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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 Waterways (ADN) (ADN Safety Committee)**

**Thirty-first session**

Geneva, 28-31 August 2017

Item 3 (c) of the provisional agenda

**Implementation of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN): Interpretation of the Regulations annexed to ADN**

**1.6.7.1.2 (a) – Vessel in service**

**Transmitted by the Government of Germany\*\*\*\***

**I. Introduction**

1. A vessel in service can benefit from transitional provisions in accordance with ADN section 1.6.7.
2. ADN paragraph 1.6.7.1.2 (a) establishes in its first sentence where a vessel is to be considered as “in service” but, in the second sentence, excludes vessels that, as from 31 December 2014, have been without a valid certificate of approval for a period of more than 12 months. 1.6.7.1.2 and 1.16.8 of ADN do not indicate how this time limit is to be determined. Consequently, the period during which no certificate of approval was issued needs to be determined in its entirety.
3. For there may be cases where the request for the issue of a new certificate of approval was filed less than 12 months after the expiry of the previous certificate of approval but where, for various reasons, the new certificate is issued after the time limit of one year. This may be owing to the applicant or to the authority.

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## II. Question of interpretation

4. Subsection 1.16.2.6 specifies where an annex to the certificate of approval (in which the certificates of approval issued to the vessel appear in chronological order) is to be withdrawn and a new annex issued. This occurs if the vessel has been without a valid certificate of approval for more than 12 months after 31 December 2014. The relevant date is the date on which the application was received by the competent authority.

5. It remains to be determined whether ADN subsection 1.16.2.6 can also be applied in conjunction with the transitional provisions in cases where the request for the issue of the certificate of approval was filed less than one year from the date of expiry of the previous certificate of approval but where the new certificate of approval was issued after the one-year time limit.

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