



**Conscious** of the importance of the Sava River for the economic, social and cultural development of the region,

**Desirous** of development of the inland navigation on the Sava River,

**Having regard** to the Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods,

**Believing** that public authorities can contribute significantly to the improvement of the safety and the protection of the environment through the establishment of uniform rules concerning the transport of dangerous goods on waterways of the Sava River Basin,

**In accordance** with Article 16 Paragraph 1 (a) and 2 of the Framework Agreement of the Sava River Basin, the International Sava River Basin Commission (hereinafter: Sava Commission) on its 22<sup>nd</sup> Session held on June 8, 2010, has adopted the following

## **DECISION – 12/10**

on adoption of

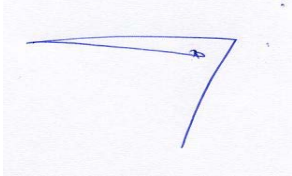
### **RULES FOR THE TRANSPORT OF DANGEROUS GOODS IN THE SAVA RIVER BASIN**

1. Text of the Rules for the Transport of Dangerous Goods in the Sava River Basin is attached to this Decision as its integral part.
2. Parties shall adopt the measures necessary to implement this Decision and notify the Sava Commission.
3. This Decision shall be binding for the Parties unless any of the Sava Commission members withdraws his vote within 30 days after the decision has been adopted, or informs the Sava Commission that the Decision is subject to the approval of the relevant authority of his State.  
If any of the Sava Commission members withdraws his vote within 30 days after the decision has been adopted, or informs the Sava Commission that the Decision is subject to the approval of the relevant authority of his State, the Sava Commission Secretariat shall, thereof, inform all other Sava Commission members.
4. If no member withdraws his vote nor informs the Sava Commission that the Decision is subject to the approval of the relevant authority of his State, the Decision shall enter into force on July 8, 2010 and shall apply as of January 1, 2011.

5. Upon entry into force, this Decision shall be binding in its entirety and directly applicable in the Parties.
6. The Sava Commission Secretariat shall notify the Parties of the entry into force of the Decision.

Ref. No: 1S-22-D-10-3/1-2

*Zagreb, June 8, 2010*

	<b>Mr. Branko Bačić</b>
	 <b>Chairman of the Sava Commission</b>

# **RULES FOR THE TRANSPORT OF DANGEROUS GOODS IN THE SAVA RIVER BASIN**



## **Article 1**

1. These Rules shall apply to the transport of dangerous goods on the inland waterways on the Sava River from the river kilometre 0.00 to Brežice, on the Kolubara River from the river kilometre 0.00 to the river kilometre 5.00, on the Drina River from the river kilometre 0.00 to the river kilometre 15.00, on the Bosna River from the river kilometre 0.00 to the river kilometre 5.00, on the Vrbas River from the river kilometre 0.00 to the river kilometre 3.00, on the Una River from the river kilometre 0.00 to the river kilometre 15.00 and on the Kupa River from the river kilometre 0.00 to the river kilometre 5.00, including the activities of loading and unloading, the transfer to or from another mode of transport and the stops necessitated by the circumstances of the transport.
2. These Rules shall not apply to the transport of dangerous goods:
  - a) by vessels belonging to or under responsibility of the armed forces
  - b) by ferries only crossing waterway or port; or
  - c) wholly performed within the perimeter of an enclosed area.
3. Parties may lay down specific safety requirements for the national and international transport of dangerous goods within their territory as regards the transport of dangerous goods by vessels not covered by these Rules. They shall inform the International Sava River Basin Commission (hereinafter the Sava Commission) of such provisions and their justification.
4. The Sava Commission shall inform the other Parties accordingly.
5. Parties may regulate or prohibit, strictly for reasons other than safety during transport, the transport of dangerous goods within their territory.

## **Article 2**

For the purpose of these Rules:

- a) 'ADN' means the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways, concluded at Geneva on 26 May 2000, as amended;
- b) 'vessel' means any inland waterway vessel;
- c) 'Party' means Party to the Framework Agreement on the Sava River Basin.

## **Article 3**

On the waterways mentioned under the Article 1, paragraph 1, Annexed Regulations to the ADN, as applicable with effect from 1 January 2011, as well as Articles 3(f), 3(h), 8(1), 8(3) of the ADN, it being understood that 'contracting party' is replaced by 'Party' as appropriate, shall be applied for the transport of the dangerous goods.

## **Article 4**

1. Without prejudice to Article 6, dangerous goods shall not be transported in so far as this is prohibited by Article 3.
2. Without prejudice to the general rules on market access or the rules generally applicable

to the transport of goods, the transport of dangerous goods shall be authorized, subject to compliance with the conditions laid down in Article 3.

### **Article 5**

Parties may on grounds of transport safety apply more stringent provisions, with the exception of construction requirements, concerning the national transport of dangerous goods by vessels registered or put into circulation within their territory.

### **Article 6**

1. Member States may authorize the use of languages other than those provided for in Article 3 for transport operations performed within their territories.
2. Provided that safety is not compromised, Parties may request derogations from Article 3, for the transport within their territories in the case of :
  - a) small quantities of certain dangerous goods, with the exception of substances having a medium or high level of radioactivity, provided that the conditions for such transport are no more stringent than the conditions set out in Article 3.
  - b) local transport over short distances

The Sava Commission shall examine in each case whether the conditions laid down in subparagraphs (a) and (b) have been met and shall decide whether to authorize the derogation and to add it to the list of national derogations.

3. Derogations under paragraph 2 shall be valid for a period not exceeding six years from the date of authorization, such period to be fixed in the authorization decision. Derogations shall be applied without discrimination.
4. If a Party requests the extension of an authorization for derogation, the Sava Commission shall review the derogation in question. If no amendment to Article 3, affecting the subject matter of the derogation has been adopted, the Sava Commission shall renew the authorization for a further period not exceeding six years from the date of authorization, such period to be fixed in the authorisation decision. If an amendment to Article 3, affecting the subject matter of the derogation has been adopted, the Sava Commission may:
  - a) declare the derogation obsolete and remove it from the relevant list of derogations;
  - b) limit the scope of the authorization and amend the relevant list of derogations accordingly;
  - c) renew the authorization for a further period not exceeding six years from the date of authorization, such period to be fixed in the authorization decision.
5. Every Party may, exceptionally and provided that safety is not compromised, issue individual authorizations to carry out transport operations of dangerous goods within its territory, which are prohibited by this Rules, or to carry out such operations under conditions different from those laid down in this Rules, provided that those transport operations are clearly defined and limited in time.

### **Article 7**

1. Parties may decide not to apply the provisions of Article 3, until, at the latest, January 1,

2013. If a Party decides not to apply the provisions of Article 3, it shall notify such decision to the Sava Commission, which shall inform the other Parties.

2. Parties may maintain restrictions on the transport of substances containing dioxins and furans applicable on January 1, 2011.
3. Certificates, in accordance with Article 3 (8.1), issued before or during the transitional period referred to in paragraph 1 of this Article shall be valid until January 1, 2018, unless a shorter period of validity is indicated in the certificate itself.