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**Economic Commission for Europe****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)**

**Twenty-fourth session**

Geneva, 27–31 January 2014

Item 5 (b) of the provisional agenda

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

**Rationalization of the requirements for the certificate of approval**

**Transmitted by the Government of Germany<sup>1 2</sup>**

*Summary*

<b>Executive summary:</b>	The procedure for issuing certificates of approval is covered twice in ADN 2013: in Chapter 1.16 and in sections 8.1.8 and 8.1.9.
<b>Action to be taken:</b>	Delete sections 8.1.8 and 8.1.9 and place some of their provisions in Chapter 1.16.
<b>Related documents:</b>	None.

<sup>1</sup> In accordance with the programme of work of the Inland Transport Committee for 2012–2016 (ECE/TRANS/224, para. 94 and ECE/TRANS/2012/12, programme activity 02.7, (A1b)).

<sup>2</sup> Distributed in German by the Central Commission for the Navigation of the Rhine in document CCNR-ZKR/ADN/WP.15/AC.2/2014/18.



## Introduction

1. On 1 January 2005, Chapter 1.11, entitled “Procedure for the issue of the certificate of approval”, which already existed in ADN 2003, was renumbered as Chapter 1.16. Even in 2003 ADN contained parallel provisions in sections 8.1.8 and 8.1.9 relating to the issuance of certificates of approval and provisional certificates of approval.
2. The fact that the requirements for the issuance of certificates of approval exist in parallel is a source of serious legal uncertainty regarding the question of which provisions take precedence, those of Chapter 1.16 or those of 8.1.8 and 8.1.9. At this point, sections 8.1.8 and 8.1.9 themselves most often refer back to Chapter 1.16.

## Proposal

3. Delete ADN sections 8.1.8 and 8.1.9.
4. Add the following new paragraph to ADN subsection 1.16.1.1:  
“1.16.1.1.3 For tank vessels the relief pressure of the safety valves or the high velocity vent valves shall be mentioned in the certificate of approval.  
If a vessel has cargo tanks whose release pressures are different, the relief pressure of each cargo tank shall be indicated in the certificate of approval.”

## Justification

5. This measure establishes legal certainty, as it confirms that ADN Chapter 1.16 is the sole legal basis for the issuance of certificates of approval and for measures to be taken by the authorities when vessels suffer from defects.
6. The models of certificates of approval in 8.6.1 refer only to Chapter 1.16. There is no reference to Chapter 8.1.
7. Sections 8.1.8 and 8.1.9 mainly refer to the application of Chapter 1.16. Wherever the provisions are worded in detail, their content is identical with the corresponding paragraphs of Chapter 1.16.
8. To eliminate repetition, sections 8.1.8 and 8.1.9 should be deleted.
9. The third and fourth sentences of subsection 8.1.8.3 are currently missing from Chapter 1.16 and should be moved there.

## Safety

10. Transport safety is maintained.

## Feasibility

11. No changes to the procedure for issuing certificates of approval are required.