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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)

Forty-second session

Geneva, 21-25 August 2023

Item 4 (b) of the provisional agenda

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

Definition of "Inspection body"

Transmitted by the governments of France, Germany and the Netherlands^{*,}**

Summary

The authors propose amendments to the Annexed Regulations to ADN in order to clarify the definition of "Inspection body".

Executive summary:

This proposal intends to clarify the use of the terms "inspection body(ies)" according to the place where they are utilized and implemented in the Annexed Regulations to ADN, and to submit the corresponding amendments.

Action to be taken:

See paragraph 8

Related documents:

ECE/TRANS/WP.15/AC.2/2022/25
ECE/TRANS/WP.15/AC.2/82 (paragraph 34)
Informal document INF.5 of the forty-first session
ECE/TRANS/WP.15/AC.2/84, paragraph 36: Report of the forty-first session

* Distributed in German by the Central Commission for the Navigation of the Rhine under the symbol CCNR-ZKR/ADN/WP.15/AC.2/2023/46

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



Introduction

1. At the forty-first session of the Safety Committee, France, Germany and The Netherlands submitted informal document INF.5.

2. The outputs of the discussions are reflected in paragraph 36 of the report of the forty-first session of the Safety Committee:

“36. The Safety Committee agreed on the need to clarify in the English version of ADN the definition of "inspection body", but this would imply an amendment of the treaty. To avoid a call for a conference of parties and also a request to the RID/ADR/ADN Joint Meeting to adapt the RID/ADR, it was recommended to resolve the issue by using a slightly different term for the English version and/or a new footnote. The representatives of France, Germany and the Netherlands volunteered to come up with a new proposal at the next session of the Safety Committee.”

Proposal for amendment to 1.2.1 of ADN

3. The following table contains the proposals of amendments to 1.2.1, which only affect the French text. The deleted text is in strikethrough characters and the new text is in bold underlined characters.

| | EN | FR | GE |
|--------------|---|--|---|
| 1.2.1 | Inspection body means an independent monitoring and verification body certified by the competent authority | Instance d'inspection <u>Organisme de contrôle</u> une instance indépendante <u>un organisme indépendant</u> de contrôle et de vérification agréée <u>agréé</u> par l'autorité compétente | Prüfstelle Eine von der zuständigen Behörde zugelassene unabhängige Prüfstelle |

4. These proposals are consistent with RID/ADR and, taking into account paragraph 36 of the report of the forty-first session of the Safety Committee (referred in paragraph 2 above), apply to the Special Provision 674 (paragraph (d), second bullet-point) as follows:

| | EN | FR | GE |
|------------------|---|--|---|
| SP 674 d) | ... - Make available to inspection bodies <u>(as defined in 1.2.1)</u> , filling centres and competent authorities the specific technical characteristics of the cylinders consisting of at least the following: serial number, steel cylinder production batch, over-moulding production batch, date of over-moulding; | ... - Mettre à disposition des organismes de contrôle, des centres de remplissage ou des autorités compétentes, les caractéristiques techniques spécifiques des bouteilles comprenant au moins le numéro de série, le lot de production des bouteilles en acier, le lot de production des surmoulages et la date du surmoulage; | ... - die Zurverfügungstellung der spezifischen technischen Eigenschaften der Flaschen, zumindest bestehend aus Seriennummer, Produktionslos der Stahlflasche, Produktionslos der Umformung, Zeitpunkt der Umformung, für die Prüfstellen, Befüllzentren und zuständigen Behörden; |

Definition of “Inspection body(ies)” in other parts of ADN

5. The other instances of the terms “inspection body(ies)” (English), “organisme(s) de visite” (French), and “Untersuchungsstelle” (German), in 1.16, 8.6.1.1, 8.6.1.3, 9.1.0.1 and 9.3.x.1 of ADN, refer to the definition provided in 1.16.4.

6. It has also been noticed the need of a slight editorial amendment to the German text of the first sentence of 1.16.3.1 as follows:

"**1.16.3.1** Die Untersuchung des Schiffes wird unter der Aufsicht der zuständigen Behörde ~~einer~~ **der** Vertragspartei durchgeführt."

