
STATUTORY INSTRUMENTS

1996 No. 2095

HEALTH AND SAFETY

The Carriage of Dangerous Goods by Road Regulations 1996

Made - - - - *8th August 1996*
Laid before Parliament *9th August 1996*
Coming into force - - *1st September 1996*

The Secretary of State, in exercise of the powers conferred on him by sections 15(1), (2), (3)(c), (4), (5)(b) and (6)(b), 43(2) to (6) and 82(3)(a) of, and paragraphs 1(1), (2), (3) and (4), 3, 4, 6, 9, 12, 15(1), 16 and 20 of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽¹⁾ and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the said Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

PART I

INTERPRETATION AND APPLICATION

Citation and commencement

1. These Regulations may be cited as the Carriage of Dangerous Goods by Road Regulations 1996 and shall come into force on 1st September 1996.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1996 Regulations” means the Road Vehicles (Construction and Use) Regulations 1986⁽²⁾;
“agriculture” includes horticulture, fruit growing, seed growing, dairy farming, livestock breeding and keeping, forestry, the use of land as grazing land, meadow land, osier land or nursery grounds or for market gardening and the preparation of land for agricultural purposes;

(1) 1974 c. 37; sections 15(1) and 50(3) were amended by the Employment Protection Act 1975 (1975 c. 71), Schedule 15, paragraphs 6 and 16(3) respectively. The general purposes of Part I referred to in section 15(1) were extended by section 117(2) of the Railways Act 1993 (1993 c. 43) and modified by The Health and Safety at Work etc. Act 1974 (Application to Environmentally Hazardous Substances) Regulations 1996 (S.I.1996/2075).

(2) S.I. 1986/1078.

- “agricultural vehicle” means any agricultural or forestry tractor or agricultural machinery;
- “agricultural or forestry tractor” means any motor vehicle and its trailers which is constructed or adapted for use off road for the purpose of agriculture and which is primarily used for that purpose, not being a dual-purpose vehicle;
- “agricultural machinery” means any mobile machinery which is constructed or adapted for use off road for the purpose of agriculture and which is primarily used for that purpose;
- “ADR” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “Approved Carriage List” means the list referred to in regulation 5(1)(a) as revised in accordance with regulation 5(2);
- “approved documents” means the documents approved and published by the Health and Safety Commission in accordance with regulation 5(1) as revised in accordance with regulation 5(2);
- “approved design” means the design referred to and described in regulation 11(2);
- “Approved Methods” means the document entitled “Approved Requirements and Test Methods for the Classification and Packaging of Dangerous Goods for Carriage” approved by the Health and Safety Commission under regulation 4(1) of the CDGCPL Regulations, as revised in accordance with regulation 4(2) of those Regulations;
- “approved person” means a person approved by a competent authority for the purpose of carrying out such functions in connection with the examination, testing and certification of tanks as shall be specified by the competent authority in the approval;
- “Approved Tank Requirements” means the document referred to and described in regulation 5(1)(c), as revised in accordance with regulation 5(2);
- “Approved Vehicle Requirements” means the document referred to and described in regulation 5(1)(b), as revised in accordance with regulation 5(2);
- “articulated vehicle” has the same meaning as in the Table contained in regulation 3(2) of the 1986 Regulations;
- “carriage” means carriage by road and shall be construed in accordance with regulation 2(8), and related words shall be construed accordingly;
- “carrying tank” means the same as “carriage tank” within the definition of “road tanker” in regulation 2(1) of the CDGCPL Regulations;
- “classification” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “classification code” in relation to dangerous goods, means the code referred to in regulation 4(1)(a)(i)(cc) of the CDGCPL Regulations and any reference to “classification code” or “class” followed by a number means the particular classification code for those goods specified in the Approved Carriage List;
- “closed vehicle” means a vehicle having a body capable of being closed;
- “competent authority” means a person or organisation in any country which is for the time being a competent authority for the purposes of—
- (a) approving persons to examine, test and certify tanks;
 - (b) examining, testing and certifying tanks; and
 - (c) recognising standards for fire extinguishers,
- and for Great Britain the competent authority means the Secretary of State;
- “computer” means a computer system including its software;
- “consignor” means—
- (a) the person who, having a place of business in Great Britain, consigns, whether as principal or agent for another, dangerous goods for carriage; or

- (b) if no person satisfies the requirements of sub-paragraph (a) above, the consignee of those goods insofar as that person has control over the carriage of those goods in Great Britain;
- “consignor’s declaration” means the declaration referred to and described in regulation 13(2)(b)(vi);
- “container” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “control temperature” means the maximum temperature at which certain dangerous goods can be safely carried as determined in accordance with the Approved Methods;
- “corrosive substance” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;
- “the CDGCPL Regulations” means the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996(3);
- “danger sign” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “dangerous goods” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “demountable tank” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “designation” means the designation for dangerous goods ascertained in accordance with regulation 5(4)(a) of the CDGCPL Regulations;
- “the Directive” means Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road(4);
- “dual-purpose vehicle” has the meaning assigned to it in the Table contained in regulation 3(2) of the 1986 Regulations;
- “emergency action code” means the code required to be displayed on tanks and vehicles which are being used for the carriage of certain dangerous goods, ascertained in accordance with the Approved Carriage List;
- “emergency information” means the information referred to in regulation 14(3)(e) and described in regulation 14(4);
- “emergency temperature” means the temperature, determined in accordance with the approved Methods, at which the safety measures for certain dangerous goods shall be set in motion;
- “explosives” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;
- “fire authority” has the meaning assigned to it by section 38(1) of the Fire Services Act 1947(5);
- “flammable gas” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;
- “flammable liquid” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;
- “flammable solid” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;
- “food” means food within the meaning of section 1(1) and (2) of the Food Safety Act 1990(6);
- “gas” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

(3) S.I. 1996/2092.

(4) O.J. No. L319/7, 12.12.94, p. 7.

(5) 1947 c. 41.

(6) 1990 c. 16.

“goods vehicle examiner” has the meaning assigned to it by section 66A of the Road Traffic Act 1988(7);

“gross mass” in relation to dangerous goods which are articles carried other than in receptacles, means the gross mass of those goods, measured in kilograms (kg);

“hazardous properties” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“hazard warning panel” means the panel referred to in paragraph 22, and depicted in figure 5, of Schedule 10;

“IMDG Code” means the International Maritime Dangerous Goods Code, as revised or re-issued from time to time by the International Maritime Organisation(8);

“infectious substance” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“intermediate bulk container” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“large container” means a container having an internal volume of more than 3 cubic metres (m³);

“motor vehicle” has the same meaning as in the Table contained in regulation 3(2) of the 1986 Regulations;

“multi-load” means a load consisting of two or more dangerous goods carried other than in packages in—

- (a) separate containers or tanks; or
- (b) separate compartments of a container, tank or vehicle,

whether or not carried in conjunction with goods which are not dangerous goods;

“net mass” in relation to dangerous goods which are solids, liquefied gases, compressed gases dissolved in a solvent or the solvent in which compressed gases are dissolved means the net mass of those goods, measured in kg;

“nominal capacity” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“nominally empty” in relation to a vehicle or receptacle, means that it is not in fact empty but that as much of the dangerous goods which the vehicle or receptacle contained as it was reasonably practicable to discharge therefrom has been so discharged;

“non-flammable, non-toxic gas” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“open vehicle” means a vehicle, the platform of which has no superstructure or is merely provided with sideboards and a tailboard;

“operator” means the operator of any container, tank, or vehicle used for the carriage of dangerous goods and shall be construed in accordance with regulation 4;

“orange-coloured” means that colour which has the same colour and luminance properties as that of an orange-coloured panel;

“orange-coloured panel” means a reflectorised panel having the same colour and luminance properties as those specified in relation to orange-coloured plates in marginal 10 500(1) of ADR;

(7) 1988 c. 52 section 66A was inserted by section 9(1) of the Road Traffic Act 1991 (c. 40) and amended by paragraph 11 of Schedule 7 to the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23).

(8) Current edition, Volumes I to IV ISBN 92 801 1314 3; Supplement ISBN 92 801 1316 X.

“organic peroxide” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“organic peroxide, type b or c” means dangerous goods whose designation includes the phrase “ORGANIC PEROXIDE TYPE B” or the phrase “ORGANIC PEROXIDE TYPE C”, when classified in accordance with regulation 5 of the CDGCPL Regulations;

“oxidizing substance” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“package” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“packagings” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“packing group” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations and any reference to “packing group” followed by “I”, “II” or “III”, in relation to certain dangerous goods, means the particular packing group for those goods ascertained in accordance with regulation 5 of those Regulations;

“permissible maximum weight” in relation to any vehicle, has the same meaning as it does in section 108(1) of the Road Traffic Act 1988 in relation to a goods vehicle as defined by section 192(1) of that Act;

“prescribed temperature” means the temperature specified by the operator of the container, tank or vehicle in which certain dangerous goods are being carried which does not exceed the control temperature and which avoids dangerous separation of phases;

“radioactive material” has the same meaning as in regulation 2(1) of the CDGCPL Regulations;

“rail vehicle” means any conveyance which is used for the carriage of dangerous goods by rail;

“railway” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“receptacle” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“RID” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“risk group” means one of the risk groups referred to in the Approved Methods to which infectious substances are assigned and any reference to a risk group followed by a number means the specific risk group to which an infectious substance has been assigned in accordance with the said Approved Methods;

“road” has the same meaning as in regulation 2(1) of the CDGCPL Regulations;

“road tanker” has the same meaning as in regulation 2(1) of the CDGCPL Regulations;

“self-reactive substance” means dangerous goods whose designation includes the phrase “SELF-REACTIVE” when classified in accordance with regulation 5 of the CDGCPL Regulations;

“self-reactive substance, type b or c” means dangerous goods whose designation includes the phrase “SELF-REACTIVE SUBSTANCE TYPE B” or the phrase “SELF-REACTIVE SUBSTANCE TYPE C”, when classified in accordance with regulation 5 of the CDGCPL Regulations;

“semi-trailer” has the same meaning as in the Table contained in regulation 3(2) of the 1986 Regulations;

“sheeted vehicle” means an open vehicle provided with a sheet to protect the load;

“small container” means a container having an internal volume of not more than 3 m³;

“spontaneously combustible substance” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“storage tank” means a tank used or intended to be used solely for the storage of dangerous goods;

“subsidiary hazard” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“subsidiary hazard sign” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“substance which in contact with water emits flammable gas” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“surveillance inspection” means an inspection of such premises, equipment and documents and the making of such enquiries as the person carrying out the inspection thinks appropriate for the purpose of verifying compliance by an approved person with regulation 11(11);

“tank” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“tank container” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“temperature controlled substance” means dangerous goods whose designation includes the phrase “TEMPERATURE CONTROLLED”, when classified in accordance with regulation 5 of the CDGCPL Regulations;

“toxic gas” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“toxic goods” means dangerous goods which, in accordance with regulation 5 of the CDGCPL Regulations, are either classified as “TOXIC GAS”, “TOXIC SUBSTANCE” or have the subsidiary hazard “TOXIC”;

“toxic substance” means dangerous goods so classified in accordance with regulation 5 of the CDGCPL Regulations;

“trailer” has the same meaning as in the Table contained in regulation 3(2) of the 1986 Regulations;

“transport category” means one of the categories specified in column 2 of Table 1 in Schedule 1 for the dangerous goods shown in the corresponding entry in column 1 of that Table and any reference to transport category followed by a number is a reference to the transport category so numbered in that Table;

“Transport Documentation” means the documentation referred to in regulation 14(2) and described in regulation 14(3);

“transportable pressure receptacle” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations;

“UN number” has the meaning assigned to it in regulation 2(1) of the CDGCPL Regulations and any reference to the letters “UN” followed by a number, in relation to certain dangerous goods, means the particular UN number for those goods specified in the Approved Carriage List;

“vehicle” means any conveyance used for the carriage of goods by road;

“vehicle crew” means those persons authorised by the operator to be on board the vehicle.

