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**Economic Commission for Europe****Inland Transport Committee****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-eighth session**

Geneva, 23–27 August 2021

Item 4 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:****Other proposals****Chapter 8.2.1 of ADN – General requirements concerning training of experts****Transmitted by the Government of Germany\* \*\***

1. Germany invites the Security Committee to consider the following interpretation issues and proposed amendments concerning the training of experts.

**1. Admission to the specialization courses on gases and chemicals**

2. According to 8.2.2.3.3 and 8.2.2.3.4 of ADN, participants in the specialization courses must possess a valid ADN “tank vessels” or combined “dry cargo vessels/tank vessels” certificate.

3. According to 8.2.2.7.2.1 of ADN, candidates who are successful in the ADN basic training examination may apply for enrolment in a specialization course.

4. These provisions are contradictory. In practice, in Germany, the specialization course can be taken if the participant already has a “valid ADN certificate”. Certificates are not generally issued merely for having taken the examination.

**Proposal for amendment**

5. Amend 8.2.2.7.2.1 of ADN to read as follows:

“Candidates who already hold a valid ADN ‘tank vessels’ or combined ‘dry cargo vessels/tank vessels’ certificate may enrol in a ‘gases’ or ‘chemicals’ specialization course, to be followed by an examination.”

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\* Distributed in German by the Central Commission for the Navigation of the Rhine under the symbol CCNR-ZKR/ADN/WP.15/AC.2/2021/21.

\*\* In accordance with the programme of work of the Inland Transport Committee for 2021 as outlined in the proposed programme budget for 2021 (A/75/6 (Sect. 20), para. 20.51).



## 2. Time limit for taking the examination

### Related documents

Report on the thirty-fourth session, ECE/TRANS/WP.15/AC.2/70, paragraph 24, and Report of the twentieth meeting of the informal working group on the training of experts, ECE/TRANS/WP.15/AC.2/2019/25, paragraph 14.

6. 8.2.2.7.1.1 of ADN states that the ADN basic training examination shall be held either immediately after the training or within six months following the completion of such training.

7. 8.2.2.7.2.1 of ADN does not provide for such a time limit for the examination taken after the specialization courses.

8. At its twentieth meeting, held in April 2019, the informal working group on the training of experts proposed that the possible six-month time limit for taking the examination should also be recommended in 8.2.2.7.2.1 and in the second sentence of 8.2.2.7.1.1.

9. In line with the approach taken for basic training, it should be recommended that the examination following the specialization course be taken either immediately after the course or within six months following the completion of the course. This should be done to enable the knowledge acquired during the courses to be checked quickly, to establish, for the benefit of the examination authorities, an examination procedure that has been tried and tested for basic training and to allow a schedule to be drawn up on the basis of the known training dates.

### Request

10. The second sentence of 8.2.2.7.2.1 of ADN is replaced to read as follows:

“This examination shall be held either immediately after the training or within six months following the completion of such training.”

11. The reference to the list of questions can be deleted. This information already follows from 8.2.2.7.2.3 and 8.2.2.7.2.4 of ADN.

## 3. Retaking an examination

12. The requirements related to the possibility of a candidate retaking an examination after having failed it and the number of times that he or she may do so are incomplete.

13. The provision that the examination must be taken within six months of the course might suggest that the examination may also be retaken within that six-month period. However, the possibility of retaking the examination is not explicitly mentioned.

14. The following applies to the examination taken after the specialization course:

If a total of 44 marks has been achieved in both parts of the examination, but the minimum requirement of 20 marks has not been achieved in one part of the examination (either the multiple choice questions or the substantive question) this part may be resat once (8.2.2.7.2.5 of ADN).

15. Nothing is stated about whether a candidate may retake an examination after failing it (obtaining less than 44 points) or the number of times that he or she may retake it.

16. In the view of Germany, it should be possible to retake the examination at least once in all cases. Other requirements related to examinations generally allow for two retakes.

17. In order to clarify the examination procedure and give all candidates the same chance of success, candidates should be allowed to retake the examination only once in all three cases (in accordance with 8.2.2.7.2.5 of ADN).

**Request for amendment**

18. Amend 8.2.2.7.1.1 of ADN to read as follows:

“At the end of basic training, an examination shall be taken within six months following the completion of such training. If a candidate fails the examination, he or she may retake it once during this six-month period without taking another basic training course.”

19. Subject to the approval of the amendments proposed in sections 2 and 3 of this document:

The following third sentence is added to 8.2.2.7.2.1 of ADN:

“If a candidate fails the examination, he or she may retake it once within six months without taking another specialization course.”

**4. Special examination conditions**

20. 8.2.2 of ADN makes no mention of the possibility of establishing special conditions for candidates with disabilities during the examination, for example, with regard to the time available.

21. In Germany, such conditions are required by constitutional law and are standard practice for all training and professional examinations. According to a survey conducted in 2019 by the Scientific Service of the German Bundestag (the federal parliament), corresponding arrangements are also made by the ADN contracting parties Belgium and France, among others.

[<https://www.bundestag.de/resource/blob/650418/604570e56bb416cbbf8e2d539722a96f/W D-8-015-19-pdf-data.pdf>]

22. Possible solution: There is no reason why arrangements should not be made to compensate for the disadvantages faced by persons with disabilities. However, these must be regulated by the national law of the contracting parties.

**5. Transitional provisions concerning training of the crew****Related document**

Report on the thirty-fifth session, ECE/TRANS/WP.15/AC.2/72, paragraph 30.

23. The transitional provision contained in 1.6.8.1 of ADN relates to the special requirements concerning the stability of tank vessels that were incorporated into ADN 2013 following the serious accident involving the tank vessel “TMS Waldhof” in January 2011. This provision is now obsolete and should be deleted in order to simplify the requirements.

24. During its thirty-fifth session, held in August 2019, the Safety Committee confirmed that, from 2020 onward, the refresher course following the basic training should once again be made a two-day course rather than a three-day course.

**Request for amendment**

25. Delete 1.6.8.1 of ADN.