

Basic information	
1991/0516(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Carriage of dangerous goods: officer for the prevention of the risks in industries of transport Repealed by 2006/0278(COD) Subject 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	TRAN	Transport and Tourism	WATTS Mark Francis (PSE)	26/07/1994
Council of the European Union	Council configuration		Meetings	Date
	Transport, Telecommunications and Energy		1803	1994-11-22
	Transport, Telecommunications and Energy		1834	1995-03-14
	Environment		1873	1995-10-06
	Social Affairs		1930	1996-06-03

Key events			
Date	Event	Reference	Summary
11/06/1991	Legislative proposal published	COM(1991)0004 	
09/09/1991	Committee referral announced in Parliament		
15/04/1992	Vote in committee		
14/05/1992	Debate in Parliament		
14/08/1992	Modified legislative proposal published	COM(1992)0327 	Summary
22/11/1994	Debate in Council		
06/10/1995	Council position published	07220/2/1995	Summary
25/10/1995	Committee referral announced in Parliament, 2nd reading		
20/12/1995	Vote in committee, 2nd reading		
20/12/1995	Committee recommendation tabled for plenary, 2nd reading	A4-0332/1995	

16/01/1996	Debate in Parliament		Summary
03/06/1996	Act adopted by Council after consultation of Parliament		Summary
03/06/1996	End of procedure in Parliament		
19/06/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1991/0516(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Amendments and repeals	Repealed by 2006/0278(COD)
Legal basis	EC Treaty (before Amsterdam) E 075 EC Treaty (before Amsterdam) E 084
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/07153

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0158/1992 OJ C 150 15.06.1992, p. 0010	15/04/1992	
Text adopted by Parliament, 1st reading/single reading		T3-0355/1992 OJ C 150 15.06.1992, p. 0312-0336	15/05/1992	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0332/1995 OJ C 032 05.02.1996, p. 0005	20/12/1995	
Text adopted by Parliament, 2nd reading		T4-0006/1996 OJ C 032 05.02.1996, p. 0044-0049	17/01/1996	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Council position	07220/2/1995 OJ C 297 10.11.1995, p. 0013	06/10/1995	Summary	
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(1991)0004  OJ C 185 17.07.1991, p. 0005	11/06/1991		
	COM(1992)0327			

Modified legislative proposal	 OJ C 233 11.09.1992, p. 0005	14/08/1992	Summary	
Commission communication on Council's position	SEC(1995)1649 	13/10/1995	Summary	
Commission opinion on Parliament's position at 2nd reading	COM(1996)0096 	12/03/1996		
Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1385/1991 OJ C 040 17.02.1992, p. 0046	27/11/1991	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
Directive 1996/0035 OJ L 145 19.06.1996, p. 0010 Summary

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

1991/0516(SYN) - 14/03/1995

By a qualified majority (the United Kingdom and Swedish delegations voted against and the Luxembourg delegation abstained), the Council agreed on its common position concerning a Directive on the appointment and vocational qualification of a safety adviser for the transport of dangerous goods. The proposed Directive is part of a broader framework aimed at implementing the provision on transport safety in Article 75 of the Treaty, a framework that includes Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road, adopted on 21 November 1994, and the Directive in preparation concerning uniform procedures for checks on the transport of dangerous goods by road, on which the Council recently adopted a common position. Member States would have to take the necessary measures to ensure that by 1 January 2000 at the latest the undertakings concerned appointed one or more safety advisers on the transport of dangerous goods, who would be responsible for helping to safeguard against the risks to public safety, property and the environment that are inherent in the activities mentioned above. The common position is aimed at undertakings carrying out the transport, and related loading and/or unloading, of dangerous goods by inland modes of transport (road, rail or waterway). The scope of the Directive could be extended by the Council in the light of a report on its application, which is to be drawn up by the Commission. The role of the adviser is specified in the text by means of a list of duties relevant to the activities of the undertaking. The adviser's main task would be to seek by all appropriate means and by all appropriate action to facilitate the carrying out of the undertaking's activities in compliance with the applicable regulations and in the safest possible way. The safety adviser would have to hold a Community-type vocational training certificate issued by the authority or body designated for that purpose by each Member State. Once the common position has been formally adopted, after finalisation of the texts, it will be communicated to Parliament under the cooperation procedure.

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

1991/0516(SYN) - 03/06/1996

The Council adopted the Directive by qualified majority, with the UK delegation voting against the proposal and the Luxembourg delegation abstaining.

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

1991/0516(SYN) - 27/11/1991 - Economic and Social Committee: opinion, report

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

1991/0516(SYN) - 13/10/1995 - Commission communication on Council's position

The Commission supported the common position, given that the discussions held by the European Parliament and the Council on the objectives of the directive have improved the original proposal.

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

1991/0516(SYN) - 03/06/1996 - Final act

OBJECTIVE: To ensure an adequate level of professional competence in undertakings involved in the transport of dangerous goods, either on their own account or for hire or reward, and activities which have an impact on transport safety, irrespective of the mode of transport used. **COMMUNITY MEASURE:** Council Directive 96/35/EC of the appointment and vocational qualifications of safety advisers for the transport of dangerous goods by road, rail and inland waterway. **SUBSTANCE:** The directive provides that all undertakings whose activities include the transport, or related loading or unloading, of dangerous goods shall no later than 31 December 1999 appoint one or more safety advisers responsible for helping to safeguard against risks to persons, property and the environment. The adviser shall, under the responsibility of the head of the undertaking, perform the duties listed in Annex I to the Directive. Each undertaking shall, on request, inform the competent authority of the identity of its adviser. The adviser must hold a Community-type vocational training certificate recognized by all the other Member States, which is valid for the relevant mode(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 risks inherent in the transport of dangerous goods and pass an examination covering at least the subjects listed in Annex II. The certificate is valid for five years and is automatically renewable for further periods of five years. Whenever an accident occurs during transport, loading or unloading, the adviser must draw up an accident report for the management of the undertaking or a local public authority. **DEADLINE FOR TRANSPOSITION:** 31/12 /1999.

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

1991/0516(SYN) - 17/01/1996 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mr WATTS (PSU, UK), the European Parliament approved this proposal for a decision with the following amendments: - the report prepared by the adviser should not be submitted to the management of the undertaking or to a local public authority, as appropriate; - the report must be sent to the authority designated by each Member State within two months of the date of the accident; - every year Member States will forward the relevant information to the Commission concerning the number and circumstances of the accidents that have taken place on their territory; - the directive must enter into force no later than 1 January 1998 (and not 31 December 1999).

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

1991/0516(SYN) - 15/05/1992 - Text adopted by Parliament, 1st reading/single reading

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

1991/0516(SYN) - 14/08/1992 - Modified legislative proposal

In its revised proposal, the Commission adopted the amendments forwarded by the European Parliament at the first reading. The aims of these amendments were as follows: - to include, in addition to transport operations, the loading, unloading, storage and disposal of dangerous goods; - to amend the proposals regarding the delegation of tasks by a safety adviser to another representative of the undertaking, the appointment of the safety adviser and the communication of the adviser's identity, the links between the safety adviser and the undertaking and the creation of a safety advisers' office; - to lay down details regarding the recognition of the advisers' training certificates issued by the Member States and the limitation of their validity to five years; - to prescribe that accident reports should be submitted within two months rather than three; - to bring forward the deadline for transposition of the directive by the Member States to 1 January 1993.

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.