

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2. Agency responsible: Ministry of Transport, Public Works and Water Management Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Packaging and labelling of dangerous goods, transported by air, - aircraft
5. Title, number of pages and language(s) of the notified document: Act dated Amending the Aviation Act (Transport of Dangerous Goods and of Animals).
6. Description of content: The bill and implementing measures based thereon contain rules regarding the transport of dangerous goods and of animals by air. At present, these rules are laid down in accordance with Article 76, para. 1, sections a and c of the Aviation Act. The elaboration of these provisions, insofar as they concern the transport of dangerous goods, is laid down in Article 97 of the Aviation Monitoring Regulation (Dutch designation RTL) and the ministerial regulation based thereon which is notified within the framework of the Securitel operation. These rules mainly concern the implementation in Dutch legislation of the Technical Instructions for the safe Transport of Dangerous Goods by Air based on Annex 18 to the Chicago Convention. The Instructions have been drafted by the International Civil Aviation Organisation (ICAO) which was established by the International Civil Aviation Convention, Concluded in Chicago on 7 December 1944 (Treaties Journal 1973, 109). The present bill re-codifies legislation already valid in Dutch legislation. However, any breach of the regulations, unlike at present, is deemed an economic Offence. For the sake of clarity, it is pointed out that the present regulations do not change the content of the requirements currently prescribed regarding the construction, design, equipping and loading of aircraft, the packaging and labelling of dangerous goods to be transported by air, and regarding those people transporting or commissioning a third party to transport dangerous goods pursuant to approval.

7. Objective and rationale, including the nature of urgent problems where applicable: The bill has been drafted to implement international obligations in the interest of maintaining public safety. The technical regulations included under point 8 apply to national and imported products alike. For the benefit of foreign companies which meet the requirements, prescribed in the country of origin, the provision of mutual recognition has been included in article 6.57 of the bill.
8. Relevant documents: The Regulation on the transport of dangerous goods by air 1988
9. Proposed date of adoption: 30 June 2000 Proposed date of entry into force: 1 August 2000
10. Final date for comments: 17 January 2000
11. Texts available from: National enquiry point [X] or address, e-mail and telefax number of the other body: