

DANGEROUS GOODS PANEL

Dubai, 31 March to 4 April 2003

Agenda Item 2 Development of recommendations for amendments to the Technical : Instructions for incorporation in the 2005/2006 edition

VALIDITY OF THE TECHNICAL INSTRUCTIONS

(Presented by G. A. Leach)

1. BACKGROUND

Contracting states to ICAO are obliged to implement the Standards and Recommended Practices contained in Annex 18 which effectively requires them to adopt the Technical instructions into national law. In (v) of the Foreword to the 2001-2002 edition, it states that this edition will be valid to 31 December 2002 or until such later time as a new edition becomes valid, which it is understood, is intended to mean until the new edition is published. However, it is suggested this should be interpreted as "when available", since a publication which is published but not available is of no use.

The method by which States choose to incorporate the Technical Instructions varies i.e. the statement regarding validity stated above will be applicable in certain states, whilst in others the text in the Foreword is immaterial; in the UK for example, with effect from 1 January 2003, "Technical Instructions" is defined as the 2003-2004 edition.

2. PROPOSAL

It is proposed to amend the second paragraph of (v) of the Foreword as follows and is written so as to provide for the 9th biennial edition of the Technical Instructions (the 2005-2006 edition):

"It is intended, for the time being, to continue issuing new versions of the Technical Instructions biennially. This is the ~~eight~~ ninth biennial edition of the Technical Instructions and it will be valid for two years, i.e. from 1 January ~~2003~~ 2005, or from such time as it becomes available, to 31 December ~~2004~~ 2006 or until such time as a new edition becomes ~~valid~~ available."

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