose inspection yields satisfactory results or has resulted in the issue of a declaration of conformity with the requirements of Chapter 9.2 in accordance with 9.1.2.1.	
9.1.3.2	A certificate of approval issued by the competent authority of one Contracting Party for a vehicle registered in the territory of that Contracting Party shall be accepted, so long as its validity continues, by the competent authorities of the other Contracting Parties .	