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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

Bern, 12–16 March 2018

Item 2 of the provisional agenda

Tanks

Electronically signed and transmitted tank inspection certificates

Transmitted by the Government of France*

Summary

Executive summary: Facilitate the transmission and electronic signature of documents concerning the approval and inspection of tanks.

Action to be taken: Specify in Chapter 6.8 of RID/ADR that tank inspection certificates may be signed and transmitted electronically.

Reference documents: ECE/TRANS/WP.15/AC.1/148/Add.2, item 18
ECE/TRANS/WP.15/AC.1/148, paragraph 8

1. At the meeting of the working group on tanks in September 2017, France asked whether there were any problems with the acceptance of electronic documents and signatures in connection with tank inspections. The working group found no objection to tank inspection certificates being signed and transmitted electronically and suggested that the matter should be raised in plenary, as it applies to all kinds of documents.

2. The Joint Meeting noted that not all electronic signatures had the same level of security and that it would be necessary for the level of assurance to be sufficient to meet the requirements of the ISO 17020 standard concerning the traceability of inspection personnel.

3. ISO 17020:2012 provides in 7.4.2 (e) that reports and certificates issued by the inspection body should include “a signature or other indication of approval, by authorized personnel”. In annex B (m), it also specifies that “names ... of the personnel members who

* In accordance with the programme of work of the Inland Transport Committee for 2018–2019 (ECE/TRANS/WP.15/237, annex V (9.2)).



have performed the inspection and, in cases where secure electronic authentication is not undertaken, their signature (see also 7.4.2)" may be included in them.

4. Article 46 of Regulation (EU) No. 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market states: "An electronic document shall not be denied legal effect and admissibility as evidence in legal proceedings solely on the grounds that it is in electronic form." The same applies to an electronic signature or an electronic seal (arts. 25 and 35).

5. Similarly, various model laws have been developed within the framework of the United Nations Commission on International Trade Law (UNCITRAL), particularly the UNCITRAL Model Law on Electronic Signatures, which aims to enable and facilitate the use of electronic signatures by establishing criteria of technical reliability for the equivalence between electronic and handwritten signatures.

http://www.uncitral.org/uncitral/en/uncitral_texts/electronic_commerce.html

6. In view of the significant development of these procedures and controls on them to ensure a satisfactory level of safety, the electronic transmission and signature of documents concerning the approval and inspection of tanks should be recognized.