(2) For the purposes of these Regulations—

- (a) any reference to a motor vehicle which is registered outside the United Kingdom is a reference to a motor vehicle which is not registered in the United Kingdom but is registered in another country in accordance with that country’s rules governing the registration of such vehicles ; and
- (b) (i) a combination of a motor vehicle and a trailer or semi-trailer shall be deemed to be a single vehicle for as long as the constituent parts of such a combination remain attached, and

(ii) dangerous goods contained in different constituent parts of such a vehicle shall accordingly be considered to be contained in the same vehicle.

(3) In these Regulations the expression “mass or volume” in relation to dangerous goods, means the amount of dangerous goods being carried, expressed in the form of a number, which number shall be determined as follows—

- (a) the gross mass of any article;
- (b) the net mass of any solid;
- (c) the net mass of any liquefied gas;
- (d) the net mass of any compressed gas dissolved in a solvent plus the net mass of the solvent itself;
- (e) the nominal capacity of any receptacle carrying a compressed gas, other than a compressed gas dissolved in a solvent; or
- (f) the nominal capacity of any receptacle carrying a liquid.

(4) Subject to paragraph (5), in these Regulations—

- (a) the “total mass or volume of packaged dangerous goods” means the total amount of dangerous goods, other than those goods which fall within transport category 4, being carried in packages, expressed in the form of a number, which number shall be calculated by adding together the mass or volume of each package whose mass or volume exceeds the number specified in column 2 of Table 2 in Schedule 1 opposite the entry in column 1 of that Table for the transport category of the goods contained in the package concerned;
- (b) the “total mass or volume of dangerous goods” means the total amount of dangerous goods, other than those goods which fall within transport category 4, being carried, expressed in the form of a number, which number shall be calculated by adding together—
 - (i) the total mass or volume of packaged dangerous goods,
 - (ii) the gross mass of all articles being carried in bulk,
 - (iii) the net mass of all solids being carried in bulk,
 - (iv) the net mass of all compressed gases dissolved in a solvent plus the net mass of the solvent itself, being carried in a tank,
- (v) the net mass of all liquefied gases being carried in a tank, and
- (vi) the nominal capacity of all compressed gases (other than those dissolved in a solvent) and all liquids, being carried in a tank.

(5) Where goods with different transport categories, other than those goods which belong to transport category 4, are carried in the same load, all the dangerous goods in that load shall be deemed to belong to the highest of those transport categories.

(6) In these Regulations any reference to dangerous goods being carried in a vehicle or large container under sole use shall be a reference to the carriage of a load of dangerous goods which originates from one consignor in respect of which—

- (a) the use of the vehicle or large container concerned is exclusively reserved; and
- (b) all operations for the loading and unloading are carried out in conformity with the instructions of the consignor or the consignee.

(7) In these Regulations any reference to the carriage of dangerous goods in bulk shall be a reference to the carriage of solid dangerous goods without packagings.

(8) For the purposes of these Regulations a vehicle, container or tank (other than the carrying tank of a road tanker) shall be deemed to be engaged in the carriage of dangerous goods throughout the period—

- (a) in the case of a vehicle, from the commencement of loading it with the dangerous goods concerned for the purpose of carrying those goods by road until the said vehicle and, where appropriate, any compartment thereof has been unloaded and, where necessary, cleaned or purged so that any of the goods or their vapours which remain therein are not sufficient to create a significant risk to the health or safety of any person; or
 - (b) in the case of a container or tank, other than the carrying tank of a road tanker—
 - (i) where the container or tank concerned has been loaded with the dangerous goods before being placed on the vehicle which is to be used to carry that container or tank, from the time when the said container or tank is placed on the vehicle for the purpose of carrying the dangerous goods by road, or
 - (ii) where the container or tank concerned has been placed on the vehicle which is to be used to carry that container or tank before the commencement of loading, from the commencement of loading the said container or tank with the dangerous goods for the purpose of carrying those goods by road, until the time when either—
 - (iii) the container or tank is removed from the relevant vehicle, or
 - (iv) the container or tank and, where appropriate, any compartment thereof has been unloaded and, where necessary, cleaned or purged so that any of the dangerous goods or their vapours which remain therein are not sufficient to create a significant risk to the health or safety of any person,

and, in either case, whether or not the vehicle, container or tank concerned is on a road at the material time.
- (9) In these Regulations—
- (a) “a vehicle owned by the armed forces” means a vehicle which is owned by—
 - (i) Her Majesty’s Forces,
 - (ii) visiting forces within the meaning of Part I of the Visiting Forces Act 1952⁽⁹⁾, or
 - (iii) any headquarters or organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964⁽¹⁰⁾,

and includes a vehicle which has been provided to the armed forces under any agreement or arrangement under which payments are, or are to be, made for the provision of the vehicle, including a conditional-sale agreement, a credit-sale agreement, a hire purchase agreement and a contract for sale;
 - (b) “a vehicle under the control of the armed forces” means—
 - (i) a vehicle on board which there is, as a member of its crew—
 - (aa) a member of Her Majesty’s Forces,
 - (bb) a member of a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952, or
 - (cc) a civilian who is an employee of Her Majesty’s Forces, acting in the course of his duties, or
 - (ii) a vehicle in a convoy escorted by a vehicle of the type referred to in head (i) of this sub-paragraph.
- (10) In these Regulations, unless the context otherwise requires—

⁽⁹⁾ 1952 c. 67.

⁽¹⁰⁾ 1964 c. 5.

- (a) the provisions of the Schedules shall have effect in addition to and not in substitution for other provisions of these Regulations;
- (b) a numbered regulation or Schedule shall be a reference to the regulation or Schedule in these Regulations so numbered;
- (c) a numbered paragraph shall be a reference to the paragraph so numbered in the regulation or Schedule in which it appears.

Application of these regulations

3. Subject to the provisions of Schedule 2, these Regulations shall apply to and in relation to the carriage of dangerous goods.

Meaning of “operator”

4.—(1) For the purposes of these Regulations—

- (a) subject to paragraph (2), the operator of a container or vehicle shall be—
 - (i) the person who, having a place of business in Great Britain, has the management of the container or vehicle for the time being; or
 - (ii) if no person satisfies the requirements of head (i) above, the driver of the vehicle or, in the case of a container, the driver of the vehicle on which the container is carried;
- (b) the operator of a tank, other than the carrying tank of a road tanker, shall be—
 - (i) the person who, having a place of business in Great Britain, owns that tank,
 - (ii) if no person satisfies the requirements of head (i) above, the person who, having a place of business in Great Britain, acts as agent for the owner of that tank,
 - (iii) if no person satisfies the requirements of either head (i) or (ii) above, the person who, having a place of business in Great Britain, has the management of that tank for the time being, or
 - (iv) if no person satisfies the requirements of heads (i), (ii) or (iii) above, the driver of the vehicle on which the tank is carried.

(2) Notwithstanding paragraph (1)(a), a person shall not be regarded as the operator of a container or vehicle solely because—

- (a) he has the management thereof during loading or unloading; or
- (b) the container or vehicle is on premises which are under his control.

(3) For the purposes of these Regulations, a person to whom a tank, other than the carrying tank of a road tanker, is leased or hired shall be deemed to be the owner of that tank, unless the lessor or, as the case may be, the hirer has made an agreement in writing with the person to whom he has leased or hired the tank to the effect that the lessor or hirer shall assume the responsibilities of the owner imposed by or under these Regulations.

PART II

APPROVED DOCUMENTS

Meaning of the Approved Carriage List and other approved documents

5.—(1) The Health and Safety Commission shall approve and publish for the purposes of these Regulations the following documents (in these Regulations referred to as “approved documents”) entitled—

- (a) “Approved Carriage List”, which shall contain the information specified in regulation 4(1) (a) of the CDGCPL Regulations;
- (b) “Approved Vehicle Requirements”, which shall contain—
 - (i) the requirements for the construction of vehicles for the carriage of dangerous goods other than explosives and radioactive material, and
 - (ii) explanatory notes and other material requisite for the use of the document; and
- (c) “Approved Tank Requirements”, which shall contain—
 - (i) the requirements for the design and construction of tanks for the carriage of dangerous goods other than explosives and radioactive material,
 - (ii) the requirements for the filling of such tanks,
 - (iii) the requirements for the examination, testing and certification of such tanks, and
 - (iv) explanatory notes and other material requisite for the use of the document.

(2) The Health and Safety Commission may approve a revision of any of the approved documents referred to in paragraph (1) and, when it does so, the Commission shall within 3 months of the date of that approval publish, in such manner as it considers appropriate, a notice specifying the revision, the date on which it was approved and the date on which it takes effect, which last-mentioned date shall be not less than 6 months after the date of the approval of the revision.

Duties in relation to the approved documents

6. Without prejudice to the generality of the provisions contained in these Regulations—
- (a) the operator of any tank or vehicle which is intended to be, or is being, used for the carriage of dangerous goods shall take all reasonable steps to ensure that such of the requirements specified in any of the approved documents as are relevant to that tank or vehicle are complied with in relation thereto;
 - (b) any person who designs, manufactures, imports, supplies, modifies or repairs any vehicle which is intended to be used for the carriage of dangerous goods shall ensure, insofar as they are matters within his control, that such of the requirements specified in the Approved Vehicle Requirements as are relevant to that vehicle are complied with in relation thereto;
 - (c) any person who designs, manufactures, imports, supplies, modifies, repairs, examines, tests, certifies or fills any tank which is intended to be, or is being, used for the carriage of dangerous goods shall ensure, insofar as they are matters within his control, that such of the requirements in the Approved Tank Requirements as are relevant to that tank are complied with in relation thereto.

PART III

MODE OF CARRIAGE

Method of dispatch and restrictions on forwarding

7. The operator of any container, tank or vehicle which is being used for the carriage of certain dangerous goods shall ensure that any requirements specified in Schedule 4 relating to those goods are complied with.

Carriage in bulk

8.—(1) No operator of a container or vehicle shall cause or permit to be carried therein any dangerous goods in bulk unless the letter Y appears in column 8 of the Approved Carriage List in relation to those goods.

