



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)

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Item 5 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:
Other proposals**

Certificate of approval and seagoing vessels
Transmitted by the Government of France* **

<i>Summary</i>	France is proposing an amendment to Chapter 1.16 in respect of seagoing vessels.
Executive summary:	France wishes to make it possible to exempt seagoing vessels navigating on inland waterways from the requirement to hold a certificate of approval, provided that such vessels are in possession of the relevant certificates applicable to maritime navigation.
Action to be taken:	See paragraphs 5 to 7, and the annex.
Related documents:	None.

I. Analysis of the problem

1. In the ADN Agreement currently in force and the Regulations annexed to the Agreement, there are only a few specific provisions applicable to seagoing vessels:

- Article 1 (2) of ADN provides that the Agreement does not apply “to the carriage of dangerous goods by seagoing vessels on maritime waterways forming part of inland waterways”.

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- Article 3 (e) of ADN defines maritime waterways as “inland waterways linked to the sea, basically used for the traffic of seagoing vessels and designated as such under national law”.
 - In the annexed Regulations, apart from a few requirements in Chapters 7.1 and 7.2 applicable to seagoing vessels, the main reference to seagoing vessels, in section 9.2.0, concerns their construction.
2. In both article 3 (a) of ADN and section 1.2.1 of the annexed Regulations, the definition of “vessel” includes seagoing vessels.
 3. In view of the above, a strict application of 1.16.1.1.1 of the annexed Regulations makes it necessary for a seagoing vessel carrying dangerous goods to hold a certificate of approval when navigating on an inland waterway that cannot be considered a maritime waterway.
 4. However, the various relevant instruments of the International Maritime Organization (IMO) provide for “certificates of fitness” for the carriage of dangerous goods by sea and for the mandatory issue of such certificates. The correspondence between “maritime certificates” and “certificates of approval” under ADN is relatively simple to establish.

II. Proposal

5. It is proposed in the present submission to insert in the Regulations annexed to ADN an article 1.16.1.1.3, the text of which is contained in the annex to the submission.
6. The safety certificates referred to in the first indent of the proposed new article 1.16.1.1.3 are the counterpart of the “vessel certificate” referred to in the annexed Regulations.
7. In making the proposal contained in the annex, France considers that the problem raised can be addressed most effectively, and in a harmonized manner, in the annexed Regulations. However, some Contracting Parties may prefer to adopt national solutions or approaches, depending on their laws and regulations.

III. Action to be taken

8. The ADN Safety Committee is invited to apprise itself of paragraphs 5 to 7 above, and the annex below, and to take action as appropriate.

Annex

“1.16.1.1.3 Notwithstanding the provisions of 1.16.1.1.1, a seagoing vessel carrying dangerous goods on an inland waterway may be exempted from the requirement to hold a certificate of approval, subject to compliance with the following provisions:

- The seagoing vessel is in possession of its safety certificates, issued under the International Convention for the Safety of Life at Sea, 1974 (SOLAS 74), as amended by the 1988 Protocol thereto; and
- The seagoing vessel is in possession of a document of compliance or a certificate of fitness, in accordance with the following table of correspondence:

<i>Regulations annexed to ADN</i>	<i>Type of cargo</i>	<i>Title of IMO document</i>	<i>Relevant IMO instrument</i>
Certificate of approval for dry cargo vessels	Packages	Document of compliance with the special requirements for ships carrying dangerous goods	SOLAS Regulation II-2/19 (or SOLAS Regulation II-2/54 for ships built before 1 July 2002)
Certificate of approval for dry cargo vessels	Solid bulk	Document of compliance with the special requirements for ships carrying dangerous goods	SOLAS Regulation II-2/19 (or SOLAS Regulation II-2/54 for ships built before 1 July 2002)
Certificate of approval for tank vessels type N	Oils	International Oil Pollution Prevention Certificate (IOPP) + Supplement Form B (Record of construction and equipment for oil tankers)	MARPOL Annex I
Certificate of approval for tank vessels type C	Liquid chemical substances	International certificate of fitness for the carriage of dangerous chemicals in bulk	International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)
		International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)	MARPOL Annex II
Certificate of approval for tank vessels type G	Gases	International certificate of fitness for the carriage of liquefied gases in bulk	International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)”