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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

Thirtieth session
Geneva, 4-12 (a.m.) December 2006
Item 2(a) of the provisional agenda

**PROPOSALS OF AMENDMENTS TO THE RECOMMENDATIONS
ON THE TRANSPORT OF DANGEROUS GOODS**

Container/vehicle packing certificate (Section 5.4.2)

Transmitted by the International Council of Chemical Associations (ICCA)

Background

At the twenty-ninth session, the proposal (UN/SCETDG/29/INF.13) of ICCA to solve a practical problem of acceptance of non-manual signatures on the container/vehicle packing certificate was generally supported as it did align provisions in section 5.4.2 to similar ones for certification in 5.4.1.6.

During the discussion a number of delegates suggested to review the whole question of dangerous goods declarations, certificates and signatures because these had limited legal status when respective duties of participants were indicated in regulations.

At the same session Austria presented a proposal (ST/SG/AC.10/C.3/2006/15) on the assignment of responsibilities/duties to particular persons. The same comments on the legal status of such provisions were made although there was agreement that it would be useful to provide guidance in the UN Model Regulations for the regulators in order to help assigning duties to various participants in a transport operation under each legal system. Therefore it was suggested to GE.06-

revise, on the basis of a written proposal, paragraph 1.1.1.3 in order to better reflect the principles to be followed.

Both issues are closely interrelated and need careful consideration and consultation across modal regulations as any resulting amendment (e.g. deletion of section 5.4.1.6) may have an impact on the dangerous goods forms. Therefore ICCA decided to limit this proposal to the amendment to 5.4.2.2, which already solves an immediate problem, and suggests postponing a discussion on the more general aspects of the assignment of duties/responsibilities till the next biennium.

Introduction

5.4.2.2 requires that if the information, required in the dangerous goods transport document and the container/vehicle packing certificate, is incorporated into a single document, the document includes a **signed** declaration such as “It is declared that the packing of the goods into the container/vehicle has been carried out in accordance with the applicable provisions”. This can be interpreted as if printing the name of the person responsible for the loading and stowing, or even a facsimile print of the signature, is not sufficient and that a manual signature is required, leading to practical obstacles in intermodal transport operations.

It is therefore proposed to adopt identical provisions for certification as is currently already the case for the dangerous goods declaration in 5.4.1.6.

Proposal

Add a new sentence at the end of 5.4.2.2:

“Facsimile signatures are acceptable where applicable laws and regulations recognize the legal validity of facsimile signatures”.

Add a new subsection 5.4.2.3:

“If the dangerous goods documentation is presented to the carrier by means of electronic data processing (EDP) or electronic data interchange (EDI) transmission techniques, the signature(s) may be replaced by the name(s) (in capitals) of the person authorized to sign.”

Justification

Modern supply chain processes in industry and logistics processes as well are using an integrated division of tasks supported by highly developed IT-structures. Loading facilities are often far away from the dispatch offices where the driver gets his shipping papers. The requirement for a physical signature in shipping documents is not in line with modern shipment processes and means a big burden for the consignor. The electronically printed indication of the name of the person authorized to sign and the date as well would simplify and accelerate the shipment process. Safety will not be reduced by this amendment, as the proposed changes are in line with identical provisions in 5.4.1.6 for the dangerous goods declaration.
