|  |  |  |
| --- | --- | --- |
|  |  | **INF.9** |

**Economic Commission for Europe**

Inland Transport Committee

**Working Party on the Transport of Dangerous Goods**

**109th session 22 April 2021**

Geneva, 3-7 May 2021

Item 6 of the provisional agenda:

**Interpretation of ADR**

 Application of multilateral agreements

 Transmitted by the Government of Sweden

 Introduction

Sweden would like to raise some questions related to the applicability of multilateral agreements, and especially [M333](https://unece.org/sites/default/files/2021-01/M333e.pdf) (Driver training certificates in accordance with 8.2.2.8.2 of ADR) and [M334](https://unece.org/sites/default/files/2021-01/M334e.pdf) (Safety adviser certificates in accordance with 1.8.3.7).

Multilateral agreements are only applicable for carriage within and, when possible, between those countries signatory to the agreement.

Consequently, a driver whose certificate has expired is not authorized to carry dangerous goods within/through a country which has not signed M333. However, we have had queries from companies where the circumstances for the transport are slightly different and might open for different interpretations:

 Case 1 – M333

A driver holds an ADR-certificate issued in a country that has *not* signed M333. The validity of the certificate expired e.g. 1 April 2021.

Question: Is it possible for that driver to continue to carry dangerous goods within countries that has signed M333, if all the conditions stipulated in the agreement are met?

 Case 2 – M334

A safety advisor holds a DGSA certificate issued in a country that has *not* signed M334. The validity of the certificate expired e.g. 1 April 2021. The person is only active as DGSA for a company/companies located in a country that has signed M334.

Question: Is it possible for that DGSA to make use of M334 and, thus, continue to work for companies situated in countries signatory to M334, even though the DGSA works from a country not signatory to M334?

Sweden would appreciate views from other countries on these questions.