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REPORT OF THE WORKING GROUP “ATP-HANDBOOK”

Note by the secretariat

The meeting was attended by the host: Mr. Mogens Elsoe, the Secretary of WP.11, Mr. Sid'Ahmed and delegates from France, Italy, Netherlands, Sweden and Portugal.

General:

The meeting started with an introduction by Mr. van der Rijst, explaining the chosen structure for the ATP handbook and the relation with that of the TIR handbook.

It was clarified that the terms of reference for the working group would be: to consider the explanatory notes and comments as collected by the secretariat of WP.11 in document TRANS/WP.11/2000/5 (draft ATP handbook), verify their relevance and decide whether their status as explanatory note or comment is correct.

Also the comments, proposed by the government of France in document TRANS/WP.11/2000/10, as far as they fall under the competence of the working group, would be considered.

Proposed structure for the handbook, derived from the TIR handbook:

- Basis is the legal text with the articles and annexes;

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- Where appropriate, an explanatory note or comment is placed in the handbook after the article or annex, which it should clarify;
- An explanatory note contains information on how to interpret or apply the related requirement. This interpretation or application is binding. The procedure for submission of a proposal and the adoption is therefore the same as for the legal text of the ATP;
- A comment, on the other hand is a clarification which is not binding. A decision, taken in the WP.11 will in this case suffice.

Surely, if the intended change in the adoption procedure of amendments in ATP will be realised, a qualified majority can amend the technical requirements in the Annexes as well as in the explanatory notes.

The working group recommends for the adoption of comments to make the choice for a simple majority.

In order to make the difference clear between plain text, explanatory notes and comments, the working group recommends to take over the system, chosen for the TIR handbook being:

Sequence:

- 1 legal text;
- 2 explanatory notes;
- 3 comments.

Font style:

- legal text: bold;
- explanatory notes: normal;
- comments: italics.

With the comments a reference will be made to the origin of their adoption.

Concerning the contents of the draft handbook the working came to the following conclusions:

Article 2:

The clarifications classified as explanatory notes were considered to be comments; the comments were considered to be explanatory notes.

(iii): the text was found not sufficiently clear; it was therefore amended.

(iv): the text was not considered to contribute to clarity and was therefore deleted.

0.2-2: the existing text will be replaced by a better wording.

Article 5:

0.3-1: this [explanatory note] is related to article 5, so should be renumbered as 0.5-1.
Consequently 0.3-2 will be renumbered as 0.3-1.

Annex 1, Appendix 1:

2(a): The text proposed in document TRANS/WP.11/2000/10 on this subject was in principle adopted but for clarification, in amended form:

“A test report is valid for six years as from the date of the finalisation of the test.
The limit of validity of reports may be given in months and years.”

2(c) (French proposal): This recommendation (comment or explanatory note) was not regarded as an item for this working group.

2(d): This text was regarded as a comment rather than as an explanatory note. The text in the second paragraph is amended slightly.

4(b) (French proposal): The working group did not see the usefulness of this proposal and therefore did not take it up.

4(c) (French proposal): Comment adopted with an amended last sentence: “This document should at least be drafted in the English or French or Russian language”.

6 (French proposal): The working group has noticed that a confusing use of the words “distinguishing” and “identification” for marking exists in the ATP Annexes. France was willing to draft a formal proposal for consideration in the WP.11.

The remainder of document TRANS/WP.11/2000/10 was regarded as a matter for consideration in the IIR/D2-testengineers group.

Annex 1, Appendix 2:

A. 1: The working group failed to see the contribution to clarity of the explanatory note or comment and therefore decided that it could be deleted.

The explanatory notes to A. and B., placed after 27. were considered to be comments.

The clarifications for A., now identified as comments, were considered to have a relationship with B. They could therefore better be placed after 29.

B. 1: This paragraph is regarded to be a Comment. Furthermore, the first sentence should read: “Examples for the errors which ...”

B. 3(a): The second paragraph is merely a historic perspective and could therefore be deleted.

B. 3(b): The same applies to the second paragraph (“The Agreement ...”etc.). In the former third paragraph it should read 0.40 and 0.70 respectively.

28.: Instead of having these explanatory notes, the Models of the Test Reports should be amended. France will submit formal proposals to WP.11 for this purpose.

29. (c): The explanatory notes are considered to be comments. The first two paragraphs and the first sentence of the third paragraph should be retained; the remainder, only referring to discussions in the IIR/D2 test engineers should be deleted. The square brackets should be removed.

41 (i): to be deleted.

41 (ii): renumber to (i). The value of $0.4 \text{ W/M}^2 \text{ } ^\circ\text{C}$ ($\text{W/m}^2\text{K}$) should be replaced by: “the class limits”.

41 (iii): to be deleted: France will submit a formal proposal to WP.11 to amend the Models of the Test Reports.

49.: “Explanatory notes to Paragraph 49 (a)”: to be deleted;

The explanatory note to 49. (c) is considered to be a comment to 49. (d) and should therefore be placed after 49. (ii).

49. (e): to be deleted.

52.: This text was regarded as a comment rather than an explanatory note.

60.: to be deleted: France will submit a formal proposal to WP.11 to amend the Models of the Test Reports.

Annex 1, Appendix 3:

Comment to item 8: to be deleted.

Annex 2:

The explanatory notes are considered to be comments.

Comments 1. and 2. should be deleted. Except for the first sentence, the third comment should be retained.

Annex 2, Appendix 1:

Explanatory notes are considered to be comments.

The reference to national (UK) Guidelines should be deleted.

The comments 1., 2. and 3. are related to Annex 2, Appendix 1; comments 4., 5. and 6 are related to Annex 2, Appendix 2.

Annex 2, Appendix 2:

The comments should be renumbered as 1., 2. and 3.

The reference in comments nos. 2. and 3. (former 5. and 6.) to the draft EC Directive should be replaced by: “Directive 92/2/EEC”.

The reference to the national (UK) Guidelines in comment no. 2. should be deleted.

Explanatory notes 7, 8, 9, page 86:

no changes recorded;
second line: “which” instead of “whcih”;
first line: “punch” instead of “puch”;
third paragraph: “the” instead of “th”.

Additional clarification (adopted texts):

The test reports in accordance with Annex 1, Appendix 2 are not certificates. Contracting Parties to ATP shall recognise those reports (remainder unchanged).

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