Summary

Executive summary: Incidents should always be notified by those participants during whose activities the incident occurs.

Action to be taken: Obligation for the unloader instead of the consignee in 1.8.5.1.

Related documents: None.

Introduction

1. Paragraph 1.8.5.1 prescribes that the loader, filler, carrier or consignee shall ascertain that a report is made if a serious accident or incident takes place during loading, filling, carriage or unloading of dangerous goods.

* In accordance with the programme of work of the Inland Transport Committee for 2018-2019, (ECE/TRANS/2018/21/Add.1, Cluster 9 (9.2)).

** Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2018/30.
2. This is inconsistent to the extent that for unloading, it is not the participant during whose activities the incident occurs who is responsible for the report, but another participant. Historically, the reason for this is that this provision dates back to a time when the provisions did not yet refer to the unloader as a separate participant and his present obligations were essentially attributed to the consignee.

3. However, based on the current attribution of obligations in 1.4.2 and 1.4.3, it would be logical in 1.8.5.1 to refer to the unloader instead of the consignee. This would also correspond to the situation when transport starts, where, for loading and filling, the obligation to provide a report does not concern the consignor, but the loader and filler.

Proposal

4. In 1.8.5.1, replace “consignee” with “unloader”.