

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

23 August 2024

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

Geneva, 10–13 September 2024

Item 6 of the provisional agenda

Reports of informal working groups

Report of the informal working group on references to the competent authority

Transmitted by the Government of Switzerland

I. Introduction

1. Since the last report in September 2023, the informal working group (IWG) on references to the competent authority held three virtual meetings with Ms. Valérie Blanchard (Switzerland) as Chair, Mr. David Pope (United Kingdom of Great Britain and Northern Ireland) as Vice-Chair and Ms. Jacqueline Bohn (Switzerland) as secretary.
2. Members from the following countries and organizations attended one or more meetings: Austria, Belgium, Denmark, Finland, France, Germany, Italy, Luxembourg, Kingdom of the Netherlands, Portugal, Slovakia, Spain, Sweden, Switzerland, Türkiye, United Kingdom, European Union Agency for Railways (ERA), Intergovernmental Organisation for International Carriage by Rail (OTIF), Transport Community, European Chemical Industry Council (Cefic), International Road Union (IRU) and International Union of Wagon Keepers (UIP).
3. At this stage, the IWG reviewed the references to the competent authority in Parts 1, 2 and 3 of RID/ADR/ADN and in Chapter 4.1 of RID/ADR.
4. The work was based on a revised version of informal document INF.3 of the spring 2023 session. The IWG checked the interpretations provided by the UNECE secretariat in the column “Comment” of the table and amended them where deemed necessary.
5. As indicated in September 2023, several texts of ADN differ considerably from those of RID and ADR. Therefore, the texts of Chapters 1.6, 1.15 and 1.16 of ADN were not reviewed as the IWG considered that this should be done separately by the ADN experts.¹
6. This document lists some of the issues identified by the IWG and give possible ways forward. This is not an exhaustive list, but rather a summary of the most challenging issues.

II. Issues identified and proposed actions

A. Definition of “country of origin”

7. The IWG confirmed the UNECE secretariat’s interpretation that “country of origin” means “country of origin of the consignment” if not otherwise indicated. For reasons of reader-friendliness, the short wording “country of origin” should be retained in RID/ADR/ADN and a definition of “country of origin” should be introduced in Chapter 1.2. This is in line with the group's initial view that the definitions provided in informal document

¹ See also paras. 7 and 8 in [informal document INF.45 of the autumn 2023 session](#).

INF.3 of the spring 2023 session should be introduced into RID/ADR/ADN to facilitate the implementation of the regulations.²

B. Country of origin and country of manufacture

8. The IWG identified several instances where “competent authority” should be understood as “competent authority of the country of origin” or “competent authority of the country of manufacture”. These complete wordings are already used in RID/ADR/ADN; therefore, to ensure both clarity and consistency, the wording “competent authority” should be supplemented. This means amending several provisions of RID/ADR/ADN, including those coming from the UN Model Regulations.

C. Provisions of Chapter 4.1

9. It has sometimes been difficult to decide on the interpretation of the texts of Chapter 4.1 of RID/ADR as different practices currently exist in the various Contracting States and Parties. The IWG believes that practices should be harmonised by amending the provisions. However, the IWG considered that it would be appropriate to first seek the advice of the UN Sub-Committee of Experts on the Transport of Dangerous Goods on the interpretation of these texts.

D. Alignment of RID/ADR/ADN and the United Nations Model Regulations

10. The issues raised in paragraphs 7 to 9 show the need to harmonise the provisions of RID/ADR/ADN with those of the United Nations *Model Regulations*. At its next meetings, the IWG will review the references in Parts 4 to 6 of RID/ADR/ADN. It will then be possible to establish to what extent amendments to these four regulations are necessary.

E. Approval by the competent authority of a country which is not a Contracting Party to RID/ADR/ADN

11. If the country of origin or the country of manufacture is not a RID Contracting State, RID generally requires the recognition of the approval or a new approval by the competent authority of the first RID Contracting State reached by the consignment. The same principle applies to ADR and ADN. However, there are less stringent requirements, for example:

2.2.1.1.8.1 RID: *“An article or a substance may be excluded from Class 1 by virtue of test results and the Class 1 definition with the approval of the competent authority of any RID Contracting State who may also recognize an approval granted by the competent authority of a country which is not an RID Contracting State provided that this approval has been granted in accordance with the procedures applicable according to RID, ADR, ADN, the IMDG Code or the ICAO Technical Instructions.”*

6.2.3.6.2 RID: *“If the country of approval is not an RID Contracting State or a Contracting Party to ADR, the competent authority mentioned in 6.2.1.7.2 shall be the competent authority of an RID Contracting State or a Contracting Party to ADR.”*

12. Less stringent provisions could be useful when a country does not have the capacity or resources to recognise or issue a new approval. They are also advantageous for inland waterway transport, as ADN has fewer Contracting Parties than RID and ADR. In this case, the administrative burden could be reduced, for example, when an approval has already been

² See paras. 18 to 23 in [informal document INF.3 of the spring 2023 session](#).

issued by the competent authority of a RID or ADR Contracting Party which is not Party to ADN.

13. The IWG has therefore started to identify provisions which could be less stringent without compromising safety and to draft possible wording. The issue will also arise in cases where the wording “competent authority” will be supplemented to read “competent authority of the country of origin” or “competent authority of the country of manufacture” (see paragraph 8 above).

III. Next steps

14. The IWG agreed that ADN texts such as those in 1.6.7, 1.15, 1.16 and Parts 7 to 9 should be reviewed separately by the ADN experts. A communication to this effect will be made at a forthcoming session of the ADN Safety Committee. The Committee can then decide how to proceed with the review.

15. The next IWG meeting will take place on 24 September 2024 from 9.30 to 13.00 (CEST). The IWG will continue the review of the references starting with Chapter 4.2 RID/ADR.

IV. Further information

16. The UNECE secretariat has created a new section on its Wiki website to host the most important documents of the IWG. The terms of reference, agenda and minutes of the meetings as well as the updated list of references are publicly available.³

³ See: <https://wiki.unece.org/pages/viewpage.action?pageId=248578068>.