(2) Without prejudice to paragraph (1), no operator of a vehicle shall cause or permit to be carried therein dangerous goods in bulk unless any requirements specified in Schedule 5 relating to those goods are complied with.

(3) Without prejudice to paragraph (1), no operator of a container shall cause or permit to be carried therein dangerous goods in bulk unless any requirements specified in Schedule 6 relating to those goods are complied with.

Carriage in tanks

9.—(1) No operator of a tank shall cause or permit to be carried therein any dangerous goods unless the letter Y appears in column 7 of the Approved Carriage List in relation to those goods.

(2) No operator of a tank shall cause or permit to be carried therein any dangerous goods if the pressure of that tank exceeds the maximum working pressure stated in the most recent certificate issued in accordance with regulation 11.

(3) The operator of any vehicle which is being used for the carriage of dangerous goods in a tank shall ensure that specialist advice concerning the goods can be obtained by telephone in English at any time during carriage.

Suitability of containers, tanks and vehicles

10.—(1) The operator of a container, tank or vehicle which is being used for the carriage of dangerous goods shall ensure that the container, tank or vehicle concerned—

- (a) is suitable for such carriage, having regard to—
 - (i) the nature and circumstances of the journey being undertaken, and
 - (ii) the hazardous properties and quantities of the dangerous goods and of all other goods being carried with them; and
- (b) has been adequately maintained.

(2) The operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that—

- (a) the vehicle has no more than one trailer or semi-trailer;
- (b) where the vehicle is being used for the carriage of packages comprising packagings made of materials sensitive to moisture, it is either a sheeted vehicle or a closed vehicle; and
- (c) subject to paragraph (3), any requirements specified in Schedule 7 relating to those goods are complied with.

(3) Paragraph 2(c) shall not apply where a vehicle is being used for the carriage of dangerous goods in a large container provided paragraph (4) is complied with.

(4) The operator of a large container which is being used for the carriage of dangerous goods shall ensure that any requirements specified in Schedule 7 relating to those goods are complied with, as if the large container were a vehicle.

(5) The operator of a small container which is being used for the carriage of dangerous goods in bulk shall ensure that the container is of the closed type with complete sides.

Examination, testing and certification of tanks

- (a) **11.** (1) (a) The provisions of Schedule 3 shall apply to and in relation to tank containers and the carrying tanks of road tankers constructed before 1st January 1999; and
- (b) paragraphs (2) to (14) of this regulation shall apply to and in relation to tanks constructed after 31st December 1998.
- (2) No person shall construct, import or supply a tank intended for the use of the carriage of dangerous goods unless it is of a design in respect of which a certificate has been signed, dated and issued by the competent authority or an approved person stating that such a design (referred to in these Regulations as an “approved design”)—
- (a) conforms with-
- (i) the construction requirements,
 - (ii) the equipment requirements, and
 - (iii) the conditions peculiar to the dangerous goods to be carried,
- as have been approved and published in the Approved Tank Requirements; and
- (b) is suitable for the purpose for which it is intended.
- (3) No operator shall cause or permit to be carried any dangerous goods in a tank unless a certificate has been signed, dated and issued by the competent authority or an approved person, stating that the tank—
- (a) has been examined and tested by the competent authority or approved person, as the case may be, in accordance with such requirements as have been approved and published in the Approved Tank Requirements;
- (b) conforms to an approved design; and
- (c) is suitable for the purpose for which it is intended.
- (4) Following the examination and test referred to in paragraph (3), the operator of the tank which is being used for the carriage of dangerous goods shall ensure that a certificate has been signed, dated and issued by the competent authority or an approved person, at the intervals specified in the Approved Tank Requirements, stating that the tank—
- (a) has been examined and tested by the competent authority or approved person, as the case may be, in accordance with such requirements as have been approved and published in the Approved Tank Requirements; and
- (b) remains suitable for the purpose for which it is being used.
- (5) Without prejudice to the generality of paragraph (4), the operator of a tank which has been damaged, modified or repaired in such a way as might impair its safety since the last certificate was signed in accordance with paragraph (4) shall ensure that dangerous goods are not carried in that tank until a further certificate has been signed, dated and issued by the competent authority or an approved person stating that the tank—
- (a) has been examined and tested by the competent authority or approved person, as the case may be, in accordance with such requirements as have been approved and published in the Approved Tank Requirements; and
- (b) remains suitable for the purpose for which it was being used.
- (6) It shall be sufficient compliance with paragraphs (3), (4) and (5) if the information required to be stated in the certificate is entered in a computer under the control of the operator by the competent authority or approved person who carried out the examination and test, or by another person acting on the instructions of that competent authority or approved person, provided that information—
- (a) is secure from unauthorised interference;

- (b) can be authenticated only by the competent authority or approved person who carried out the examination and test; and
 - (c) is capable of being produced in the form of a certificate at the appropriate place referred to in paragraph (7).
- (7) The certificates referred to in paragraphs (3), (4) and (5) shall be kept by the operator—
- (a) at his principal place of business within Great Britain; or
 - (b)
 - (i) in the case of a tank other than the tank of a road tanker, at the address within Great Britain from which the deployment of the tank is controlled; or
 - (ii) in the case of the tank of a road tanker, at the premises from which the road tanker is operated.
- (8) It shall be sufficient compliance with paragraph (7) in circumstances where the operator is not the owner of the tank, if either—
- (a) an authenticated copy of the relevant certificate is kept—
 - (i) at the operator’s principal place of business within Great Britain, or
 - (ii) in the case where the operator does not have a place of business in Great Britain, on the vehicle; or
 - (b) the certificate is readily available from the owner of the tank.
- (9) Where the operator of a tank changes, the previous operator insofar as he was required to keep the certificates referred to in paragraphs (3), (4) and (5) at an address in Great Britain in accordance with paragraph (7), shall give those certificates to the new operator.
- (10) Where the information required for any of the certificates referred to in paragraphs (3), (4) and (5) is entered in a computer in accordance with paragraph (6), it shall be sufficient compliance with paragraph (7) if that computer is kept at the appropriate place in the said paragraph (7); and without prejudice to the generality of paragraph (9), if the operator of the tank concerned changes in these circumstances, the previous operator shall provide the new operator with that information in writing.
- (11) Any approved person who examines, tests and certifies a tank under paragraphs (3), (4) or (5) shall do so properly and in accordance with such criteria as have been approved and published in the Approved Tank Requirements.
- (12) Following the approval of a person as an approved person, the competent authority or person acting on its behalf shall carry out, upon reasonable notice, a surveillance inspection of the approved person at such intervals as the competent authority considers appropriate and for that purpose the approved person shall afford, at his own cost, any facilities and assistance and make available any information which may reasonably be required by or on behalf of the competent authority.
- (13) Schedule 8 shall have effect with respect to fees for approvals and surveillance inspections under this regulation.
- (14) Notwithstanding paragraphs (4) and (5), the operator may transport by road empty, uncleaned tanks in respect of which the relevant certificate has expired for the sole purpose of undergoing the tests with a view to renewing that certificate.

General requirements for carriage

- 12.—**(1) No operator of a container, tank or vehicle shall cause or permit to be carried therein any dangerous goods unless—
- (a) he has obtained the consignor’s declaration, if applicable, or an authenticated copy thereof, in relation to those goods; and

(b) he has taken all reasonable steps to ensure that those goods are in a condition fit for carriage.

(2) No driver of a vehicle which is being used for the carriage of dangerous goods shall cause or permit to be carried therein any person (other than a member of the vehicle crew) for the sole purpose of transporting that person.

(3) No driver or member of the vehicle crew shall open a package containing any dangerous goods unless authorised to do so by the operator of that vehicle.

(4) Subject to paragraph (5), no person shall bring portable lighting apparatus onto a vehicle if such apparatus is capable of producing a flame or has any metallic surface liable to produce sparks.

(5) Paragraph (4) shall not apply where the only dangerous goods being carried on the vehicle are infectious substances.

(6) No person shall enter a closed vehicle, which is being used for the carriage of liquids having a flash-point of 61°C or below or flammable gases, carrying lighting apparatus other than portable lamps so designed and constructed that they cannot ignite any flammable vapours or gases which may have penetrated into the interior of the vehicle.

(7) The driver and the operator of a vehicle which—

(a) is being used for the carriage of infectious substances or toxic goods; or

(b) is empty, uncleaned, having been used for the carriage of any such goods,

shall ensure that no food is carried in that vehicle unless it is effectively separated from any infectious substances or toxic goods or is otherwise adequately protected from the risk of contamination by those goods.

PART IV INFORMATION

Information to be provided by consignors

13.—(1) Subject to paragraph (3), any consignor of dangerous goods shall ensure that any operator engaged by him to carry those goods is provided with the information specified in paragraph (2).

(2) The information referred to in paragraph (1) shall be provided in documentary form prior to carriage and shall comprise—

(a) in relation to each of the dangerous goods being consigned—

(i) the designation,

(ii) the classification code preceded by the word “class” or the classification,

(iii) the UN Number preceded by the letters “UN”,

(iv) any such extra information as may be required to determine the transport category of the dangerous goods, and

(v) the control temperature and emergency temperature, where appropriate;

(b) in relation to the consignment as a whole—

(i) where the dangerous goods are carried in packages, either—

(aa) the mass or volume of each of the individual packages and the number of packages consigned, or

- (bb) for each transport category, the sum of the mass or volume of the individual packages consigned,
 - (ii) where the dangerous goods are carried other than in packages, either—
 - (aa) the mass or volume of dangerous goods consigned in each container, tank or vehicle and the number of containers or tanks, or
 - (bb) for each transport category, the sum of the mass or volume of all dangerous goods consigned in containers, tanks or vehicles,
 - (iii) the name and address of the consignor,
 - (iv) the name and address of the consignee, if known,
 - (v) such other information as will enable the operator to comply with regulation 14(2), and
 - (vi) a statement signed or authenticated by or on behalf of the consignor (in these Regulations referred to as the “consignor’s declaration”) confirming that in accordance with the relevant provisions of these Regulations and the CDGCPL Regulations—
 - (aa) the dangerous goods as presented may be carried,
 - (bb) the dangerous goods and any packaging, intermediate bulk container or tank in which they are contained are in a fit condition for carriage and are properly labelled, and
 - (cc) where several packages are packed together in an overpack or in a single container, that this mixed packing is not prohibited.
- (3) Subject to regulation 14(2), paragraph (1) shall not apply in circumstances where the consignor is also the operator provided he is carrying those goods on his own behalf.
- (4) No consignor or anyone acting on his behalf shall provide false or misleading information to any operator engaged by him concerning the dangerous goods to be carried.

