

# Carriage of dangerous goods: officer for the prevention of the risks in industries of transport

1991/0516(SYN) - 06/10/1995 - Council position

The Council's common position corresponds, to all intents and purposes, with the Commission's amended proposal and includes the European Parliament's amendments seeking to: - define the role and title of the adviser, his links with the company and the obligation to inform the competent authority of his identity; - allow the adviser to adapt his training and knowledge to the activities exercised by the company. In addition, the Council has introduced a number of amendments to the Commission proposal: - the scope of the directive has been limited to undertakings involved in the transport of dangerous goods or in loading or unloading activities in connection with the transport of these goods and only covers transportation by road, rail and waterway; - the exemption clause for small undertakings has been clarified; - the adviser must perform the duties listed in Annex I and answer to the head of the undertaking; - the Member States must issue a Community-type vocational training certificate recognized by all the other Member States, which is valid for the relevant modes(s) of transport and indicates the adviser's professional qualifications; - to obtain a certificate, applicants must undergo training providing them with sufficient knowledge of the duties listed in Annex I and pass an examination covering at least the subjects listed in Annex II; - the Community-type certificate will be valid for five years, with a flexible procedure for automatically renewing it for further periods of five years; - the adviser must draw up an accident report for the management of the undertaking or a local public authority, although no deadline for forwarding the report has been set; - a type IIIa committee on the transport of dangerous goods, as provided for in Directive 94/55/EC, will help the Commission adapt the directive to technical progress; - the deadline for transposition of the directive is set at 31 December 1999 in order to allow the Member States to organize vocational training and the examination needed in order to issue the Community-type certificate. Finally, it should be noted that the common position does not include amendments to: - make specific reference to Germany in one recital; - take account of the risks inherent in the transportation of dangerous goods; - take account of the prevention of risks to health; - extend the scope of the directive to transport-related activities such as storage, packaging or the disposal of dangerous goods; - allow an office of advisers to be set up; - introduce a paragraph relating to the validity and recognition of existing national certificates; - apply the directive before 1 January 1993; - ensure Member States forward information on accidents to the Commission; - include the Economic and Social Committee in the committee proposed by the Commission; - include a specific article making provision for the Council to undertake more complete harmonization of training and certification at a later date at the Commission's proposal.