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Item 2 of the provisional agenda

Tanks

Obligations of in-house inspection services

Transmitted by the Government of the Netherlands* **

Introduction

1. In section 1.8.6 of RID/ADR obligations are given for competent authorities and inspection bodies. However, in-house inspection services have responsibilities of their own like inspection bodies but on a limited scope of application as given in 6.2.2.12, 6.2.3.6.1, 6.8.1.5.3(b) and 6.8.1.5.4.
2. The inspection body may only be held responsible for the surveillance of the in-house inspection service but cannot be held responsible for each individual inspection of in-house inspection services for which they are allowed to perform.

Proposal 1

3. Introduce a new subsection 1.8.6.4 in RID/ADR to read (new text is underlined):

“1.8.6.4 Obligations of the in-house inspection service

1.8.6.4.1 General rules

- (a) Implement a quality system, including technical procedures, for inspections and test documented in 1.8.7.8.6 and subject to surveillance;
- (b) Fulfil the obligations arising out of the quality system as approved and ensure that it remains satisfactory and efficient in particular:
 - (i) Authorize trained and competent personnel to perform inspections and test; and

* A/77/6 (Sect. 20), table 20.6.

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- (ii) Affix the identity mark or stamp, as specified in Chapters 6.2 and 6.8, of the inspection body that has approved the in-house inspection service, and the mark of the in-house inspection service where appropriate on the product to ensure traceability.”

Proposal 2

4. Deleted the wording of 1.8.7.7.1 in RID/ADR and renumber the existing 1.8.7.7.2 to 1.8.7.7.5 as 1.8.7.7.1 to 1.8.7.7.4.

Note of the secretariat: The proposed renumbering of the paragraphs in 1.8.7.7 implies the following consequential amendments:

- 1.8.6.3.3, Note: Replace "1.8.7.7.2" by "1.8.7.7.1".
1.8.8.1.4 Replace "1.8.7.7.1 (d) and 1.8.7.7.2 (b)" by "1.8.7.7.1 (b)".
1.8.8.6 Replace "1.8.7.7.1 (d) and 1.8.7.7.2 (b)" by "1.8.7.7.1 (b)".

Justification

5. The differences between subcontracted work and the responsibilities of the in-house inspection services led to confusion. The reason for this confusion is that the obligations of the in-house inspection services are not clear enough. It is felt that the wording of the present 1.8.7.7.1 is dealing with obligations of the in-house inspection service rather than the performance of the surveillance by the inspection body. In such it can be seen as not being in the right place. The text of the proposed 1.8.6.2.4.1 is a rendering of the present 1.8.7.7.1 in RID/ADR.

6. The aim of this document is to clarify the obligations of the in-house inspection services. Ensuring a more systematic approach and a better rationale in RID/ADR helps to develop clearer legal texts and avoid different criteria among different Contracting States/Parties and inspection services, and thus helps to implement the United Nations Sustainable Development Goal number 16: Peace, justice and strong institutions.
