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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Road Transport (SC.1)
Ad hoc Working Group on the Revision
of the AETR
(Second session, 11-12 April 2002)

**PROVISIONAL AGENDA FOR THE SECOND SESSION OF THE AD HOC
WORKING GROUP ON THE REVISION OF THE EUROPEAN AGREEMENT
CONCERNING THE WORK OF CREWS OF VEHICLES ENGAGED IN
INTERNATIONAL ROAD TRANSPORT (AETR)^{*/}**

to be held at the Palais des Nations, Geneva
starting at 10.00 a.m. on Thursday, 11 April 2002

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|----|---|-------------------|
| 1. | Adoption of the agenda | TRANS/SC.1/AC.6/3 |
| 2. | Election of Chairperson | |
| 3. | Status of accession to the AETR | |
| 4. | Relevant decisions of the Working Party on Road | TRANS/SC.1/369 |

^{*/} Delegates are requested to fill-in the attached registration form (also available from the Internet web side of the ECE Transport Division) and transmit it at the latest two weeks before the session to the ECE Transport Division, either by fax (+41-22 917 0039) or by E-mail (caroline.jeunet@unece.org). Please note that a photo is not required. In Geneva, prior to the session, delegates are requested to present themselves at the pass and identification Unit of the UNOG Security and Safety Section, located at Villa les Feuillantines, 13 avenue de la Paix (please see plan on the last page), for issuance of an identification badge. In case of difficulties, telephone the ECE secretariat (Int. 73242).

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| Transport (SC.1) and the Inland Transport Committee (ITC) | TRANS/SC.1/367
TRANS/SC.1/2001/1
and Add.1
TRANS/SC.1/2000/16 |
| 5. Information from the European Commission on the status of annex 1B | |
| 6. Preparation of final amendment proposals to the AETR | TRANS/SC.1/AC.6/2002/1
TRANS/SC.1/2000/16
TRANS/SC.1/1999/4 |
| 7. Other issues | |
| 8. Report of the Working Group | |

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EXPLANATORY NOTES

1. Adoption of the agenda

Documentation: TRANS/SC.1/AC.6/3.

The first item on the provisional agenda is the adoption of the agenda.

2. Election of Chairperson

The Working Group will elect a Chairperson for its second session.

3. Status of accession to the AETR and prior amendments

The Working Group will be informed about the countries which have recently acceded to the AETR or which intend to do so.

The Working Group will also be informed about the status of the new text of Article 12 on AETR checks adopted by SC.1 at its 93rd session (October 1999).

4. Relevant decisions of the Working Party on Road Transport (SC.1) and the Inland Transport Committee (ITC)

Documentation: TRANS/SC.1/367; TRANS/SC.1/369; TRANS/SC.1/2000/16; TRANS/SC.1/2001/1 and Add.1.

The Working Group will be informed about the relevant decisions of the 94th and 95th sessions of the Working Party on Road Transport (SC.1) (November 2000 and October 2001) and of the 64th session of the Inland Transport Committee (18-21 February 2002).

At its 94th session, the Working Party adopted in principle amendments to the AETR proposed by the representatives of France and the European Commission aimed at introducing the digital tachograph into the AETR (TRANS/SC.1/2000/16). The Working Party decided before finally adopting the amendments to await the publication in the Official Journal of the European Communities of annex 1B to regulation 3281/85/CEE relating to the technical provisions applicable to the new digital tachograph.

The Working Party agreed, however, that before the adoption of the amendments, there was still work to be done to adapt the Community text to the AETR. It therefore decided to convene a small informal group made up of a few volunteers representing non-EU Contracting Parties to the AETR and representatives of the European Commission (TRANS/SC.1/367, para. 32).

This informal meeting took place on 3 May 2001 with participation from Romania, Switzerland, the European Commission and the secretariat. On the basis of the conclusions of that meeting, presented in TRANS/SC.1/2001/1 and Add.1, SC.1 was invited to decide on the best solution for incorporating annex 1B into the AETR.

It is recalled that the 62nd session of the ITC (February 2000) strongly recommended that the AETR make reference to annex 1B of regulation 3821/85/CEE, rather than trying to incorporate it in its entirety and cited the example of ISO standards which are referred to in numerous legal instruments without being reproduced. However, it stressed the need to resolve, in this context, the problem of translation of this technical annex as well as the question related to the automatic validity of subsequent changes to the annex for non-EU Member countries (TRANS/SC.1/367 paras. 25 and 26).

