

**ECONOMIC COMMISSION FOR EUROPE**

INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Dangerous Goods

(Eightieth session,

Geneva, 8-12 May 2006)

Agenda item 6

**TERMS DE REFERENCE AND RULES OF PROCEDURE OF THE WORKING  
PARTY ON THE TRANSPORT OF DANGEROUS GOODS**

*Note by the secretariat*

In relation to the discussion of document ECE/TRANS/WP.15/2006/10, the secretariat reproduces hereafter background documents reflecting past decisions of the Working Party as follows:

TRANS/WP.15/147, annex 4: Programme of work of the Working Party (61<sup>st</sup> session, 12-16 May 1997);

TRANS/WP.15/153, annex 1: Rules for improvement of methods of work (64<sup>th</sup> session, 4-8 May 1998).

Annex 4

PROGRAMME OF WORK

1. The Working Party was of the view that, beginning in 1998:
  - (a) The Joint Meeting should become a RID/ADR/ADN Joint Meeting which would consider technical questions relating to RID, ADR and ADN with a view to harmonizing the common provisions of RID, ADR and ADN;
  - (b) Technical questions relating specifically to the provisions of ADN (apart from the Agreement itself) should be considered by a meeting of experts of WP.15 dealing expressly with ADN.
2. Activities relating to the carriage of dangerous goods should then be allocated as follows:

WP.15: general questions relating to the carriage of dangerous goods. Carriage of dangerous goods by road (ADR);

WP.15/AC.1 (RID/ADR/ADN Joint Meeting):

Updating of provisions common to RID, ADR and ADN, i.e. questions common to the carriage of dangerous goods by road, rail, or inland waterway;

WP.15/AC.2 (ADN Meeting of Experts):

Carriage of dangerous goods by inland waterway (provisions of ADN);

Ad Hoc Working Group for the elaboration of a draft ADN

Preparation of a draft ADN

Once this agreement has entered into force, questions concerning ADN would be dealt with by the ADN Administrative Committee which, in addition to administering the agreement, would consider the work of WP.15/AC.1 and WP.15/AC.2 (possibly assuming the functions of WP.15/AC.2).

Inland Transport Committee: questions relating to CRTD

3. The Working Party decided that programme activity 02.6 should be revised as follows:

“PROGRAMME ACTIVITY 02.6: TRANSPORT OF DANGEROUS GOODS

Regulations on the transport of dangerous goods by road, rail, inland waterway and combined transport Priority: 1

Description: Consideration of regulations and technical questions concerning the international carriage of dangerous goods in the region.

Preparation of new international agreements and harmonization of existing agreements in this field to enhance safety at the same time as facilitating trade, in cooperation with the Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods.

Work to be undertaken:

- (1) By the Working Party on the Transport of Dangerous Goods (WP.15)
  - (a) Consideration of proposed amendments relating expressly to the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and relating to administrative and technical questions pertaining to its implementation and the national and international implementation of its annexes, to ensure the necessary updating of legislation and the introduction of a uniform, harmonized and coherent system for the regulation of the national and international transport of dangerous goods by road throughout Europe. (continuing) (WP.15).
  - (b) Consideration of proposed amendments relating expressly to the European Provisions concerning the International Carriage of Dangerous Goods by Inland Waterways and pertaining to administrative and technical questions concerning their implementation, in order to ensure the necessary updating of those provisions and the introduction of a uniform, harmonized and coherent system for the regulation of the national and international transport of dangerous goods by inland waterway throughout Europe (continuing) (WP.15/AC.2).
  - (c) Harmonization of the provisions of ADR, ADN and the International Regulations concerning the Carriage of Dangerous Goods by Rail (RID), on the basis of the United Nations Recommendations on the Transport of Dangerous Goods, and consideration of proposed amendments to the provisions common to ADR, RID and ADN in order to harmonize regulations governing the various modes of inland transport throughout Europe, in accordance with the provisions recommended by the United Nations for worldwide application

to all transport modes, so as to facilitate multimodal transport and international trade under safety conditions in keeping with each mode of transport (continuing) (WP.15/AC.1)”.

- (d) Restructuring of ADR, RID and ADN to make implementation of their provisions easier for all parties having to apply them and thus improve safety; rationalizing and facilitating future updates of them through regular updating of the Model Regulations annexed to the United Nations Recommendations on the transport of dangerous goods, so as to avoid duplication by rationalization of methods of work (1998/1999) (WP.15, WP.15/AC.1 and WP.15/AC.2).

