Economic and Social Council

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Dangerous Goods

**Joint Meeting of the RID Committee of Experts and the
Working Party on the Transport of Dangerous Goods**
Geneva, 17–21 September 2018
Item 5 (b) of the provisional agenda
**Proposals for amendments to RID/ADR/ADN:
new proposals**

Alignment of 1.8.5.1 with RID/ADR/ADN 1.4.2 and 1.4.3

Transmitted by the Government of Austria^{*, **}

Summary

Executive summary:	Incidents should always be notified by those participants during whose activities the incident occurs.
Action to be taken:	Obligation for the unloader instead of the consignee in 1.8.5.1.
Related documents:	None.

Introduction

1.   Paragraph 1.8.5.1 prescribes that the <u>loader, filler, carrier</u> or <u>consignee</u> shall ascertain that a report is made if a serious accident or incident takes place during <u>loading, filling, carriage</u> or <u>unloading</u> of dangerous goods.

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2.   This is inconsistent to the extent that for unloading, it is not the participant during whose activities the incident occurs who is responsible for the report, but another participant. Historically, the reason for this is that this provision dates back to a time when the provisions did not yet refer to the unloader as a separate participant and his present obligations were essentially attributed to the consignee.

3.   However, based on the current attribution of obligations in 1.4.2 and 1.4.3, it would be logical in 1.8.5.1 to refer to the unloader instead of the consignee. This would also correspond to the situation when transport starts, where, for loading and filling, the obligation to provide a report does not concern the consignor, but the loader and filler.

Proposal

4.   In 1.8.5.1, replace "consignee" with "unloader".

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