At its 95th session, the Working Party was informed by the representative of the European Commission of the reasons why annex 1B has still not been adopted at the community level. The Working Party considered, however, that this delay was not a reason to suspend its work on the subject given that it was a question of defining a methodology for integrating the annex into the AETR and not one of modifying its contents. A copy of the latest official version of annex 1B (some 250 pages) was made available to delegations in an Informal document and delegations were informed that the text could also be consulted on the internet by clicking on "library" at the following address: <http://forum.europa.eu.int/Public/irc/tren/digtacho/library>

After consideration of the different solutions proposed (TRANS/SC.1/2001/1), the Working Party considered that the most appropriate and pragmatic solution for the future, given the size and technical character of the annex, was solution No.1 which consisted of accepting the Community version of annex 1B without changes and prefacing it with an introduction which, by cross references, would highlight points where modifications would be required.

It requested the representative of the European Commission to keep the secretariat closely informed of forthcoming developments at the Community level. It also requested the secretariat, once the final text has been adopted by the European Community, to prepare, in collaboration with the European Commission, a draft amendment to the AETR incorporating annex 1B on the basis of solution No. 1, as adopted (the annex will be entitled appendix 1B in the AETR). The Working Party considered, however, that this solution would entail a parallel modification of the body of the AETR itself to incorporate a new amendment procedure relating specifically to annex

1B. It therefore requested the secretariat to prepare proposals to that effect and, as far as possible, a consolidated text incorporating all the amendments to the AETR that would be entailed by the introduction of the digital tachograph.

Lastly, in order to make it possible to adopt, at its ninety-sixth session, all the amendments required to incorporate the digital tachograph into the AETR (amendments to the Agreement itself, its annex and its appendices), the Working Party decided to convene an ad hoc group with a mandate to review all such amendments, and to pay particular attention to their consistency in legal terms, if necessary proposing further changes. The Working Party requested the Inland Transport Committee to approve the constitution of the group on 11 and 12 April 2002.

5. Information from the European Commission on the status of annex 1B

On 19 September 2001 the annex 1B proposal was presented to the Committee for Adaptation to Technical Progress (CATP). The CATP could not reach a majority vote in favour of the proposal. In accordance with Community rules, in cases when a Commission proposal is not in accordance with the opinion of the Committee, the Commission must submit the proposal to the Council. Subsequently, after having finalized the translations and the written procedure (without major changes in the content), the Commission submitted the proposal to the Council on 30 November 2001. The Council received the proposal in the first week of December 2001. From the moment the Commission proposal was received, the Council can within three months:

- adopt the Commission proposal
- adopt a different text
- do nothing

If the Council does not reach an agreement within three months, the Commission will adopt its proposal. The period of three months will be over at the end of February 2002. The proposal for a Council decision then needs to be changed into a Commission decision again. The Commission hopes to publish the Annex 1B decision in May 2002. From that moment, the different periods (12 months for type approval, 21 months for card issuing and 24 months for fitting the tachograph in vehicles) will start running.

6. Preparation of final amendment proposals to the AETR

Documentation: TRANS/SC.1/AC.6/2002/1 and 2 ; TRANS/SC.1/2000/16 ; TRANS/SC.1/1999/4.

Using as a basis the latest consolidated version of the AETR (TRANS/SC.1/1999/4), document TRANS/SC.1/2000/16 prepared by the representatives of France and the European Commission and the results of the discussions at the 95th session of SC.1, the secretariat has prepared a new document gathering together all the amendments (already adopted or under discussion) which are required to introduce the digital tachograph into the AETR (TRANS/SC.1/AC.6/2002/1).

The Working Group is invited to examine all the proposed amendments, particularly their legal aspects, so that a final draft text can be submitted for adoption at the 96th session of SC.1.

7. Other issues

The Working Group of Experts may discuss any other relevant issues under this item.

8. Report of the meeting

The report of the Working Group will be prepared by the secretariat after the session. The final text of proposed amendments to the AETR will be annexed to it for consideration and adoption by the 96th session of SC.1 (30 September to 3 October 2002).



UNITED NATIONS OFFICE AT GENEVA

Conference Registration Form

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Geneva, Second Session, 11-12 April 2002

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