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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)

#### Nineteenth session

Geneva, 22–25 August 2011

Item 4 of the provisional agenda

Proposals for amendments to the Regulations annexed to ADN

### Proposed changes to chapter 8.2

Transmitted by the Government of Germany<sup>1, 2</sup>

## I. Introduction

1. Chapter 8.2 sets out requirements for the training of experts who have special knowledge of ADN and are required to accompany transports of dangerous goods by inland waterways.

2. At the Committee's seventeenth session, a proposal by the informal working group on the catalogue of questions, concerning special testing at the end of the refresher courses described in paragraphs 8.2.1.4, 8.2.1.6 and 8.2.1.8, presented by the delegation of the Netherlands (ECE/TRANS/WP.15/AC.2/2010/18), was approved in principle. Such tests can improve participant concentration and thus the quality of the training. The informal working group was nevertheless requested to revise its proposal on the basis of additional observations made during the session (see ECE/TRANS/WP.15/AC.2/36, paras. 25–28).

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<sup>1</sup> Distributed in German by the Central Commission for the Navigation of the Rhine under the symbol CCNR/ZKR/ADN/WP.15/AC.2/2011/29.

<sup>2</sup> In accordance with the programme of work of the Inland Transport Committee for 2010–2014 (ECE/TRANS/2010/8, programme activity 02.7 (b)).

3. At a later meeting, on 22–24 March 2011 in Strasbourg, the informal working group drafted the following proposal for changes to chapter 8.2 which should lead to the introduction of a test at the end of refresher courses.

4. Germany, as a contracting Party and authorized applicant, hereby summarizes the conclusions of the informal working group on the catalogue of questions.

## II. Context

5. As was already explained during the sixteenth session (ECE/TRANS/WP.15/AC.2/34, para. 60), checks made by the competent authorities of some contracting Parties have indicated that the level of knowledge displayed by refresher course participants must be rated as poor. The fact that active participation in the courses was not required was identified as the main reason. There is good evidence that insufficient refresher training would be likely to adversely affect the security level of transport in accordance with ADN.

6. Mandatory end-of-course testing of participants' knowledge should improve attendance and concentration. However, it does not seem reasonable for the competent authorities to administer a test at the end of the course as called for in paragraph 8.2.2.7, considering the staffing and equipment costs that the authorities would incur.

7. To provide high-quality refresher courses, it is therefore proposed to introduce a final test administered by the course organizer which experts must take. Additional measures also seem necessary to ensure, in the long term, a high level of knowledge and high-quality teaching.

8. The final test should, however, be given only after basic training courses. No test should be required after the specialization refresher courses on gases and chemicals. As it is possible, under paragraphs 8.2.1.6 and 8.2.1.8, to renew a certificate obtained under paragraph 8.2.2.8 by working on a qualifying vessel instead of attending a course, introducing a test at the end of the refresher course would result in nearly 100 per cent of candidates opting to work on a vessel instead of attending the course.

## III. Proposal and justification

9. Paragraph 8.2.1.4 should be worded as follows (added text is underlined and in bold type):

“8.2.1.4 After five years the expert shall furnish proof, in the form of relevant particulars entered in the certificate by the competent authority or by a body recognized by it, of **successful** participation in a refresher course taken in the last year prior to the expiry of the certificate, covering at least the objectives referred to in 8.2.2.3.1.1 and in 8.2.2.3.1.2 or 8.2.2.3.1.3 and comprising current new developments in particular. **A refresher course shall be considered to have been successfully completed if a final written test conducted by the course organizer [under 8.2.2.2] has been passed. Under paragraph 8.2.1, the test can be retaken as often as desired during the validity of the certificate. The new period of validity shall begin on the expiry date of the certificate; in other cases it shall begin on the date of the certificate of participation in the course.**”

10. The German version of the text, which is closer to ADNR (the basis for ADN), already contains the expression “successful”. This version, which is taken to be the original version of the text, should be used for the institution of a test at the end of a refresher

course. The English, French and Russian versions should therefore be changed. The new second sentence to be inserted in all languages more precisely defines the desired outcome of the refresher course by clarifying the contents.

11. The heading of paragraph 8.2.2.7 is worded as follows:

“8.2.2.7 Examinations **and final tests**”

12. Specific rules governing the administration of final tests should be formulated and should, for reasons of consistency, be inserted in paragraph 8.2.2.7 on examinations at the end of basic training courses.

