Committee of Experts on the Transport of Dangerous Goods  
and on the Globally Harmonized System of Classification  
and Labelling of Chemicals  
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Sub-Committee of Experts on the Transport of Dangerous Goods
Sixtieth session  
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Item 11 of the provisional agenda
Unified interpretations of the Model Regulations

Interpretations of the Model Regulations

Transmitted by the expert from the United States of America

Introduction

1. The concept of unified interpretations was added to the agenda at the fifty-seventh session of the Sub-Committee based on document ST/SG/AC.10/C.3/2020/73. A further informal document INF.19 (58th session), proposing to continue the conversation on the implementation of an interpretation framework for the Model Regulations was discussed during the fifty-eighth session.

2. During the fifty-eighth session a lunchtime working group was convened to discuss the concept of a system of interpretations for the Model Regulations. While the Sub-Committee noted general support for the concept of unified interpretations and the potential value added by having a more clearly defined interpretation process, no decisions were taken regarding procedural aspects of implementation of such a process.

3. This paper proposes to continue the discussion on the procedural elements of an interpretation process for the Model Regulations, and proposes a process for consolidation of interpretations of the Model Regulations.

Discussion

4. During the lunchtime working group several potential methods of providing interpretations of the Model Regulations were discussed including:
   • An online forum to submit questions and delegations could respond prior to a focused discussion at a Sub-Committee meeting.
   • The use of a system like the International Maritime Organizations “Unified Interpretations” where a consensus opinion is noted in the applicable standard.
   • Taking decisions or interpretations that appear in the report as views of the Sub-Committee and placing these views within a dedicated section of the Model Regulations website. This approach would be similar to the existing ADR interpretations process.

5. This proposal focuses on the last option noted in paragraph 4 above. Consolidation of interpretations on the UNECE Dangerous Goods website could be housed in the “Model Regulations” tab within the “Legal Instruments and Recommendations” tab.

6. The Sub-Committee routinely issues guidance/interpretations in the report of sessions in instances where either no specific regulatory change was requested or if it was determined that no regulatory change was required, but verification/refusal of a specific point raised within a paper warrants inclusion in the report. This guidance can be utilized by shippers,
carriers, and competent authorities to ensure consistent implementation of the Model Regulations. However, locating these specific guidance/interpretation statements within numerous reports archived in several locations within the UNECE website archives is cumbersome and not easily recognizable to those unfamiliar with the way the Sub-Committee operates.

7. Where it is deemed important enough for clarifications to be included in the report of the Sub-Committee on an interpretive issue concerning the Model Regulations, these interpretations should be provided in a consolidated and easily accessible location.

Proposal

8. Work with the Secretariat to create a “Model Regulations Interpretations” page located on the “Model Regulations” page within the “Legal Instruments and Recommendations” tab. Additionally, recognize that the Sub-Committee shall during their report approval process indicate interpretations that should be added to the new consolidated list of interpretations.