Documentation to be provided by operators

- 14.—**(1) Any operator who engages another operator to carry dangerous goods shall ensure that that operator is provided with the information specified in regulation 13(2).
- (2) Notwithstanding regulation 13(3) the operator of any vehicle which is to be used for the carriage of dangerous goods shall ensure that the driver of that vehicle is in possession of the Transport Documentation prior to the commencement of the journey.
- (3) The Transport Documentation shall be provided in documentary form and shall comprise—
- (a) the information specified in regulation 13(2);
 - (b) details of the total mass or volume of dangerous goods to be carried or sufficient information to enable the total mass or volume of dangerous goods to be ascertained;
 - (c) the emergency action code, where appropriate;
 - (d) the prescribed temperature, where appropriate; and
 - (e) the emergency information.
- (4) The emergency information shall comprise details of the measures to be taken by the driver in the event of an accident or emergency and other safety information concerning the goods being carried and shall include—
- (a) details of—
 - (i) the nature of the danger inherent in the dangerous goods being carried and the safety measures to be taken to avert any such danger,

- (ii) the measures to be taken and treatment to be given in the event of any person coming into contact with the dangerous goods being carried or with any substances which might be evolved,
 - (iii) the measures to be taken in case of fire and, in particular, the fire-fighting appliances or equipment which must not be used,
 - (iv) the measures to be taken in case of breakage or deterioration of packagings or of the dangerous goods being carried, particularly where such breakage or deterioration results in a spillage of the goods onto the road, and
 - (v) the measures to be taken to avoid or minimise damage in the event of spillage of goods considered to be pollutant to the aquatic environment, and
 - (b) any additional information specified in Schedule 9 relating to the dangerous goods being carried.
- (5) No operator or anyone acting on his behalf shall provide false or misleading information to any other operator engaged by him or to any driver concerning the dangerous goods to be carried.

Documentation to be available during carriage

15.—(1) The driver of any vehicle which is being used for the carriage of dangerous goods shall ensure that the Transport Documentation is—

- (a) subject to paragraph (2), kept readily available on the vehicle at all times while the dangerous goods are being carried; and
- (b) produced on request to any police constable or goods vehicle examiner.

(2) Where a trailer which is being used for the carriage of dangerous goods becomes detached from the motor vehicle—

- (a) (i) the driver of the vehicle shall give the Transport Documentation (or an authenticated copy thereof) to the occupier of any premises on which the trailer is parked, and
- (ii) in such a case, the occupier shall ensure that such documentation is kept readily available at those premises; or
- (b) the driver of the vehicle shall attach the Transport Documentation (or an authenticated copy thereof) to the trailer in a readily visible position.

(3) The driver of any vehicle which has been used for the carriage of dangerous goods shall ensure that any documentation relating solely to dangerous goods which are not then being carried is either removed from the vehicle or placed in a securely closed container clearly marked to show that it does not relate to any dangerous goods which are being carried.

Keeping of information by operators

16. The operator of any vehicle which is used for the carriage of dangerous goods shall keep a record of the information contained within the Transport Documentation, other than the emergency information, in respect of each journey undertaken by the vehicle for a period of at least three months after the completion of the relevant journey.

Information to be displayed on containers, tanks and vehicles

17.—(1) The operator of any container, tank or vehicle which is being used for the carriage of dangerous goods shall ensure that information is displayed on the container, tank or vehicle concerned in accordance with Schedule 10.

(2) No person shall cause or permit any of the information referred to in Schedule 10 to be displayed on any container, tank or vehicle which is not being used for the carriage of dangerous goods.

(3) Subject to paragraph (6), no person shall cause or permit any information to be displayed on any container, tank or vehicle which would be likely to confuse the emergency services when read in conjunction with any information displayed in accordance with Schedule 10.

(4) The operator of any container, tank or vehicle and the driver of a vehicle which is being used for the carriage of dangerous goods shall ensure that any danger sign, hazard warning panel, orange-coloured panel or subsidiary hazard sign displayed in accordance with Schedule 10 is kept clean and free from obstruction.

(5) Subject to paragraph (6), the operator of any container, tank or vehicle and the driver of a vehicle which is being used for the carriage of dangerous goods shall ensure that any danger sign, hazard warning panel, orange-coloured panel or subsidiary hazard sign which does not relate to the dangerous goods being carried, or residues thereof—

(a) is covered or removed; and

(b) in the case where an orange-coloured panel is covered, any material used to cover it will remain effective after 15 minutes engulfment in fire.

(6) Notwithstanding paragraphs (3) and (5), any danger sign, hazard warning panel, orange-coloured panel or subsidiary hazard sign displayed on any container, tank or vehicle in accordance with Schedule 10 need not be covered or removed in circumstances where the mass or volume of dangerous goods carried in packages falls below the limit specified in column 3 opposite the entry in column 1 of Table 2 of Schedule 1 for the appropriate transport category.

(7) No person shall—

(a) remove any danger sign, hazard warning panel, orange-coloured panel or subsidiary hazard sign displayed in accordance with Schedule 10 from a container, tank or vehicle which is being used for the carriage of dangerous goods, except for the purpose of updating the information thereon;

(b) falsify any of the information on such a panel or sign.

PART V

LOADING AND UNLOADING

Prohibition of the carriage of certain mixed loads

18.—(1) Subject to paragraph (2), no operator of a container, or tank vehicle shall cause or permit to be carried therein any dangerous goods which are required by the CDGCPL Regulations to be labelled with a “liable to explosion” subsidiary hazard sign together with any other dangerous goods unless effective measures have been taken to ensure that the carriage of such a mixed load is no more dangerous than the carriage of the same total quantity of dangerous goods in an unmixed load.

(2) The prohibition referred to in paragraph (1) shall not apply to any mixed load of dangerous goods where the load is mixed only to the extent that each of the dangerous goods is carried in separate, closed containers with complete sides.

Loading, stowage, unloading and cleaning of containers, tanks and vehicles

19.—(1) The operator and any other person engaged in the carriage of dangerous goods shall take such steps as it is reasonable for them respectively to take to ensure that nothing in the manner in which dangerous goods are loaded, stowed or unloaded from any container, tank or vehicle is

liable to create a significant risk or significantly increase any existing risk to the health or safety of any person arising out of the presence of those goods.

(2) Without prejudice to the generality of paragraph (1), the operator of any container, tank or vehicle and the driver of any vehicle which is being used for the carriage of dangerous goods shall ensure that—

- (a) the provisions contained in paragraphs (3) to (9) are complied with; and
- (b) any requirements specified in Schedule 11 relating to those goods are complied with.

(3) The various components of any load comprising dangerous goods shall be properly stowed and secured by appropriate means to prevent them from being significantly displaced in relation to each other and to the sides of the vehicle.

(4) Where dangerous goods have escaped from any package into a container or vehicle in which they are being carried, the container or vehicle concerned shall be cleaned as soon as possible and in any case before re-loading.

(5) Containers and vehicles which have been used for the carriage of dangerous goods in bulk shall be properly cleaned before re-loading unless the new load consists of dangerous goods with the same designation as the preceding load.

(6) No person shall smoke either in the vicinity of or inside vehicles which are being used for the carriage of dangerous goods, during loading and unloading operations.

(7) Where dangerous goods with a flash-point of 61°C or below are carried in a tank—

- (a) a good electrical connection from the vehicle chassis to earth shall be established before the tank is filled or emptied; and
- (b) the rate of filling of the tank shall be limited so as to prevent an electrostatic discharge of such energy as is likely to cause ignition of any flammable vapour present.

(8) Except where the engine has to be used to drive the pumps or other appliances for loading or unloading the vehicle, the vehicle's engine shall be shut off during loading and unloading operations.

(9) No tank or compartment thereof shall be overfilled with dangerous goods and for the purposes of this paragraph "overfilled" means filled beyond a safe level.

(10) Subject to paragraph (11), the driver of any vehicle which is being used for the carriage of dangerous goods in a tank shall ensure, so far as is practicable, that—

- (a) all openings in the tank; and
- (b) where any discharge or filling opening in the tank is fitted with one or more valves or is fitted with a cap, all such valves and that cap,

are securely closed prior to the commencement of and throughout the journey.

(11) Nothing in paragraph (10) shall be taken as permitting the proper functioning of any safety device to be compromised.

Unloading of petrol at petroleum filling stations and certain other premises licensed for the keeping of petrol

20.—(1) The provisions of Schedule 12 to these Regulations shall have effect for regulating the unloading of petrol from the tank of a road tanker at—

- (a) any petroleum filling station; and
- (b) any other premises for which a petroleum-spirit licence authorising the keeping of petrol is in force, except where those premises are licensed for keeping more than 100,000 litres of such petrol in storage tanks,

and the enforcing authority for these Regulations and for sections 2 to 4 and sections 7 and 8 of the Health and Safety at Work etc. Act 1974 in respect of such unloading as is specified in subparagraphs (a) and (b) of this paragraph shall be the petroleum licensing authority, even if the relevant tanker is on a road at the time of unloading.

- (2) In this regulation and Schedule 12 to these Regulations—
- (a) “petrol” means petroleum-spirit (within the meaning given to that phrase by section 23 of the Petroleum (Consolidation) Act 1928⁽¹¹⁾) intended for use as fuel for motor vehicles, motor vessels or aircraft;
 - (b) “petroleum filling station” means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises or place;
 - (c) “the petroleum licensing authority” means the local authority empowered to grant petroleum-spirit licences under the Petroleum (Consolidation) Act 1928 for the petroleum filling station or other premises concerned; and
 - (d) “petroleum-spirit licence” has the same meaning as in section 23 of the Petroleum (Consolidation) Act 1928.

PART VI

EMERGENCIES AND PARKING

Equipment

21.—(1) Subject to paragraph (2), the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that—

- (a) it is equipped so that the driver can take those measures detailed in the emergency information which he would be required to take in order to comply with regulation 22(1); and
- (b) where toxic gases are being carried, the vehicle crew are provided with suitable respiratory protective equipment to enable them to escape safely in case of emergency.

(2) Paragraph (1) shall not apply in relation to any trailer which is being used for the carriage of dangerous goods where that trailer is detached from the motor vehicle.

Accidents and emergencies

22.—(1) In the event of an accident or emergency involving the carriage of dangerous goods, the driver of the vehicle shall take all reasonable steps to ensure that any instructions contained within the emergency information relating to those goods concerning the measures to be taken by him are complied with.

(2) In the event of an emergency involving a vehicle which is being used for the carriage of dangerous goods which cannot be brought under immediate control, the driver of the vehicle shall take all reasonable steps to ensure that the appropriate emergency services are notified by the quickest practical means.

(11) 1928 c. 32; section 23 was modified by S.I. 1974/1942.

Precautions against fire or explosion

23.—(1) No person shall cause or permit anything to be done which is liable to create a significant risk or significantly increase any existing risk of a fire or an explosion whilst dangerous goods are being carried in any container, tank or vehicle.

(2) Subject to paragraphs (3) and (6), the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that it is equipped with—

- (a) at least one portable fire extinguisher with a minimum capacity of 2 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996, suitable for fighting a fire in the engine or cab of the vehicle, and such that, if it is used to fight a fire involving the load, it does not aggravate the fire and, if possible, controls it; and
- (b) at least one portable fire extinguisher with a minimum capacity of 6 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 21A and 183B as defined in British Standard BSEN 3-1:1996, suitable for fighting a tyre or brake fire or a fire involving the load, and such that, if it is used to fight a fire in the engine or cab of the vehicle, it does not aggravate the fire.

