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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

**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 Waterway (ADN)**
(Sixtieth session, Geneva, 27-30 May 2002)*/

RESTRUCTURING OF THE REGULATIONS ANNEXED TO ADN

Addendum 9

Chapter 1.10 – Agreement of classification societies

Note by the secretariat **/

The secretariat presents below Chapter 1.10 of the draft of the restructured annexed Regulations to ADN. This Chapter is completely based on Chapter 2, Annex C, ADN (see ECE/TRANS/150).

*/ This meeting is organized jointly by the Economic Commission for Europe and the Central Commission for the Navigation of the Rhine.

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PART 1

CHAPTER 1.10

~~Annex C~~ Chapter 2

CHAPTER 2

~~Part 10.~~ RECOGNITION OF CLASSIFICATION SOCIETIES

~~2.1~~ 1.10.1 General

In the event of the conclusion of an international agreement concerning more general regulations or the navigation of vessels on inland waterways and containing provisions relating to the full range of activities of classification societies and their recognition, any provision of this Chapter in contradiction with any of the provisions of the said international agreement would, in the relations among Parties to this Agreement which had become parties to the international agreement and as from the day of the entry into force of the latter, automatically be deleted and replaced ipso facto by the relevant provision of the international agreement. This Chapter would become null and void once the international agreement came into force if all Parties to this Agreement became Parties to the international agreement.

~~2.2~~ 1.10.2 Procedure for the recognition of classification societies

~~2.2.1~~ 1.10.2.1 A classification society which wishes to be recommended for recognition under this Agreement shall submit its application for recognition, in accordance with the provisions of this Chapter, to the competent authority of a Contracting Party.

The classification society shall prepare the relevant information in accordance with the provisions of this Chapter. It shall produce it in, at least, an official language of the State where the application is submitted and in English.

The Contracting Party shall forward the application to the Administrative Committee unless in its opinion the conditions and criteria referred to in ~~4.3~~ 1.10.3 have manifestly not been met.

~~2.2.2~~ 1.10.2.2 The Administrative Committee shall appoint a Committee of Experts and determine its composition and its rules of procedure. This Committee of Experts shall consider the proposal; it shall determine whether the classification society meets the criteria set out in ~~2.3~~ 1.10.3 and shall make a recommendation to the Administrative Committee within a period of six months.

~~2.2.3~~ 1.10.2.3 The Administrative Committee shall examine the report of the experts. It shall decide in accordance with the procedure set out in Article 17, 7(c), within one year maximum, whether or not to recommend to the Contracting Parties that they should recognize the classification society in question. The Administrative Committee shall establish a list of the classification societies recommended for recognition by the Contracting Parties.

~~2.2.4~~ 1.10.2.4 Each Contracting Party may or may not decide to recognize the classification societies in question, only on the basis of the list referred to in ~~2.2.3~~ 1.10.2.3. The Contracting Party shall inform the Administrative Committee and the other Contracting Parties of its decision.

The Administrative Committee shall update the list of recognitions issued by Contracting Parties.

~~2.2.5~~ 1.10.2.5 If a Contracting Party considers that a classification society no longer meets the conditions and criteria set out in ~~2.3~~ 1.10.3, it may submit a proposal to the Administrative Committee for withdrawal from the list of recommended societies. Such a proposal shall be substantiated by convincing evidence of a failure to meet the conditions and criteria.

~~2.2.6~~ 1.10.2.6 The Administrative Committee shall set up a new Committee of Experts following the procedure set out under ~~2.2.2~~ 1.10.2.2 which shall report to the Administrative Committee within a period of six months.

~~2.2.7~~ 1.10.2.7 The Administrative Committee may decide, according to Article 17, 7 (c), to withdraw the name of the society in question from the list of societies recommended for recognition.

In such a case the society in question shall immediately be so informed. The Administrative Committee shall also inform all the Contracting Parties that the classification society in question no longer meets the requirements to act as a recognized classification society in the context of the Agreement and shall invite them to take the necessary steps in order to remain in conformity with the requirements of the Agreement.

~~2.3~~ 1.10.3 Conditions and criteria for the recognition of a classification society applying for recognition under this Agreement

A classification society applying for recognition under this Agreement shall meet all the following conditions and criteria:

~~2.3.1~~ 1.10.3.1 A classification society shall be able to demonstrate extensive knowledge of and experience in the assessment of the design and construction of inland navigation vessels. The society should have comprehensive rules and regulations for the design, construction and periodical inspection of vessels. These rules and regulations shall be published and continuously updated and improved through research and development programmes.

~~2.3.2~~ 1.10.3.2 Registers of the vessels classified by the classification society shall be published annually.

~~2.3.3~~ 1.10.3.3 The classification society shall not be controlled by shipowners or shipbuilders, or by others engaged commercially in the manufacture, fitting out, repair or operation of ships. The classification society shall not be substantially dependent on a single commercial enterprise for its revenue.

~~2.3.4~~ 1.10.3.4 The headquarters or a branch of the classification society authorized and entitled to give a ruling and to act in all areas incumbent on it under the regulations governing inland navigation shall be located in one of the Contracting Parties.

~~2.3.5~~ 1.10.3.5 The classification society and its experts shall have a good reputation in inland navigation; the experts shall be able to provide proof of their professional abilities.

~~2.3.6~~ 1.10.3.6 The classification society :

- shall have sufficient professional staff and engineers for the technical tasks of monitoring and inspection and for the tasks of management, support and research, in proportion to the tasks and the number of vessels classified and sufficient to keep regulations up to date and develop them in the light of quality requirements;
- shall have experts in at least two Contracting Parties.

~~2.3.7~~ 1.10.3.7 The classification society shall be governed by a code of ethics.

~~2.3.8~~ 1.10.3.8 The classification society shall have prepared and implemented and shall maintain an effective system of internal quality based on the relevant aspects of internationally recognized quality standards and conforming to the standards EN: 45004: 1995 (control mechanisms) and ISO 9001 or EN 29001: 1997. The classification society is subject to certification of its quality system by an independent body of auditors recognized by the administration of the State in which it is located.

~~2.4.10.4~~ **Obligations of recommended classification societies**

~~2.4.1~~ 1.10.4.1 Recommended classification societies shall undertake to cooperate with each other so as to guarantee the equivalence of their technical standards and their implementation.

~~2.4.2~~ 1.10.4.2 Recommended classification societies shall undertake to bring their requirements into line with the present and future provisions of this Agreement.
