

No. 8940. EUROPEAN AGREEMENT CONCERNING THE INTERNATIONAL CARRIAGE OF DANGEROUS GOODS BY ROAD (ADR). DONE AT GENEVA, ON 30 SEPTEMBER 1957¹

PROTOCOL² AMENDING ARTICLE 14 (3) OF THE ABOVE-MENTIONED AGREEMENT. CONCLUDED AT NEW YORK ON 21 AUGUST 1975

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 1957³ (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

¹ United Nations, *Treaty Series*, vol. 619, p. 77; for subsequent actions, see references in Cumulative Indexes Nos. 9, and 11 to 14, as well as annex A in volumes 905, 907, 920, 921, 922, 926, 940, 943, 951, 966, 973, 982, 987, 995, 1003, 1023, 1035, 1074, 1107, 1129, 1141, 1161, 1162, 1237, 1259, 1279, 1283, 1297 and 1344.

² Came into force on 19 April 1985, i.e., one month after the date of deposit with the Secretary-General of the instruments of acceptance of all States Parties to the Agreement, in accordance with article 3 (1) of the Protocol:

State	Date of deposit of the instrument of acceptance	State	Date of deposit of the instrument of acceptance
Austria.....	10 August 1976	Netherlands.....	8 September 1977
Belgium.....	8 June 1977	Norway.....	8 February 1977
Denmark.....	19 March 1985	Poland.....	14 June 1977
Finland.....	31 August 1979	Portugal.....	20 April 1979
France.....	20 December 1977	Spain.....	5 December 1975
German Democratic Republic...	10 August 1976	Sweden.....	23 February 1976
Germany, Federal Republic of...	4 March 1980	Switzerland.....	19 February 1976
Hungary.....	26 January 1984	United Kingdom of Great Britain and Northern Ireland.....	13 February 1976
Italy.....	23 December 1981	Yugoslavia.....	1 October 1976
Luxembourg.....	23 February 1977		

³ United Nations, *Treaty Series*, vol. 619, p. 77.

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;

“(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. 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:

[Signed]

ERIK SUY

The Legal Counsel

Authentic texts: English and French.

Registered ex officio on 19 April 1985.