- (a) (3) (a) The fire extinguisher referred to in paragraph (2)(a) need not be suitable for fighting a fire in the engine if the vehicle is equipped with a fixed fire extinguisher, suitable for fighting a fire in the engine, which either works automatically or is easily brought into action;
- (b) the fire extinguisher referred to in paragraph (2)(b) need not be provided where the only dangerous goods being carried are infectious substances;
- (c) where the vehicle is a motor vehicle with a permissible maximum weight of less than 3.5 tonnes, the fire extinguisher referred to in paragraph (2)(b) may be replaced by a fire extinguisher with a minimum capacity of 2 kg of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996.

(4) Except where the only dangerous goods being carried are infectious substances, the operator of any vehicle which is being used for the carriage of dangerous goods shall ensure that any portable fire extinguisher provided in accordance with this regulation—

- (a) bears a mark of compliance with a standard recognised by a competent authority for that type of extinguisher;
- (b) is fitted with a seal verifying that it has not been used; and
- (c) where it was manufactured after 31st December 1996, bears an inscription indicating the date when it should next be inspected.

(5) The operator of the vehicle referred to in paragraph (4) shall ensure, prior to carriage, that the date inscribed on any portable fire extinguisher in accordance with sub-paragraph (c) of that paragraph has not passed.

(6) Paragraph (2)(a) shall not apply in relation to any trailer which is being used for the carriage of dangerous goods where that trailer is not attached to a motor vehicle.

(7) The operator of any vehicle which is used for the carriage of dangerous goods shall ensure that the extinguishants contained in the fire extinguishers referred to in this regulation are such that they are not liable to release toxic gases—

- (a) into the driver's cab; or
- (b) when under the influence of the heat of a fire.

Supervision and parking of vehicles

24.—(1) Subject to paragraph (2), the operator of any vehicle which is being used for the carriage of dangerous goods and the driver of that vehicle shall ensure that when the vehicle is parked it is—

- (a) supervised at all times by a competent person—
 - (i) over the age of 18 years, or
 - (ii) who is a member of the armed forces; or
- (b) parked in an isolated position—
 - (i) unsupervised in the open in a secure depot or secure factory premises, or, if no such facilities are available,
 - (ii) in a vehicle park supervised by an appropriate person who has been notified of the nature of the load and the whereabouts of the driver, or if no such facilities are available,
 - (iii) in a public or private vehicle park where the vehicle is not likely to suffer damage from any other vehicle, or, if no such facilities are available,
 - (iv) in a suitable open space separated from the public highway and from dwellings, where the public does not normally pass or assemble,

having first been properly secured.

(2) Paragraph (1) shall not apply in circumstances where the vehicle has been damaged or has broken down on a road and the driver has left the vehicle to seek assistance, provided he has taken all reasonable steps to secure the vehicle and its contents before leaving it unattended.

(3) When a driver parks a vehicle which is being used for the carriage of dangerous goods he shall apply the parking brake.

PART VII

MISCELLANEOUS AND GENERAL

Exemption certificates

25.—(1) Subject to paragraph (2), and to any provisions imposed by the Communities in respect of the transport of dangerous goods by road, the Health and Safety Executive may, by a certificate in writing, exempt—

- (a) any person or class of persons;
- (b) any dangerous goods or class of dangerous goods;
- (c) any container, tank or vehicle or class thereof,

from all or any of the requirements or prohibitions imposed by these Regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time.

(2) The Health and Safety Executive shall not grant any exemption under paragraph (1) unless having regard to the circumstances of the case and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

(3) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing, exempt any person from all or any of the requirements or prohibitions imposed by these Regulations insofar as they relate to the carriage of any dangerous goods in or on—

- (a) any vehicle owned by the armed forces; or
- (b) any vehicle under the control of the armed forces,

and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by the said Secretary of State by a further certificate in writing.

Defence

26.—(1) In any proceedings for an offence consisting of a contravention of any of the provisions of these Regulations it shall be a defence, subject to paragraphs (2) and (3), for the person charged to prove—

- (a) that the commission of the offence was due to the act or default of another person not being one of his employees (hereinafter called 'the other person'); and
- (b) that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.

(2) The person charged shall not be entitled to rely upon the defence referred to in paragraph (1) without leave of the court unless, within a period ending seven clear days—

- (a) before the hearing to determine the mode of trial, where the proceedings are in England or Wales; or
- (b) before the trial, where the proceedings are in Scotland,

he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of the other person as was then in his possession.

(3) For the purpose of enabling the other person to be charged with and convicted of the offence by virtue of section 36 of the Health and Safety at Work etc. Act 1974, a person who establishes a defence under this regulation shall nevertheless be treated for the purposes of that section as having committed the offence.

International provisions

27.—(1) Where, in relation to the carriage of any dangerous goods, any provision of these Regulations applies to a matter to which any specified international provision applies, it shall be sufficient compliance, in relation to that matter, with the provision of the particular regulation, if the specified international provision is satisfied in respect of that matter.

(2) For the purposes of paragraph (1), the specified international provision means any provision of—

- (a) the Convention concerning International Carriage by Rail, as revised or re-issued from time to time⁽¹²⁾ or any regulations made under it;
- (b) the IMDG Code; or
- (c) the Technical Instructions for the Safe Transport of Dangerous Goods by Air, as revised or re-issued from time to time by the International Civil Aviation Organisation⁽¹³⁾.

⁽¹²⁾ Cmnd 5897.

⁽¹³⁾ Current edition and supplement (1995—1996): Doc 9284—AN/905.

Transitional defence

28. In any proceedings for an offence consisting of a contravention of any of the provisions of these Regulations prior to 1st January 1997 it shall be a defence for the accused to prove that the goods were carried, or in the case of an alleged contravention of regulation 13 intended to be carried, before 1st January 1997 in—

- (a) a road tanker in accordance with the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992⁽¹⁴⁾ as in force immediately before these Regulations came into force; or
- (b) in bulk or in packages in accordance with the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992⁽¹⁵⁾ as in force immediately before these Regulations came into force.

Revocations and amendments

29.—(1) The Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 are hereby revoked.

(2) The Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 are hereby revoked.

(3) The Dangerous Substances in Harbour Areas Regulations 1987⁽¹⁶⁾ shall be amended as follows—

- (a) for regulation 24(a)(i) substitute the following—
 - “(i) in the case of a portable tank to which the [Carriage of Dangerous Goods by Road Regulations 1996 \(S.I. 1996 No. 2095\)](#) applies, and
 - (aa) the tank was constructed before 1st January 1999, complies with the requirements of paragraph 1 of Schedule 3 to those Regulations, or
 - (bb) the tank was constructed after 31st December 1998, complies with the Approved Tank Requirements, as defined in regulation 2(1) of those Regulations, insofar as they relate to the carriage of dangerous goods in portable tanks, is suitable to be used for the carriage of dangerous goods and has been adequately maintained; or”;
- (b) for regulation 25(2)(a) substitute the following sub-paragraph—
 - “(a) the Carriage of Dangerous Goods by Road Regulations 1996;”.

Signed by the authority of the Secretary of State for Transport.

Department of Transport.
8th August 1996

John Bowis
Parliamentary Under Secretary of State,

⁽¹⁴⁾ S.I. 1992/743.
⁽¹⁵⁾ S.I. 1992/742.
⁽¹⁶⁾ S.I. 1987/37.

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SCHEDULE 1

Regulation 2(1) and 2(4)

Table 1

DETERMINATION OF TRANSPORT CATEGORIES

Column 1 <i>Dangerous Goods</i>	Column 2 <i>Transport Category</i>
Infectious substances in risk group 4	0
Packing Group I goods	1
Toxic gases	
Organic peroxides type b or c	
Self-reactive substances type b or c	
Temperature controlled substances	
Infectious substances in risk group 3	
Packing Group II goods other than those specified elsewhere in Column 1	2
Flammable Gases	
Infectious substances in risk group 2	
Packing Group III goods other than those specified elsewhere in Column 1	3
Non-flammable, non-toxic gases	
UN 2990 LIFE-SAVING APPLIANCES, SELF-INFLATING	
UN 3072 LIFE-SAVING APPLIANCES NOT SELF-INFLATING	
Any other dangerous goods not listed elsewhere in Column 1	
Empty, uncleaned packagings (except those containing, or which contained, infectious substances in risk group 4 or toxic gases)	4
UN 1345 RUBBER SCRAP or RUBBER SHODDY	
UN 1331 MATCHES, "STRIKE ANYWHERE"	
UN 1994 MATCHES, SAFETY	
UN 1945 MATCHES, WAX "VESTA"	
UN 2254 MATCHES, FUSEE	
UN 2623 FIRELIGHTERS, SOLID	

Note:

The transport categories in column 2 appear in descending order from 0 (highest) to 4 (lowest).

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Column 1	Column 2
<i>Dangerous Goods</i>	<i>Transport Category</i>
UN 1361 CARBON of Packing Group III only	
UN 1362 CARBON, ACTIVATED of Packing Group III only	

Note:
The transport categories in column 2 appear in descending order from 0 (highest) to 4 (lowest).

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Table 2

DETERMINATION OF LOAD LIMITS

Column 1 <i>Transport Category</i>	Column 2 <i>Individual package mass or volume</i>	Column 3 <i>Total mass or volume of packaged dangerous goods</i>	Column 4 <i>Total mass or volume of dangerous goods</i>
0	0	0	0
1	1	20	200
2	10	200	2,000
3	25	500	5,000

Notes:

1. The numbers in columns 2, 3 and 4 relate to the gross mass, measured in kg, of articles; the net mass, measured in kg, of compressed gases dissolved in a solvent or the solvent in which compressed gases are dissolved, solids and liquefied gases; and the nominal capacity, measured in litres, of any receptacle containing compressed gases (other than those dissolved in a solvent) and liquids (other than those in which a compressed gas is dissolved).
2. For the purpose of calculating the total mass or volume of packaged dangerous goods or the total mass or volume of dangerous goods where the load comprises a mixture of liquids and solids, 1 kg gross or net mass shall equate to 1 litre.

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Column 1 <i>Transport Category</i>	Column 2 <i>Individual package mass or volume</i>	Column 3 <i>Total mass or volume of packaged dangerous goods</i>	Column 4 <i>Total mass or volume of dangerous goods</i>
4	Unlimited	Unlimited	Unlimited

Notes:

1. The numbers in columns 2, 3 and 4 relate to the gross mass, measured in kg, of articles; the net mass, measured in kg, of compressed gases dissolved in a solvent or the solvent in which compressed gases are dissolved, solids and liquefied gases; and the nominal capacity, measured in litres, of any receptacle containing compressed gases (other than those dissolved in a solvent) and liquids (other than those in which a compressed gas is dissolved).
2. For the purpose of calculating the total mass or volume of packaged dangerous goods or the total mass or volume of dangerous goods where the load comprises a mixture of liquids and solids, 1 kg gross or net mass shall equate to 1 litre.

