

**OTIF**



**ORGANISATION INTERGOUVERNEMENTALE POUR  
LES TRANSPORTS INTERNATIONAUX FERROVIAIRES**

**ZWISCHENSTAATLICHE ORGANISATION FÜR DEN  
INTERNATIONALEN EISENBAHNVERKEHR**

**INTERGOVERNMENTAL ORGANISATION FOR INTER-  
NATIONAL CARRIAGE BY RAIL**

**OCTI/RID/CE/41/6j)**

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(Meiningen (Germany), 15 - 18 November 2004)

**Subject: Chapter 5.4: Indication of a responsible person in the documentation**

**Proposal submitted by the International Union of Railways (UIC)**

At its meeting held from 13 – 17 September 2004, the RID/ADR Joint Meeting discussed UIC's document OCTI/RID/GT-III/2004/9 (see Annex) and CEFIC's comments on it set out in informal document INF. 20 (see report OCTI/RID/GT-III/2004-A, paragraphs 25 and 26).

In the light of this discussion, UIC now requests the RID Committee of Experts to check this proposal, as it mainly involves a problem in rail transport. In this context, the question should not be that of a responsible person, but of a person to contact. This person should tell the rail carrier what to do with a wagon, container or consignment in the event of there being irregularities, serious delays or technical faults with the wagon.

UIC requests the RID Committee of Experts

- to review the unresolved questions in document OCTI/RID/GT-III/2004/9,
- to specify, if it is acknowledged that there is a need to provide details of a person to contact in the consignment note for certain consignments, which consignments this provision should apply to (e.g. goods with a high risk potential according to Table 1.10.5).

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## Chapter 5.4: indication of a responsible person in the documentation

### Transmitted by the International Union of Railways (UIC/IUR)

#### SUMMARY

**Executive summary:** The purpose of this proposal is to start a discussion in the RID/ADR/ADN Joint Meeting about the merits of indicating a responsible person in the documentation in the case of shipments, other than Class 6.2.

**Action to be taken:** Amend 5.4.1.2.4.

**Related documents:** OCTI/RID/Not./40e) / TRANS/WP.15/178.

The RID/ADR/ADN Joint Meeting has adopted in 5.4.1.2.4 a new provision for the documentation in the case of transport of substances of Class 6.2:

**"In addition to the information concerning the consignee, the name and telephone number of a responsible person shall be indicated."**

The UIC/IUR is in favour of this new provision, which enables the carrier to contact a responsible person in the case of any problem with the consignment.

We would, however, like to have some clarification on the following points:

What are the safety obligations according to Chapter 1.4 of this 'responsible person'?

What is the relation between the consignee and the 'responsible person'?

Does the responsible person act on behalf of the consignee?

All participants according to 1.4 are defined in section 1.2.1; the UIC/IUR would be in favour of a definition of the « responsible person » as well.

Moreover the UIC/IUR is of the opinion that the indication of a 'responsible person' should not be restricted to consignments of Class 6.2. In many cases it is extremely difficult for the (railway) carrier to trace a responsible person in the case of accidents or incidents. For instance:

An international railway transport of a consignment from France to Slovakia may involve five railway carriers subsequently, and the consignor might be an undertaking in Belgium. The situation is even worse in multimodal transport. For instance, a portable tank is shipped from the United States of America to India. As a part of the transport chain, the portable tank is carried by

rail from the port of Rotterdam to the port of Livorno. Consignor and consignee for the rail part are undertakings in the container terminals in Rotterdam and Livorno. Unless the Multimodal Dangerous Goods Form is attached to the CIM-consignment note, the four railway carriers in the countries between Rotterdam and Livorno have no idea which responsible person should be contacted in emergency cases. The UIC/IUR therefore suggests to start a discussion for which consignments, other than Class 6.2, the indication of a « responsible person » in the documentation might be useful.

### **Justification**

The availability of the name and telephone number of a responsible person will be very important in the case of irregularities and occurrences during carriage.

### **Safety implications**

Large; the advice of a responsible person may be crucial for emergency response.

### **Feasibility**

Most participants in the transport chain have already appointed a responsible person who can give advice in the case of occurrences.

### **Enforceability**

The safety obligations of the responsible person should be established clearly.

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