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ROAD TRANSPORT



Treaty Series No. 53 (1985)

Protocol

amending Article 14(3) of the
European Agreement of 30 September 1957 concerning
the International Carriage of
Dangerous Goods by Road (ADR)

New York, 21 August 1975

[The Protocol entered into force on 19 April 1985]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1985*

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PROTOCOL
AMENDING ARTICLE 14(3) OF THE EUROPEAN
AGREEMENT OF 30 SEPTEMBER 1957 CONCERNING THE
INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY
ROAD (ADR)

The Parties to the present Protocol,

Having considered the provisions of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), done at Geneva on 30 September 1957⁽¹⁾ (hereafter referred to as "the Agreement"), in so far as concerns the amendment of the annexes to the said Agreement, and in particular article 14 (3) of the Agreement;

Noting that the Contracting Parties to the Agreement occasionally experience difficulties in implementing, within the three-month time limit provided for by article 14 (3) of the Agreement between the time when an amendment is deemed to have been accepted and the time when it is to enter into force, those internal measures that are required for the purpose of putting the amendments into effect;

Desirous of modifying in this respect the provisions of article 14 (3) of the Agreement;

Agree as follows:

ARTICLE 1

Modification of article 14 (3) of the Agreement

Paragraph 3 of article 14 of the Agreement is modified to read as follows:

"3. Any proposed amendment to the annexes shall be deemed to be accepted unless, within three months from the date on which the Secretary-General circulates it, at least one-third of the Contracting Parties, or five of them if one-third exceeds that figure, have given the Secretary-General written notification of their objection to the proposed amendment. If the amendment is deemed to be accepted, it shall enter into force for all the Contracting Parties on the expiry of a further period of three months, except in the following cases:

- (a) In cases where similar amendments have been or are likely to be made to the other international agreements referred to in paragraph 1 of this article, the amendment shall enter into force on the expiry of a period the duration of which shall be determined by the Secretary-General in such a way as to allow, wherever possible the simultaneous entry into force of the amendment and those that have been made or are likely to be made to such other agreements; such period shall not, however, be of less than one month's duration;

⁽¹⁾ Treaty Series No. 83 (1968), Cmnd. 3769

- (b) The Contracting Party submitting the proposed amendment may specify in its proposal, for the purpose of entry into force of the amendment, should it be accepted, a period of more than three months' duration."

ARTICLE 2

Acceptance of the present Protocol

The present Protocol shall be open for acceptance by the Contracting Parties to the Agreement. Instruments of acceptance shall be deposited with the Secretary-General of the United Nations.

ARTICLE 3

Entry into force of the present Protocol

1. The present Protocol and the amendments therein shall enter into force one month from the date on which the instruments of acceptance of all Contracting Parties have been deposited with the Secretary-General of the United Nations.⁽²⁾
2. Any State becoming a Contracting Party to the Agreement after the entry into force of the present Protocol shall be a Contracting Party to the Agreement as amended by the Protocol.

ARTICLE 4

Miscellaneous provisions

The original of the present Protocol, in English and French, shall be deposited with the Secretary-General of the United Nations, who shall transmit a certified true copy thereof to the Contracting Parties to the Agreement and to all States which may become Parties to the latter.

Drawn up by the Secretary-General of the United Nations, at New York, on 21 August 1975, the date of the completion of the procedure by which the Contracting Parties to the Agreement and other States concerned decided to open the present Protocol for acceptance.

For the Secretary-General
ERIK SUY
The Legal Counsel

⁽²⁾ The Protocol entered into force on 19 April 1985

ACCEPTANCES

<i>State</i>	<i>Date of Deposit of Instrument of Acceptance</i>
Austria	10 Aug. 1976
Belgium	8 Jun. 1977
Denmark	19 Mar. 1985
Finland	31 Aug. 1979
France	20 Dec. 1977
German Democratic Republic	10 Aug. 1976
Germany, Federal Republic of*	4 Mar. 1980
Hungary	26 Jan. 1984
Italy	23 Dec. 1981
Luxembourg	23 Feb. 1977
Netherlands	8 Sep. 1977
Norway	8 Feb. 1977
Poland	14 Jun. 1977
Portugal	20 Apr. 1979
Spain	5 Dec. 1975
Sweden	23 Feb. 1976
Switzerland	19 Feb. 1976
United Kingdom	13 Feb. 1976
Yugoslavia	1 Oct. 1976

* Includes Berlin West