(2) By the Ad Hoc Working Group for the elaboration of a draft ADN

Elaboration of a draft ADN to enable ECE Governments to become contracting parties to the international instrument designed to ensure high safety standards in the transport of dangerous goods by inland waterway and facilitate international trade. [1999]\*

(3) By the Inland Transport Committee

Follow\_up to the implementation of the Convention on Civil Liability for Damage Caused during the Carriage of Dangerous Goods by Road, Rail and Inland Navigation (CRTD) (continuing).\*\*

4. The Working Party was of the view that the calendar of meetings should be reorganized from 1998 onwards to take more account of the calendar of the Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods, in accordance with the following principles:

- (a) Year N in which the biennial session of the Committee of Experts was held (i.e. from January to November when the Committee meets in December N), questions specific to each mode of transport or the European context (ADR, RID and ADN), i.e. questions which are not dealt with in the United Nations Recommendations on the Transport of Dangerous Goods, should be considered;
- (b) Year N+1 the results of the December N session of the Committee of Experts, together with various questions specific to ADR or ADN, should be considered;
- (c) The overall results of the deliberations of years N and N+1 should be submitted to WP.15 at the end of year N+1 for official approval of the series of draft amendments to ADR to enter into force on 1 January N+3;

\* This wording should be confirmed by the Ad Hoc Working Group.

\*\* Text to be revised or finalized by the Inland Transport Committee.

- (d) In the case of ADN, amendments common to RID/ADR/ADN adopted in years N and N+1 to be submitted to WP.15/AC.2 for approval in January N+2 and associated with amendments specific to ADN approved in the year N+1 and in January N+2, to enter into force on 1 January N+3. The calendar should perhaps be reviewed after final drafting, adoption and entry into force of ADN in the light of the arrangements made for the ADN Administrative Committee.

The calendar of meetings should therefore be as follows:

Year N

WP.15/AC.2 (ADN): January (one week)

(Approval of amendments adopted by the RID/ADR/ADN Joint Meeting in years N<sub>2</sub> and N<sub>1</sub>, plus consideration of new questions specific to ADN; adoption of a last series of amendments to enter into force on 1 January (N+1))

WP.15/AC.1 (Joint Meeting):

One week in March, one week in September [to consider questions common to ADR/RID/ADN not dealt with in the United Nations Recommendations].

WP.15 (ADR):

One week in May, one week in October or November (to consider questions specific to ADR).

December: Economic and Social Council's Committee of Experts on the Transport of Dangerous Goods to adopt new recommendations.

Year N+1

WP.15/AC.2 (ADN) (one week in January):

Only for questions specific to ADN.

WP.15 (ADR) (one week in May):

Only for questions relating to ADR.

WP.15/AC.1 (Joint Meeting) (one or two weeks in June).

Consideration of new United Nations Recommendations and harmonization of RID/ADR/ADN with the Recommendations.

Note: It is felt necessary to postpone the traditional March Joint Meeting until June to enable the secretariat to expedite drafting of amendments to the United Nations Recommendations for consideration by the Joint Meeting and other competent international organizations.

WP.15 (ADR) (one week in November):

Consideration of the texts of all amendments adopted by WP.15 and the Joint Meeting in years N and N+1 and adoption for entry into force on 1 January (N+3).

Year N+2

WP.15/AC.2 (ADN) (one week in January):

Approval of amendments adopted by the RID/ADR/ADN Joint Meeting in years N and N+1 and consideration of new amendment proposals specific to ADN;

Adoption of a last series of amendments for entry into force on 1 January (N+3).

Programme of meetings from March N to January N + 2 for adoption of amendments to RID, ADR and AND to enter into force on 1 January N + 3

	N						N + 1						N + 2	N + 3
	March	May	July	September	November	December	January	May	June	July	November	December	January	January
UN/SCETDG			session							session		session		
UN/CETDG						Adoption of new UN recommendations								
WP.15/AC.1 (RID/ADR/ADN)	Amdt. 1 (RID/ADR/AND)			Amdt. 3 (RID/ADR/ADN)					Amdt.7 (RID/ADR/ADN) Harmonization with UN					
WP.15 (ADR)		Amdt .2 (ADR only)			Amdt.4 (ADR only)			Amdt.6 (ADR only)			Approval of Amdts. 1+2+3+4+6+7 (ADR only)			Entry into force of Amdts. 1+2+3+4+6+7 (ADR)
WP.15/AC.2 (ADN)							Amdt.5 (ADN only)						Amdt.8 + Approval of Amdts. 1+3+5+7 (ADN only)	Entry into force of Amdts. 1+2+3+5+7+8 (ADN)

## Annex 1

### Rules for improvement of methods of work

#### Rules for adoption of draft amendments adopted by the RID/ADR/ADN Joint Meeting

Draft amendments adopted by the RID/ADR/ADN Joint Meeting should be endorsed by the Working Party. If the Working Party decides not to endorse such amendments, this decision shall be brought to the attention of the Joint Meeting together with arguments justifying the decision, for further consideration by the Joint Meeting.

#### Rule concerning the agenda of the Working Party at the last session of an amendment period

At the last (November) session of an amendment period, WP.15 shall consider the texts of all amendments adopted at previous meetings of WP.15 and the Joint Meeting.

