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INLAND TRANSPORT COMMITTEE

Working Party on the Transport of Perishable Foodstuffs

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Item 6 of the provisional agenda

ATP HANDBOOK

Proposal for a comment in the ATP Handbook concerning kit bodies*

Transmitted by the Government of Sweden

SUMMARY

Executive summary: The sixty-second session of the Working Party on the Transport of Perishable Foodstuffs (WP.11) (November 2006) decided not to introduce in Annex 1, Appendix 2 a new section containing requirements for so-called kit bodies. In order to achieve a harmonised interpretation of the decision, a comment in the ATP Handbook is necessary.

Action to be taken: Adoption of a comment to be introduced in the ATP Handbook.

Related documents: None.

* The present document is submitted in accordance with the Programme of Work for 2008-2012 of the Inland Transport Committee (ECE/TRANS/2008/11, Item 2.11 (f)) which calls for the "Elaboration of an ATP Handbook".

Introduction

1. A Swedish assembler has asked for an ATP certificate for a kit body. The Swedish technical competent agency, in cooperation with the Swedish competent authority, have with reference to the decision made by WP.11 concerning kit bodies refused to issue such a certificate. The applicant is of the opinion that this question is dealt with in a more positive way by other Contracting Parties to the ATP Agreement.

2. Excerpt from report ECE/TRANS/WP.11/214 of 13 December 2006:

"23. Portugal objected to the entry into force of the draft amendment on kit bodies, and Spain made the same objection, considering that such an amendment was contingent on the proposed amendment of article 2.

24. The Working Party decided to confine itself to the draft amendments adopted unanimously by all delegations."

Proposal

3. Introduce a new comment 1.2 after paragraph 2 (a) of Annex 1, Appendix 1 as follows:

"Kit bodies shall have the same treatment as normal bodies with regard to ATP certification. If the "kit" assembler wishes to obtain a type-certificate then he shall submit the unit to the same tests, checks, etc. that a traditional assembler has to submit to. This means that the final assembled body, no matter whether a kit body or a normal body, shall be tested in an approved ATP test station, and if approved the normal type approval test report will be issued, allowing the manufacturer/assembler to make similar bodies according to ATP and its own country rules.

In conclusion, a kit manufacturer is unable to be issued with a type-certificate for a kit, but the kit assembler may request a type-certificate for the assembled kit."

(Renumber the existing comment as comment 1.1)

Justification

4. Clarification of the decision concerning kit bodies is necessary in order to harmonise the interpretation by all Contracting Parties regarding the question of issuance of international ATP certificates for kit bodies and to ensure a level playing field for manufacturers/assemblers in all Contracting Parties.

Simplification

5. The introduction of a comment will ease the work of competent authorities.

Feasibility

6. The amendment proposed is expected to improve practical life.

Enforceability

7. No problem of enforcement is foreseen. The new text will provide clarification for control authorities.
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