

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

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Item 6 of the provisional agenda

Interpretation of ADR

Examinations for Safety Advisers in accordance with ADR 1.8.3

Transmitted by the Government of Ireland

Introduction

1. The ADR sets out the provisions in relation to the examinations for safety advisers in 1.8.3.12 and 1.8.3.16, and distinguishes between ‘candidates’, as those who do not yet hold a certificate as prescribed in 1.8.3.7, and ‘holders’, as those who already hold a certificate.

2. In particular, the ADR provides the requirements for candidates and holders in relation to undertaking a case study as part of the exam in 1.8.3.12.4 (b) and 1.8.3.16.2 as follows:

1.8.3.12.4 (b) Candidates shall undertake a case study in keeping with the duties of the adviser referred to in 1.8.3.3, in order to demonstrate that they have the necessary qualifications to fulfil the task of adviser.

1.8.3.16 Validity and renewal of certificates

1.8.3.16.1 The certificate shall be valid for five years. The period of the validity of a certificate shall be extended from the date of its expiry for five years at a time where, during the year before its expiry, its holder has passed an examination. The examination shall be approved by the competent authority.

1.8.3.16.2 The aim of the examination is to ascertain that the holder has the necessary knowledge to carry out the duties set out in 1.8.3.3. The knowledge required is set out in 1.8.3.11 (b) and shall include the amendments to the regulations introduced since the award of the last certificate. The examination shall be held and supervised on the same basis as in 1.8.3.10 and 1.8.3.12 to 1.8.3.14. However, holders need not undertake the case study specified in 1.8.3.12 (b).

3. We have received a query regarding the interpretation of the last sentence of 1.8.3.16.2: "However, holders **need not** undertake the case study specified in 1.8.3.12 (b)."

Request

4. We request delegations to share the interpretation of this provision by the competent authorities in their countries. We welcome discussion on the following questions of interpretation:

- Does the phrase ‘need not’ mean that the inclusion of a case study for ‘holders’ is optional?

- If so, does the decision on whether to include a case study in the exam for 'holders' reside with the competent authority?
 - Is the case study included in the exam for 'holders' in your country?
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