In addition to the amendments adopted, new documents may only be included on the agenda of this last session if they:

- relate to modifications of the amended text
- bring the Annexes into line with other international agreements concerning the transport of dangerous goods.

Other new proposals will only be accepted in exceptional circumstances and with the agreement of WP.15 at that session.

#### Rules concerning the documentation to be submitted to the Working Party on the Transport of Dangerous Goods

##### Official documentation

1. Documents to be considered under each item of the agenda of a session shall be transmitted as early as possible in order to be received by the secretariat at the latest 12 weeks before the opening of the session or, if transmitted simultaneously in English, French and Russian, at the latest 6 weeks before the opening of the session.
2. They shall be transmitted by one of the following methods in order of preference:
  1. E\_mail
  2. Mail, hard copy accompanied by a diskette
  3. Mail, hard copy.



They shall not be faxed.

3. Documents, including working group reports, shall be kept as short and concise as possible and should not exceed 20 pages in length, except in exceptional cases where lengthy parts of regulatory texts or recommendations are subject to draft amendment proposals.

4. All documents containing proposals of amendments to regulatory texts or recommendations shall be presented in the standard format set out in the appendix to these rules and shall include a brief summary and, where applicable, a justification addressing the following concerns:

Safety:                   What are the safety implications?

Feasibility:               Which economic sector or public service is concerned by the proposed amendment?

                                  What are the consequences in terms of advantages and disadvantages? Is a transitional period required?

Enforceability: Once implemented, can the changes be observed or monitored?

This rule does not apply in the case of editorial amendments, amendments proposed by a working group or amendments proposed with a view to harmonization with the United Nations Recommendations on the Transport of Dangerous Goods or other regulatory texts.

5. The secretariat may decide:

(a) To postpone until the following session documents that have not been received 12 weeks prior to the opening of the session;

(b) To translate only parts of documents exceeding 20 pages in length in order not to delay their distribution, when they contain lengthy explanatory technical annexes or tables which are not intended to be included in the regulations or recommendations.

(c) To return the document to the author when its presentation does not conform to the format of the appendix to these rules. In such a case, the document may be redrafted according to the presentation required in rule 4, provided that the revised version is received by the secretariat at the latest 10 weeks prior to the opening of the session; if this is not the case the document will however be distributed in its initial form.

#### Informal documentation

6. Documents which have not been received by the secretariat 12 weeks prior to the session may also be submitted for discussion at the session as “INF” (informal) documents, provided that:

- (a) They contain specific comments on or additional information to a new document listed on the provisional agenda and could not therefore be submitted within the deadline; or
- (b) They are of a purely informative nature and do not require any action from the Working Party; or
- (c) They are intended to correct obvious mistakes in existing texts; or
- (d) Their aim is clarification of the interpretation of existing texts; or
- (e) They contain the report of an informal working group referred to in the provisional agenda.

7. Informal documents shall be assigned an “INF” number by the secretariat, which shall be communicated to the author of the document who may circulate advance copies to other delegations. Authors of informal documents shall indicate clearly on the document the title of the document, the official document to which it relates, if any, and the agenda item under which it should be considered.

8. The secretariat shall reproduce informal documents it has received four weeks prior to the opening of a session in the original language(s) of submission, and shall be distributed to delegations at the opening of the session.

9. Informal documents which have not been received four weeks prior to the session shall not be reproduced by the secretariat. Delegations wishing to submit such late informal documents shall send a copy to the secretariat by e\_mail or fax. The secretariat shall allocate an INF number which shall be communicated to the author who shall reproduce 100 copies of the document for distribution to other delegations at the opening of the session.

10. Other documents may be circulated to delegations during the session, e.g. informal documents which do not relate to any agenda item, advance copies of future proposals, etc. Such documents shall not be assigned an INF number; they shall be reproduced and circulated by the author only and not by the secretariat, and shall not be discussed during the session, unless otherwise decided by the Working Party.

APPENDIX: Standard format for documents

TITLE OF AGENDA ITEM

Title of proposal, setting out the question

Submitted by ...

SUMMARY	
Analytical summary:	This description outlines the proposed objective (amendment, information only)
Action to be taken:	A reference is made to the marginals of ADR to be amended
Related documents:	Other key documents are listed.

Introduction            Background/developments, which urgently justify the amendment of ADR/...

Proposal                Description of the proposed amendment, incl.: the amended text of marginals and consequential amendments.

Justification        Safety:                    What are the safety implications?

Feasibility:            Which economic sector or public service is concerned by the proposed amendment?

What are the consequences in terms of the advantages and disadvantages?

Is a transitional period required?

Enforceability:        Once implemented, can the amendments be observed or monitored?

Number and dates of the session.

Number of the agenda item.