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Working Party on the Transport of Dangerous Goods

Joint Meeting of the RID Committee of Experts and the Working Party on the Transport of Dangerous Goods

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Item 4 of the provisional agenda
Interpretation of RID/ADR/ADN

Retention of transport information

Transmitted by the government of Sweden[1, 2]

Introduction

1. In RID/ADR/ADN, there is a new requirement in section 5.4.4 stating that both consignors and carriers shall retain a copy of the transport document for at least three months. The transport document can also be kept electronically or in a computer system, but it shall be possible to obtain the information in a printable form.

2. These new provisions have created discussions among carriers, forwarders and consignors in Sweden. There seems to be ambiguities on how to interpret these requirements.

3. There might be shipments of goods between one consignor and one consignee which can involve many different carriers and the question then arises if each carrier involved needs to retain a copy of the transport document, or if it is sufficient that the initial carrier retain a copy. Sweden has interpreted 5.4.4 that all carriers involved in a transport need to retain the transport document, but would like to hear the views of other countries on this issue.

[1] In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/208, para.106, ECE/TRANS/2010/8, programme activity 02.7 (c)).

[2] Circulated by the Intergovernmental Organisation for International Carriage by Rail (OTIF) under the symbol OTIF/RID/RC/2011/10.

4. Furthermore, there is also the question whether it is satisfactory that the forwarder, arranging and planning the different transports, is the participant that is obliged to retain the information, or if it is the actual haulier that should retain the transport information. The expert from Sweden is aware of the definition of a carrier in chapter 1.2, but there seem to be uncertainties if a forwarder could be considered as a carrier in this case. We would be grateful to hear the views of other countries on this issue as well.

5. Lastly, we also wonder how these new provisions should be interpreted in relation to paragraph 5.4.1.1.6.2.3 concerning transport of empty means of containment, uncleaned, which contain the residue of dangerous goods of classes other than Class 7, that are returned to the consignor. For these transports, is it necessary that a copy of the amended transport documents also should be retained as well as the transport documents prepared for the full-capacity carriage?