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## Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

8 June 2022

### Sub-Committee of Experts on the Transport of Dangerous Goods

#### Sixtieth session

Geneva, 27 June-6 July 2022

Item 11 of the provisional agenda

#### Unified interpretations of the Model Regulations

## Interpretations of the Model Regulations

### Transmitted by the expert from the United States of America

#### Introduction

1. The concept of unified interpretations was added to the agenda at the fifty-seventh session of the Sub-Committee based on document ST/SG/AC.10/C.3/2020/73. A further informal document INF.19 (58th session), proposing to continue the conversation on the implementation of an interpretation framework for the Model Regulations was discussed during the fifty-eighth session.
2. During the fifty-eighth session a lunchtime working group was convened to discuss the concept of a system of interpretations for the Model Regulations. While the Sub-Committee noted general support for the concept of unified interpretations and the potential value added by having a more clearly defined interpretation process, no decisions were taken regarding procedural aspects of implementation of such a process.
3. This paper proposes to continue the discussion on the procedural elements of an interpretation process for the Model Regulations, and proposes a process for consolidation of interpretations of the Model Regulations.

#### Discussion

4. During the lunchtime working group several potential methods of providing interpretations of the Model Regulations were discussed including:
  - An online forum to submit questions and delegations could respond prior to a focused discussion at a Sub-Committee meeting.
  - The use of a system like the International Maritime Organizations “Unified Interpretations” where a consensus opinion is noted in the applicable standard.
  - Taking decisions or interpretations that appear in the report as views of the Sub-Committee and placing these views within a dedicated section of the Model Regulations website. This approach would be similar to the existing ADR interpretations process.
5. This proposal focuses on the last option noted in paragraph 4 above. Consolidation of interpretations on the UNECE Dangerous Goods website could be housed in the “Model Regulations” tab within the “Legal Instruments and Recommendations” tab.
6. The Sub-Committee routinely issues guidance/interpretations in the report of sessions in instances where either no specific regulatory change was requested or if it was determined that no regulatory change was required, but verification/refusal of a specific point raised within a paper warrants inclusion in the report. This guidance can be utilized by shippers,

carriers, and competent authorities to ensure consistent implementation of the Model Regulations. However, locating these specific guidance/interpretation statements within numerous reports archived in several locations within the UNECE website archives is cumbersome and not easily recognizable to those unfamiliar with the way the Sub-Committee operates.

7. Where it is deemed important enough for clarifications to be included in the report of the Sub-Committee on an interpretive issue concerning the Model Regulations, these interpretations should be provided in a consolidated and easily accessible location.

## **Proposal**

8. Work with the Secretariat to create a “Model Regulations Interpretations” page located on the “Model Regulations” page within the “Legal Instruments and Recommendations” tab. Additionally, recognize that the Sub-Committee shall during their report approval process indicate interpretations that should be added to the new consolidated list of interpretations.

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