SCHEDULE 2

Regulation 3

DISAPPLICATIONS TO THESE REGULATIONS

1. These Regulations shall not apply to or in relation to the carriage of any dangerous goods where—

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- (a) the motor vehicle which is being used for the carriage of those goods is registered outside the United Kingdom and the carriage is confined to Great Britain but nevertheless conforms with the provisions of ADR as if it were part of an international transport operation;
- (b) the carriage forms part of an international transport operation within the meaning of article 1(c) of ADR and conforms with the provisions of that agreement;
- (c) the carriage forms part of an international transport operation which is subject to any bilateral or multilateral special agreement made under the terms of article 4.3 of ADR to which the United Kingdom is a signatory and conforms with any conditions attached to the agreement;
- (d) the carriage forms part of an international transport operation within the meaning of article 1(c) of ADR and the dangerous goods are being carried in—
 - (i) a vehicle owned by the armed forces, or
 - (ii) a vehicle under the control of the armed forces, of a country which is a contracting party to ADR;

2. These Regulations shall not apply to or in relation to the carriage of any of the following dangerous goods—

- (a) UN 2900 INFECTIOUS SUBSTANCE, AFFECTING ANIMALS* only UN3077 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.* UN3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.* UN3245 GENETICALLY MODIFIED MICRO-ORGANISMS,

where those goods are being carried in—

- (i) an agricultural or forestry tractor,
- (ii) mobile machinery,
- (iii) a vehicle with fewer than 4 wheels,
- (iv) a vehicle with a maximum design speed of 25km/h or less, or
- (v) a vehicle owned by the armed forces or under the control of the armed forces;
- (b) explosives;
- (c) flammable liquid with a flash point of not less than 32°C which is being carried in a volumetric prover or flammable liquid with a flash point of less than 32°C which is being carried in a volumetric prover which has been purged with nitrogen, and that volumetric prover—
 - (i) is not moved, driven or kept on a road, other than when it is nominally empty, and
 - (ii) has every opening and every valve closed during carriage, other than those valves which need to be kept open to allow for liquid expansion on volumetric provers used for the measurement of liquefied petroleum gas; and

in this sub-paragraph “volumetric prover” means a tank or prover pipe with a capacity not exceeding 10 m³ intended to be used for the calibration of metering equipment or the measurement of petroleum fuel deliveries and which is structurally attached to, or is an integral part of, the frame of a vehicle;

- (d) goods which are intended for use solely in connection with the operation of the vehicle, container or tank in which the goods are being carried or the operation of any on-board equipment intended to ensure the safety of the load or the vehicle, container or tank concerned;
- (e) live animals; and

- (f) radioactive material, other than radioactive material which meets the criteria of Schedules 1 to 4 of Marginal 2704 of ADR.
3. These Regulations shall not apply to or in relation to the carriage of dangerous goods in—
- (a) a vehicle which is not being used for, or in connection with, work;
 - (b) a vehicle which is being used to transfer the goods—
 - (i) between private premises and another vehicle situated in the immediate vicinity of those premises, or
 - (ii) between one part of private premises and another part of those premises situated in the immediate vicinity of that first part where both parts are occupied by the same person, notwithstanding that those parts may be separated by a road; or
 - (c) a road construction vehicle engaged in the repair or construction of a road; and in this sub-paragraph—
 - (i) “road construction vehicle” means a vehicle constructed or adapted for the carriage of built-in road construction machinery and not constructed or adapted for the carriage of any other load, except articles and materials used for the purposes of that machinery.
 - (ii) “built-in road construction machinery” means road construction machinery built in as part of a road construction vehicle or permanently attached to it,
 - (iii) “road construction machinery” means a machine or contrivance suitable for the repair and construction of roads, and
4. Regulations 6(a) and (c) and 11 and Schedule 3 shall not apply to or in relation to the carriage of a storage tank which is nominally empty, provided—
- (a) in the case where the tank is subject to the Pressure Systems and Transportable Gas Containers Regulations 1989⁽¹⁷⁾ it has been examined by a competent person and there is in existence a valid report of that examination in accordance with those Regulations;
 - (b) as much of the pipe-work which was connected to the tank as it was reasonably practicable to remove from it has been so removed;
 - (c) a suitable pressure relief valve, which shall remain operational during the carriage, is fitted to the tank; and
 - (d) subject to sub-paragraph (c) above, all openings in the tank and in any pipe-work attached thereto have been sealed to prevent the escape of any dangerous goods, insofar as it is reasonably practicable to do so.
5. Regulations 6 to 11, 12(2) to (6), 14 to 16, 17(1), 18, 19, 21, 22 and 23(2) to (6) shall only apply to and in relation to the carriage of dangerous goods in packages where the total mass or volume of packaged dangerous goods exceeds the number specified in column 3 of Table 2 in Schedule 1 opposite the entry in column 1 of that Table for the appropriate transport category.
6. Regulations 6, 7, 10(2) to (5), 11(5), 12(1), 13 to 15, 17, 19(2)(b), 21, 22, 23(2) to (6) and paragraph 1(b) and 2(3) of Schedule 3 shall not apply to or in relation to the carriage of dangerous goods from—
- (a) a container, tank or vehicle which has been damaged as the result of an accident on a road or has broken down on a road; or
 - (b) a rail vehicle which has been damaged or derailed or has broken down on a railway, other than the siding on which it was loaded,

(17) S.I. 1989/2169.

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to the nearest suitable, safe place with a view to the container, tank or vehicle or any other receptacle which is carrying those goods, being repaired, cleaned or purged provided such carriage is escorted by a police constable or by a fire brigade officer and all reasonable steps have been taken to prevent any leakage of those goods.

7.—(1) Subject to sub-paragraph (2) below, regulations 8(2) and (3), 9(3), 10(2) to (5), 11, 12(1) (a), 13, 14(1) to (3), 15(1) and (2), 16, 17(1), 17(4) and (5)(b), 19(7) and (8), 23(2) to (7) and Schedule 3 shall not apply to or in relation to the carriage of dangerous goods in an agricultural vehicle where—

- (a)
 - (i) the goods are listed in column 1 of the Approved Carriage List under the proper shipping name “AMMONIUM NITRATE FERTILIZER, NOS” or “AMMONIUM NITRATE FERTILIZERS”,
 - (ii) the goods are not being carried in a tank,
 - (iii) the total mass of those goods does not exceed 10 tonnes, and
 - (iv) the goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for that purpose within a radius of 12 km;
- (b)
 - (i) the goods are a pesticide or a plant protection product (other than sulphuric acid, whether or not dilute, or a wood preservative) which is diluted ready for use or is otherwise in a condition ready for use,
 - (ii) there has been given an approval under regulation 5 and a consent under regulation 6 of the Control of Pesticides Regulations 1986⁽¹⁸⁾ or an approval under regulation 5 of the Plant Protection Products Regulations 1995⁽¹⁹⁾, and
 - (iii) the goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for that purpose within a radius of 50 km,

and in this sub-paragraph “pesticide” has the meaning assigned to it in section 16(15) of the Food and Environment Protection Act 1985⁽²⁰⁾, “plant protection product” has the meaning assigned to it in regulation 2(1) of the Plant Protection Products Regulations 1995 and “wood preservative” means a pesticide for preserving wood;

- (c)
 - (i) the goods are listed in column 1 of the Approved Carriage List under the proper shipping name “DIESEL FUEL or GAS OIL or HEATING OIL, LIGHT”,
 - (ii) the total volume does not exceed 5000 litres,
 - (iii) the goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for that purpose within a radius of 50 km,
 - (iv) the agricultural vehicle being used is equipped with at least one portable fire extinguisher which conforms to the specification in regulation 23(2)(a), and
- (v) the danger sign required by the CDGCPL Regulations to be displayed on packages containing such goods is displayed on the front, rear or both sides of the agricultural vehicle in conformity with paragraphs 21(a) and (b) and 23 of Schedule 10; or
- (d)
 - (i) the goods are carried in packages and are diluted or ready for use,
 - (ii) the total mass of the goods does not exceed 1 tonne, and

⁽¹⁸⁾ S.I. 1986/1510.

⁽¹⁹⁾ S.I. 1995/887.

⁽²⁰⁾ 1985 c. 48.

- (iii) the goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for that purpose within a radius of 12 km.
- (2) The following conditions apply to the exemptions in sub-paragraph (1) above—
- (a) (i) where the goods are carried in a tank or in bulk an orange-coloured panel bearing the UN number for the dangerous goods carried therein and the appropriate emergency action code and conforming to figure 2 (except that the dimensions of the panel may be reduced in accordance with paragraph 12), 8(a) (or 10(1) in appropriate circumstances), as the case may be and 9(a) and (b) of Schedule 10, shall be displayed to the front, rear or both sides of the agricultural vehicle in conformity with paragraph 23 of that Schedule,
 - (ii) where the goods are carried in a tank or in bulk or in packages, an orange-coloured panel which conforms with figure 1 and paragraph 8(a) (or 10(1) in appropriate circumstances) of Schedule 10 shall be affixed to the rear of the agricultural vehicle in conformity with paragraph 23 of that Schedule, or
 - (iii) where the goods are being carried in packages only, any danger signs displayed on those packages in accordance with regulation 11 of the CDGCPL Regulations shall be clearly visible from outside the vehicle;
- (b) the driver of the vehicle (other than a vehicle which displays the UN number and emergency action code in accordance with sub-paragraph (a)(i) above) shall have in his possession, or there shall otherwise be available on the vehicle, the emergency information relating to the goods;
 - (c) so far as is reasonably practicable, any orange-coloured panel or danger sign displayed shall be clean and clearly visible, except when the vehicle is being loaded or unloaded;
 - (d) any tank which is being used for the carriage of dangerous goods shall be suitable for such a purpose; and
 - (e) from 1st January 1999, for any tank with a capacity greater than 450 litres, there shall be in existence a current report signed by a competent person following an inspection and test carried out within the six years prior to the date carriage commences, which states that the tank is suitable for the purpose of carrying the dangerous goods which are to be carried therein.

8. Regulations 12(1) and 13 shall only apply to and in relation to the carriage of dangerous goods in any package where the mass or volume of that package exceeds the number specified in column 2 of Table 2 in Schedule 1 opposite the entry in column 1 of that Table for the appropriate transport category of those goods.

9. Regulation 17(1) shall not apply where the dangerous goods are being carried in a vehicle owned by the armed forces, insofar as the vehicle concerned is being used in connection with—

- (a) training—
 - (i) which has been certified in writing for the purposes of regulation 7(1)(a) of the Road Vehicles Lighting Regulations 1989(21) by a person duly authorised in that behalf to be training on a special occasion, and
 - (ii) in respect of which not less than 48 hours notice has been given to—
 - (aa) the chief officer of police of every police area, and

(21) S.I. 1989/1796.

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(bb) as regards England and Wales, the chief fire officer, or, as regards Scotland, the fire master, of the fire brigade maintained by the fire authority for every area,

in which the place selected for training is wholly or partly situated; or

(b) manoeuvres within such limits and during such periods as may from time to time be specified by Order in Council made under the Manoeuvres Act 1958⁽²²⁾.

