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**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****Fifty-seventh session**

Geneva, 30 November-8 December 2020

Item 12 of the provisional agenda

**Programme of work for the biennium 2021-2022****Unified Interpretations****Transmitted by the expert from the United States of America\*****Introduction**

1. The Model Regulations present a global framework of provisions that allow uniform development of national and international safety regulations governing the various modes of transport. The UN Model Regulations are updated on a biennial cycle and then various modal and national regulations incorporate or align with these regulations.
2. While there remains the need to continuously address new technologies and evolving risk in the transportation system, the Model Regulations are relatively mature. Many proposals submitted to this Sub-Committee arise from questions concerning the applicability of existing provisions in the Model Regulations (e.g., ST/SG/AC.10/C.3/2020/27, ST/SG/AC.10/C.3/2020/36, and ST/SG/AC.10/C.3/2020/38).
3. The safety provisions of the Model Regulations are primarily performance based and at times can be subject to interpretation. Differing interpretations of key provisions of the Model Regulations, and implementing regulations, can provide regulatory uncertainty for carriers, offerors, and competent authorities. This regulatory uncertainty may lead to misapplication of the Model Regulation provisions or differing requirements being implemented in multiple countries/regions. Individual competent authorities are often compelled to interpret the intent of the provisions of the Model Regulations. No mechanism for a unified interpretation of the Model Regulations exists.

**Discussion**

4. The principle underlying the Model Regulations is to provide a uniform level of safety through a global framework, to facilitate the safe transport of dangerous goods. Experience from the current biennium seems to indicate that the TDG Sub-Committee could consider other opportunities to facilitate the safe transport of dangerous goods in addition to the

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\* 2020 (A/74/6 (Sect.20) and Supplementary, Subprogramme 2).

traditional amendments to the Model Regulations, to include consideration of a unified interpretation process.

5. As an example, the International Maritime Organization (IMO) utilizes a system of Unified Interpretations (UIs) to address interpretation of existing regulatory issues. In IMO practice, UIs are approved by the respective committees to ensure uniform application of technical requirements or to provide more specific guidance on certain provisions. The UIs are published as circulars of the committees, inviting member governments to apply the UIs as appropriate or to use them as guidance and to bring them to the attention of all parties concerned. Reference to the IMO procedure is only intended as an example, any procedure considered by the Sub-Committee would be subject to rules of procedure established by the Sub-Committee and confirmed as acceptable by the Secretariat.

### **Action Requested**

6. The Sub-Committee is invited to discuss the merits of a unified interpretation system in the context of the Model Regulations for inclusion in the 2021-2022 biennium's program of work.

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