13. The following new paragraph 8.2.2.7.3 should be added after paragraph 8.2.2.7.2:

**“8.2.2.7.3 Refresher training course**

**8.2.2.7.3.1 At the end of the refresher course, the course organizer shall conduct a test in accordance with paragraph 8.2.1.4.**

**8.2.2.7.3.2 The test shall be in writing. Candidates shall be asked 20 multiple-choice questions. At the end of every refresher course, a fresh question paper shall be prepared. The test shall last 40 minutes. It shall be deemed to have been passed if at least 17 of the 20 questions have been answered correctly. During the test, candidates may consult the regulations on dangerous goods and CEVNI.**

**8.2.2.7.3.3 The provisions of paragraphs 8.2.2.7.1.2 and 8.2.2.7.1.3 shall apply to the administration of the tests.**

**8.2.2.7.3.4 The course organizer shall deliver to successful candidates a written certificate for presentation to the competent authority under paragraph 8.2.2.8.**

**8.2.2.7.3.5 The course organizer shall keep test papers for five years from the date of the test.”**

14. The test is considered the final part of the refresher course under paragraph 8.2.1.4 or of the basic training course under paragraph 8.2.2.6.1. As the refresher course is designed to update existing knowledge, the test should comprise fewer questions than the examination taken after the basic course.

15. The final test should, like the examination under paragraph 8.2.2.7.1, be in written form.

16. At two minutes per question, the duration of the test matches that of the competent authorities' examinations.

17. If at least 17 of the 20 answers are correct, the level of knowledge expected in the examination given after the first basic course — approximately 80 per cent of questions answered correctly — will have been reached.

18. For the final test, as for the examination given by competent authorities, under paragraph 8.2.2.7.1.1, at the end of the first basic course, questions should be chosen from the Administrative Committee's list of questions. As with that examination, the selection of questions should be changed for each test.

19. Any complaints or questions about the marking of the test should be settled case by case between the course organizer and the candidate. Rules to that effect could be laid down in the general conditions for course organizers.

20. A written certificate delivered by the course organizer confirming *successful* participation in the course will enable the competent authority to renew its certification of specialized knowledge of ADN.

21. Paragraph 8.2.2.6.3 should be amended as follows:

1. In subparagraph (d), the period should be replaced by a comma.
2. A new subparagraph (e) is to be added, as follows:

“(e) **Detailed plan for final tests**”

22. Given the importance of the final test, it is quite reasonable for the authority in charge of overseeing training to ensure that these tests are also conducted properly. When a course is approved, the authority should ensure that tests are conducted conscientiously, objectively and under examination conditions (specifically: candidates must not know in advance which questions will be used, tests must be invigilated, it must be clear what forms of help are authorized, tests must be held in an appropriate setting and must be properly marked).

23. Subparagraph (c) of paragraph 8.2.2.6.5 should be amended as follows:

“(c) the precise dates and venues of the various training courses shall be notified in advance to the competent authority; **the question papers for the final test shall be attached,**”

[“(c) the precise dates and venues of the various training courses shall be notified in advance to the competent authority; **model question papers for the final test shall be attached,**”]

24. The authority responsible for overseeing training should ensure that a different set of questions, arranged in a different order, is chosen for each course from the Administrative Committee’s extensive catalogue of questions. The informal working group on the catalogue of questions has not (yet) discussed whether the model referred to in paragraph 8.2.2.7.1.4 should be used in compiling questions.

25. It remains to be decided whether the question paper should be different for each course but identical for all participants in a given course, or should be different for each participant.

26. The second sentence of paragraph 8.2.2.6.5 should be amended as follows:

“Approval shall be granted in writing **for a limited period.**”

27. Limiting the approval period is an additional way of ensuring that the training is of high quality. It enables the authority to extend approval only if the course organizer continues to meet the requirements set out in paragraph 8.2.2.6. The authority can also stipulate that certain requirements are met if there is reason to believe that the quality of the training is not up to standard. The approval period should not exceed five years.

#### **IV. Feasibility**

28. All persons taking a refresher course from 1 January 2013 onwards shall be required to sit a test at the end.

29. The introduction of tests at the end of refresher courses entails additional work for the course organizers in preparing and administering the tests. Training programmes should thus be adapted if necessary to make allowance for the extra time required. Nevertheless, the extra time does not seem excessive considering that the aim is to ensure that vessel

crews receive high-quality training that directly improves security during the transport of dangerous goods. If necessary, the additional costs could be spread among course participants via high tuition charges.

30. The authorities responsible for approving and overseeing courses will also need to invest more time and money. They will need to add to training course approvals the additional requirements for refresher courses. It should be noted that this is a one-off exercise to be completed by the end of 2012. In the future the authorities will need to look at question papers for the various courses presented by course organizers and will, whenever the same questions are used for successive courses, need to ask for those questions to be replaced. The amount of time and money required for this work can be described as small to medium.

31. The tests must also be scrutinized by the competent authorities under paragraph 8.2.2.6.4, however, since the authority renewing the certificate regarding specialized knowledge under paragraph 8.2.2.8 must be able to rely on the accuracy and quality of the certification by the course organizer.

32. The time and money invested by the authorities does not seem excessive considering that the aim is to ensure that vessel crews receive high-quality training that directly improves security during the transport of dangerous goods.

33. Disputes over the marking of final tests shall, if the tests have been passed, be resolved under private law between the course organizer and the candidate and shall not involve the competent authorities.

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