10. Only regulations 17 and 23(1) shall apply where aircraft fuel is being carried, for the purpose of servicing aircraft, in a vehicle (including a hydrant dispenser) designed for that purpose—

(a) on an aerodrome within the meaning of article 96(1) of the Air Navigation Order 1985⁽²³⁾; or

(b) between one part of such an aerodrome and another part thereof,

and in this paragraph “hydrant dispenser” means a vehicle used for the purpose of delivering aircraft fuel from any hydrant situated at an aircraft loading position to the aircraft and to which there may be structurally attached metering equipment, filters, pipe-work, hoses and a pump.

11. Regulation 24 shall only apply to and in relation to the carriage of dangerous goods where the total mass or volume of dangerous goods exceeds the number specified in column 4 of Table 2 in Schedule 1 opposite the entry in column 1 of that Table for the appropriate transport category of the dangerous goods in the load..

SCHEDULE 3

Regulation 11(1)(a)

SPECIAL REQUIREMENTS RELATING TO TANK CONTAINERS AND THE TANKS OF ROAD TANKERS CONSTRUCTED BEFORE 1 JANUARY 1999

Construction of vehicles and tank containers

1. The operator of a road tanker or tank container shall not use that road tanker or tank container for the carriage of dangerous goods unless—

(a) it is properly designed, of adequate strength and of good construction from sound and suitable material;

(b) it is suitable for the purposes for which it is being used having regard to—

(i) the nature and circumstances of the journey being undertaken, and

(ii) the characteristic properties and quantity of the dangerous goods and of all other goods being carried, including any which are not in themselves dangerous;

(c) the carrying tank of the road tanker or the tank container concerned, and any fittings attached thereto—

(i) are designed, constructed and maintained so as to prevent any of the contents escaping, except that this requirement shall not prevent the fitting of a suitable safety device, and

(ii) insofar as they are likely to come into contact with the goods, are made of materials which are neither liable to be adversely affected by the goods nor liable in conjunction with them significantly to increase the risk to the health or safety of any person; and

⁽²²⁾ 1958 Eliz. 2 c.7.

⁽²³⁾ S.I. 1985/1643.

- (d) in the case of a road tanker or tank container brought into use for the first time on or after 1 June 1992 for the carriage of any dangerous goods, he is in possession of sufficient information in writing concerning—
 - (i) its design, construction, examination and maintenance, and
 - (ii) any repairs or modifications made to the carrying tank of that road tanker or, as the case may be, to that tank container or to any fittings attached thereto,as may reasonably foreseeably be needed to enable him to comply with this Schedule insofar as it imposes requirements or prohibitions on him.

Testing and examination of the carrying tanks of road tankers and tank containers

2.—(1) Dangerous goods shall not be carried in the carrying tank of a road tanker or in a tank container unless—

- (a) for the purpose of ensuring that they are properly maintained, there has been prepared and there is carried into effect a suitable written scheme for—
 - (i) the initial and periodic examination, and
 - (ii) the initial and, where appropriate, periodic testing,of the relevant carrying tank or tank container and its fittings by a competent person;
- (b) before being brought into use for the first time for the carriage of dangerous goods, the relevant carrying tank or tank container was certified by a competent person as suitable for the purposes for which he understood it was to be used and those purposes were specified in the certificate; and
- (c) subject to sub-paragraph (13) below, there is in existence a current report signed by the competent person who carried out the most recent examination and test in accordance with the scheme required by paragraph (a) above, stating—
 - (i) the date or dates on which the said examination and test were carried out and the results thereof,
 - (ii) the date before which any further examination and, where appropriate, test must be carried out, the interval to that date being that specified in the written scheme referred to in paragraph (a) above or such shorter interval as the competent person may specify,
 - (iii) that the relevant carrying tank or tank container remains suitable either for the purposes specified in the certificate for that tank referred to in paragraph (b) above or for the purposes specified in a further certificate issued under sub-paragraph (10) below, or, if it is no longer suitable for any of those purposes, the purposes for which it is suitable, and
 - (iv) in the case of a pressure vessel, the maximum working pressure to which the vessel may be subjected.

(2) Where, before 1 June 1992, there was in existence in respect of the carrying tank of a road tanker or a tank container and any fittings attached thereto a suitable written scheme drawn up in accordance with regulation 7(2)(a) of the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations 1981(24), that written scheme shall be deemed to be a suitable written scheme in existence in respect of that tank or tank container and those fittings drawn up in accordance with sub-paragraph (1)(a) above.

(24) S.I. 1981/1089 (revoked by the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 (S.I. 1992/743).

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(3) Subject to sub-paragraph (13) below, dangerous goods shall not be carried in the tank of a road tanker or in a tank container if—

(a) the carrying tank or tank container concerned or any fittings attached thereto have been damaged, modified or repaired in such a way as might affect their safety since either the report referred to in sub-paragraph (1)(c) was issued or, where the carrying tank or tank container is such as is specified in paragraph 3(1), the tank and its fittings were last examined and tested under—

- (i) ADR,
- (ii) RID, or
- (iii) the IMDG Code; or

(b) in the case of a pressure vessel, the pressure in the vessel exceeds the maximum working pressure specified in the report referred to in sub-paragraph (1)(c) above.

(4) It shall be sufficient compliance with sub-paragraph (1)(c) above if—

- (a) the competent person referred to therein first enters his report in a computer under the operator's control and then duly authenticates it; or
- (b) where the competent person does not enter it in a computer under the operator's control, the report is transferred to such a computer by, or on the instructions of, the competent person as soon as is practicable after he first enters it in a computer and duly authenticates it.

(5) The procedure referred to in sub-paragraph (4) may only be used if the report—

- (a) is capable of being reproduced in written form when required at the appropriate place referred to in paragraph 4(1);
- (b) is secure from unauthorised interference; and
- (c) can be authenticated only by the competent person.

(6) Every carrying tank of a road tanker and every tank container, subject to sub-paragraph (7) below, shall have securely fastened to it, or to any support which is welded to that carrying tank or tank container, in a readily accessible position, a corrosion-resistant plate on which the following information is indelibly marked—

- (a) the name or identifying mark of the manufacturer of the carrying tank or tank container;
- (b) the serial number of the carrying tank or tank container by which it can be identified;
- (c) the date of the most recent examination and test carried out in accordance with sub-paragraph (1) above; and
- (d) in the case of a pressure vessel, the maximum working pressure to which the vessel may be subjected.

(7) Where compliance with sub-paragraph (6)(c) above is not possible because there is no more room on a corrosion-resistant plate, the date concerned shall be indelibly marked on an additional corrosion-resistant plate which shall be securely fastened to the relevant carrying tank or tank container, or to any support welded thereto, in a readily accessible position; and, in such a case, that additional plate shall also be marked in accordance with sub-paragraphs (6)(a), (b) and, where appropriate, (d) above.

(8) Where any corrosion-resistant plate such as is described in sub-paragraph (6) or (7) above and which is securely fastened to the carrying tank of a road tanker or to a tank container is covered by an insulating layer which surrounds that carrying tank or tank container, a duplicate corrosion-resistant plate, indelibly marked with the same information as is marked on the plate which is covered as aforesaid, shall be securely fastened to the exterior of that insulating layer.

(9) Where the carrying tank of a road tanker, a tank container or the fittings of any such tank have been damaged, modified or repaired in such a way as might affect their safety since either the

report referred to in sub-paragraph (1)(c) above was issued or, in the case of any carrying tank or tank container such as is specified in paragraph 3(1) that tank and its fittings were last examined and tested under ADR, RID or the IMDG Code, the provisions of sub-paragraph (1) above or, as the case may be, ADR, RID or the IMDG Code shall apply in respect of any such tank and its fittings as if the tank had not previously been used for the carriage of dangerous goods.

(10) Where the competent person is satisfied that the carrying tank of a road tanker or a tank container is suitable for purposes other than those specified in the certificate referred to in sub-paragraph (1)(b) above he may endorse the certificate to that effect or issue a further certificate specifying those purposes.

(11) In this paragraph “competent person” means a competent individual person, other than an employee, or a competent body of persons corporate or unincorporate, and accordingly any reference in the provisions referred to in this paragraph to a competent person performing a function includes a reference to his performing it through his employees.

(12) It shall be the duty of the operator of any road tanker or tank container to comply with the provisions of this paragraph.

(13) Notwithstanding sub-paragraphs (1)(c) and (3) above, the operator may transport by road, uncleaned tanks in respect of which the relevant certificate has expired for the sole purpose of undergoing the tests with a view to renewing that certificate.

Exceptions to paragraph 2

3.—(1) Paragraph 2(1), (6) and (11) shall not apply to the carrying tank of a road tanker or to any tank container used for the carriage of any dangerous goods where such a tank and its fittings have been examined, tested, certified and plated in accordance with the requirements of—

- (a) ADR;
- (b) RID; or
- (c) the IMDG Code.

(2) Paragraph 2(6) shall not apply to any tube trailer or tube container where the information specified therein is indelibly marked on each transportable pressure receptacle.

Keeping of documents

4.—(1) All the documents referred to in paragraphs 1 and 2 shall be kept—

- (a) in the case of any road tanker, by the operator thereof either at the premises from which the tanker operates or at his principal place of business within Great Britain; and
- (b) in the case of any tank container, by the operator thereof at the address within Great Britain from which the deployment of the tank container is controlled.

(2) It shall be sufficient compliance with sub-paragraph (1)(b) above in circumstances where the operator of the tank container is not its owner, if—

- (a) authenticated copies of the documents concerned are kept at the operator’s place of business; or
- (b) the documents concerned are readily available from the owner of the tank container.

(3) Where the operator of a road tanker or tank container changes, the previous operator shall, insofar as he is required to keep any document at an address in Great Britain in accordance with sub-paragraph (1) above, give any such document to the new operator.

(4) Where either of the procedures referred to in paragraph 2(4) has been used, it shall be sufficient compliance with sub-paragraph (1) in respect of the report referred to in paragraph 2(1) (c) if that report is kept by the operator concerned in a computer at the appropriate place specified

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in sub-paragraph (1) above; and without prejudice to the generality of sub-paragraph (3) above, if the operator changes in circumstances where the report referred to in paragraph 2(1)(c) is kept in a computer in accordance with this sub-paragraph, the previous operator shall provide the new operator with the information contained in that report in written form.

5. In this Schedule—

“pressure vessel” means a tank container or the carrying tank of a road tanker which is—

- (a) used or intended to be used for the carriage of dangerous goods—
 - (i) at a pressure of more than 500 millibar above or below atmospheric pressure, or
 - (ii) at a pressure of 500 millibar or less above atmospheric pressure if that pressure is maintained by artificial means and would rise above it if such means were no longer employed; or
- (b) loaded or discharged at a pressure of more than 500 millibar above or below atmospheric pressure;

“tube container” means a group of transportable pressure receptacles connected together with a total capacity greater than 3 cubic metres, fitted into a framework suitable for lifting on or off a vehicle and intended to be used for the carriage of compressed gases;

“tube trailer” means a trailer which has more than one transportable pressure receptacle structurally attached to, or forming part of, the trailer and which is intended to be used for the carriage of compressed gases.