Other issues

7. At least, it has been raised that the wording "test body / organisme de contrôle / Prüfstelle" in 8.1.2.2 (h) and 8.1.2.3 (u) was not clearly defined. The authors understand that this notion of "test body" refers to in the notified bodies dealing with European Union Directive 2014/34/EU. It is therefore proposed to include the following amendments, with corresponding footnotes in the table below:

| | EN | FR | GE |
|--------------------|---|---|---|
| 8.1.2.2 (h) | - Installation/equipment, location, marking (explosion protection level according to IEC 60079-0, equipment category according to Directive 2014/34/EU ¹ or equivalent protection level, explosion group, temperature class, type of protection, test body ^(*)) in case of electrical equipment for use in zone 1 (alternatively, a copy of the certificate of conformity according to Directive 2014/34/EU ¹); | - Installation/équipement, emplacement, marquage (niveau de protection contre les explosions selon la norme CEI 60079-0, catégorie d'équipement selon la directive 2014/34/UE ¹ ou niveau de protection équivalent, groupe d'explosion, classe de température, type de protection, organisme de contrôle ^(*)) dans le cas des équipements électriques destinés à être utilisés en zone 1 (ou, en guise d'alternative, copie de la déclaration de conformité selon la directive 2014/34/UE ¹); | - Anlage/Gerät, Aufstellungsort, Kennzeichnung (Geräteschutzniveau nach IEC 60079-0 oder Gerätekategorie nach Richtlinie 2014/34/EU ¹) oder vergleichbares Schutzniveau, Explosionsgruppe und Temperaturklasse, Zündschutzart, Prüfstelle ^(*) , bei elektrischen Geräten zum Einsatz in Zone 1 (alternativ Kopie z.B. Konformitätserklärung nach Richtlinie 2014/34/EU ¹)) |
| 8.1.2.3 (u) | - Installations/equipment, location, marking (explosion protection level according to IEC 60079-0, equipment category according to Directive 2014/34/EU ¹ or at least equivalent), including explosion group and temperature class, type of protection and test body ^(*) , in the case of electrical equipment for use in zone 0 or zone 1 and, in the case of non-electrical equipment for use in zone 0; (alternatively, a copy of the inspection certificate, for example the declaration of conformity under Directive 2014/34/EU ¹); | - Installation/équipement, emplacement, marquage (niveau de protection contre les explosions selon la norme CEI 60079-0 ou catégorie d'équipement selon la directive 2014/34/UE ¹ ou au moins équivalent), y compris le groupe d'explosion et la classe de température, le type de protection, l'organisme de contrôle ^(*) dans le cas des équipements électriques destinés à être utilisés en zone 0 et en zone 1 ainsi que dans le cas des équipements non électriques destinés à être utilisés en zone 0; (ou, en guise d'alternative, copie de l'attestation de contrôle, par exemple de la déclaration de conformité selon la directive 2014/34/UE ¹); | - Anlage/Gerät, Aufstellungsort, Kennzeichnung (Geräteschutzniveau nach IEC 60079-0 oder Kategorie nach Richtlinie 2014/34/EU ¹) oder mindestens gleichwertig) einschließlich Explosionsgruppe und Temperaturklasse, Zündschutzart, Prüfstelle ^(*) bei elektrischen Geräten zum Einsatz in Zone 0 und Zone 1 sowie bei nicht-elektrischen Geräten zum Einsatz in Zone 0; (alternativ Kopie der Prüfbescheinigung z.B. Konformitätserklärung nach Richtlinie 2014/34/EU ¹)) |

(*) **Notified body, in the frame of Directive 2014/34/EU, or equivalent**

(*) **Organisme notifié, dans le cadre de la Directive 2014/34/UE, ou équivalent**

(*) ***German wording to be established by Germany or another German speaking delegation***

Proposals

8. The Safety Committee is invited to consider the proposals included in paragraphs 3 to 7 above and take action as appropriate.