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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)****Forty-third session**

Geneva, 22-26 January 2024

Item 5 (b) of the provisional agenda

**Proposals for amendments to the Regulations annexed to ADN:
other proposals****Proposal for two additions in 1.6.7.2 General transitional provisions****Transmitted by the Government of Belgium*******Introduction**

1. During its forty-second session the ADN Safety Committee discussed informal document INF.21, transmitted by the European Barge Union and the European Skippers Organization (EBU/ESO), on a proposal regarding transitional provisions of gas detectors.
2. The Belgian delegation referred during the discussion to a general rule in the European Standard (ES-TRIN), article 32.04 (6), where equipment or parts of equipment may continue to be used for a further twenty years following revisions or new publications of a European or an International Standard. The Belgian delegation intended to submit a document.
3. ES-TRIN, article 32.04 (6) reads as follows:
“Where this provision refers to a European or an International Standard, with regard to structural requirements:
(a) pertaining to free-standing items of equipment, such items of equipment may, after any new publication or revision of the Standard, continue to be used for a further 20 years following the new publication or the revision of this Standard,

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** A/78/6 (Sect. 20), table 20.5



(b) pertaining to permanently installed equipment parts, equipment parts may continue to be used until they are replaced or the areas in question have been converted.”

4. The standards considered are linked to the industry and the market, at least, most of these standards. They are not always revised because of safety reasons, but because technique meets evolution. There are important arguments of having a transitional provision for equipment complying to a provision which refers to a European or an International Standard:

- There is no safety issue for devices currently used on vessels in service unless the safety issue is proven during the revision of the Standard. So nothing is wrong with using existing equipment based on an older version of a Standard.
- In several cases the industry is not even able to provide new equipment according to the new revision of the standard. This delay may last several years. The vessel owner may have a problem when he cannot obtain an equipment according to a new edition of a standard.
- In some cases equipment is built-in in the installations of the vessel which may need a deinstallation of permanently installed equipment in order to replace it by new equipment.

5. To have the possibility to define a different period of transition for certain provisions in the case a safety issue is detected resulting in a revision of the relevant standard, the provision of ES-TRIN is slightly amended. In the event of a different period the transitional provision should be mentioned explicitly in the tables of 1.6.7.2.1.1 and 1.6.7.2.2.1 of ADN.

6. The provision is also adapted to the wordings used in ADN.

Proposal

7. The Belgian delegation proposes to add in 1.6.7.2.1.1 and 1.6.7.2.2.1 two new general transitional provisions which read as follows (new text is bold):

“The construction and equipment of vessels in service shall be maintained at least at the previous standard of safety.

Where requirements of paragraphs refer to a European or an International Standard, with regard to structural requirements:

- (a) **pertaining to free-standing items of equipment, such items of equipment may, after any new publication or revision of the standard, continue to be used for a further 20 years following the new publication or the revision of this standard,**
- (b) **pertaining to permanently installed equipment parts, equipment parts may continue to be used until they are replaced or the areas in question have been converted,**

unless the requirements of paragraphs are specifically mentioned in the table below with a different transitional period.”

Justification

8. The Belgian delegation is of the opinion that security cannot be compromised, however with this amendment we meet the Sustainable Development Goal (SDG) of reducing environmental pressures and using resources more sustainably. Particularly, SDG 12 concerning responsible consumption and production applies for reducing negative environmental impact because equipment is kept on board while it is still reliable and not dumped because a standard has been revised.

Action to be taken

9. The Safety Committee is invited to consider the additions proposed in paragraph 7 above, and to take action as it deems appropriate.
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