SCHEDULE 4

Regulation 7

METHOD OF DISPATCH AND RESTRICTIONS ON FORWARDING OF CERTAIN DANGEROUS GOODS

Flammable solids

1. The following goods shall be carried in tanks—

UN 2304	NAPHTHALENE, MOLTEN
UN 3176	FLAMMABLE SOLID, ORGANIC, MOLTEN, N.O.S.
UN 2448	SULPHUR, MOLTEN

2. The following goods shall be shielded from direct sunlight and heat during carriage—

UN 3242	AZODICARBONAMIDE
UN 2956	5-TERT-BUTYL-2,4,6-TRINITRO-M-XYLENE(MUSK XYLENE)

3.—(1) Appropriate measures shall be taken to ensure that any control temperatures for self-reactive substances are not exceeded.

(2) Where there is a prescribed temperature in relation to particular self-reactive substances measures shall be taken to ensure that that temperature is maintained during carriage, including—

- (a) thorough inspection of the transport unit prior to loading;

- (b) instructions to the driver about the operation of the refrigeration system, including a list of the suppliers of coolant available en route;
 - (c) instructions to the driver on the safety measures to be taken in the event of loss of control;
 - (d) regular monitoring of operating temperatures; and
 - (e) provision of a back-up refrigeration system or spare parts.
- (3) Additional measures shall be taken to ensure that—
- (a) any control and temperature sensing devices in the refrigeration system are readily accessible and all electrical connections are weather-proof;
 - (b) the temperature of the air space within the transport unit is measured by two independent sensors and the output is so recorded that temperature changes are readily detectable;
 - (c) the temperature is checked every four to six hours and logged;
 - (d) where goods having a control temperature of less than 25°C are carried, the vehicle is equipped with visible and audible alarms which are—
 - (i) powered independently of the refrigeration system, and
 - (ii) set to operate at or below the control temperature;
 - (e) where the control temperature is exceeded during carriage, an alert procedure is initiated involving—
 - (i) any necessary repairs to the refrigeration equipment, or
 - (ii) an increase in the cooling capacity, for example by adding liquid or solid coolant;
 - (f) there is frequent checking of the temperature and preparations for implementation of the emergency measures; and
 - (g) where the emergency temperature is reached, the safety measures are set in operation.
- (4) In order to determine the suitability of a particular means of temperature control for carriage the following factors shall be considered—
- (a) the control temperature of each of the goods to be carried;
 - (b) the difference between the control temperature and the anticipated ambient temperature conditions;
 - (c) the effectiveness of the thermal insulation;
 - (d) the duration of carriage; and
 - (e) the allowance of a safety margin for delays.
- (5) Suitable methods for preventing the control temperature being exceeded are, in order of increasing capability—
- (a) thermal insulation, provided that the initial temperature of the self-reactive substance is sufficiently below the control temperature;
 - (b) thermal insulation and coolant system, provided that—
 - (i) an adequate quantity of non-flammable coolant, such as liquid nitrogen or solid carbon dioxide, allowing a reasonable margin for possible delay, is carried or a means of replenishment is assured,
 - (ii) liquid oxygen or air is not used as coolant,
 - (iii) there is a uniform cooling effect, even when most of the coolant has been consumed, and
 - (iv) the need to ventilate the vehicle before entering is clearly indicated by a warning on every door;

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- (c) thermal insulation and single mechanical refrigeration, provided that flameproof electrical fittings are used within the coolant compartment to prevent ignition of flammable vapours from the self-reactive substances;
- (d) thermal insulation and combined mechanical refrigeration system and coolant system, provided that—
 - (i) the two systems are independent of one another, and
 - (ii) the provisos specified in sub-paragraphs (b) and (c) above are satisfied;
- (e) thermal insulation and dual mechanical refrigeration system, provided that—
 - (i) apart from the integral power supply unit, the two systems are independent of one another,
 - (ii) each system alone is capable of maintaining adequate temperature control; and
 - (iii) flameproof electrical fittings are used within the coolant compartment to prevent ignition of flammable vapours from the self-reactive substances.

4. For the following goods—

UN 3231	SELF-REACTIVE LIQUID TYPE B, TEMPERATURE CONTROLLED*
UN 3232	SELF-REACTIVE SOLID TYPE B, TEMPERATURE CONTROLLED*

the methods of temperature control specified below shall be used—

- (a) where the maximum ambient temperature to be expected during carriage does not exceed the control temperature by more than 10°C, one of the methods specified in paragraph 3(5)(c), (d) or (e);
- (b) in all other cases, one of the methods specified in paragraph 3(5)(d) or (e).

5. For the following goods—

UN 3233	SELF-REACTIVE LIQUID TYPE C, TEMPERATURE CONTROLLED*
UN 3234	SELF-REACTIVE SOLID TYPE C, TEMPERATURE CONTROLLED*
UN 3235	SELF-REACTIVE LIQUID TYPE D, TEMPERATURE CONTROLLED*
UN 3236	SELF-REACTIVE SOLID TYPE D, TEMPERATURE CONTROLLED*
UN 3237	SELF-REACTIVE LIQUID TYPE E, TEMPERATURE CONTROLLED*
UN 3238	SELF-REACTIVE SOLID TYPE E, TEMPERATURE CONTROLLED*
UN 3239	SELF-REACTIVE LIQUID TYPE F, TEMPERATURE CONTROLLED*
UN 3240	SELF-REACTIVE SOLID TYPE F, TEMPERATURE CONTROLLED*

the methods of temperature control specified below shall be used—

- (a) where the maximum ambient temperature to be expected during carriage is at least 10°C below the control temperature, any of the methods specified in paragraph 3(5);
- (b) where the maximum ambient temperature to be expected during carriage does not exceed the control temperature by more than 30°C, one of the methods specified in paragraph 3(5)(b) to (e);
- (c) in all other cases, one of the methods specified in paragraph 3(5)(c) to (e).

Spontaneously combustible substances

6. The goods UN2447 PHOSPHORUS, WHITE, MOLTEN shall be carried in tanks.

Oxidizing substances

7. The goods UN2426 AMMONIUM NITRATE, LIQUID,(hot concentrated solution) shall be carried in tanks.

Organic peroxides

8.—(1) Appropriate measures shall be taken to ensure that any control temperatures for organic peroxides are not exceeded.

(2) Where there is a prescribed temperature in relation to particular organic peroxides measures shall be taken to ensure that that temperature is maintained during carriage, including—

- (a) thorough inspection of the transport unit prior to loading;
 - (b) instructions to the driver about the operation of the refrigeration system including a list of the suppliers of coolant available en route;
 - (c) instructions to the driver on the safety measures to be taken in the event of loss of control;
 - (d) regular monitoring of operating temperatures; and
 - (e) provision of a back-up refrigeration system or spare parts.
- (3) Additional measures shall also be taken to ensure that—
- (a) any control and temperature sensing devices in the refrigeration system are readily accessible and all electrical connections are weather-proof;
 - (b) the temperature of the air space within the transport unit is measured by two independent sensors and the output is so recorded that temperature changes are readily detectable;
 - (c) the temperature is checked every four to six hours and logged;
 - (d) where goods having a control temperature of less than 25°C are carried, the vehicle is equipped with visible and audible alarms which are—
 - (i) powered independently of the refrigeration system, and
 - (ii) set to operate at or below the control temperature;
 - (e) where the control temperature is exceeded during carriage, an alert procedure is initiated involving—
 - (i) any necessary repairs to the refrigeration equipment, or
 - (ii) an increase in the cooling capacity by adding liquid or solid coolant;
 - (f) there is frequent checking of the temperature and preparations for implementation of the emergency measures; and
 - (g) where the emergency temperature is reached, the safety measures are set in operation.

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(4) In order to determine the suitability of a particular means of temperature control for carriage the following factors shall be considered—

- (a) the control temperature of the goods to be carried;
- (b) the difference between the control temperature and the anticipated ambient temperature conditions;
- (c) the effectiveness of the thermal insulation;
- (d) the duration of carriage; and
- (e) the allowance of a safety margin for delays.

(5) Suitable methods for preventing the control temperature being exceeded are, in order of increasing capability—

- (a) thermal insulation provided that the initial temperature of the organic peroxide is sufficiently below the control temperature;
- (b) thermal insulation and coolant system provided that—
 - (i) an adequate quantity of non-flammable coolant such as liquid nitrogen or solid carbon dioxide, allowing a reasonable margin for possible delay, is carried or a means of replenishment is assured,
 - (ii) liquid oxygen or air is not used as coolant,
 - (iii) there is a uniform cooling effect even when most of the coolant has been consumed; and
 - (iv) the need to ventilate the transport unit before entering is clearly indicated by a warning on every door;
- (c) thermal insulation and single mechanical refrigeration, provided that flameproof electrical fittings are used within the coolant compartment to prevent ignition of flammable vapours from the organic peroxides;
- (d) thermal insulation and combined mechanical refrigeration system and coolant system, provided that—
 - (i) the two systems are independent of one another, and
 - (ii) the provisos specified in paragraphs (b) and (c) above are satisfied;
- (e) thermal insulation and dual mechanical refrigeration system provided that—
 - (i) apart from the integral power supply unit, the two systems are independent of one another,
 - (ii) each system alone is capable of maintaining adequate temperature control, and
 - (iii) flameproof electrical fittings are used within the coolant compartment to prevent ignition of flammable vapours from the organic peroxides.

9. For the following goods—

UN 3111	ORGANIC PEROXIDE TYPE B, LIQUID, TEMPERATURE CONTROLLED*
UN 3112	ORGANIC PEROXIDE TYPE B, SOLID, TEMPERATURE CONTROLLED*

the methods of temperature control specified below shall be used—

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- (a) where the maximum ambient temperature to be expected during carriage does not exceed the control temperature by more than 10°C, one of the methods specified in paragraph 8(5)(c), (d) or (e);
- (b) in all other cases, one of the methods specified in paragraph 8(5)(d) or (e).

10. For the following goods—

UN 3113	ORGANIC PEROXIDE TYPE C, LIQUID, TEMPERATURE CONTROLLED*
UN 3114	ORGANIC PEROXIDE TYPE C, SOLID, TEMPERATURE CONTROLLED*
UN 3115	ORGANIC PEROXIDE TYPE D, LIQUID, TEMPERATURE CONTROLLED*
UN 3116	ORGANIC PEROXIDE TYPE D, SOLID, TEMPERATURE CONTROLLED*
UN 3117	ORGANIC PEROXIDE TYPE E, LIQUID, TEMPERATURE CONTROLLED*
UN 3118	ORGANIC PEROXIDE TYPE E, SOLID, TEMPERATURE CONTROLLED*
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED* (tert-Butyl peroxyacetate)
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED* (tert-Butyl peroxy-2-ethylhexanoate)
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED* (tert-Butyl peroxypivate)
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED* (tert-Butyl peroxy-3, 3, 5-trimethylhexanoate)
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED* (Di-(3, 5, 5- trimethyl-hexanoyl) peroxide)
UN 3119	ORGANIC PEROXIDE TYPE F, LIQUID, TEMPERATURE CONTROLLED*
UN 3120	ORGANIC PEROXIDE TYPE F, SOLID, TEMPERATURE CONTROLLED*

the methods of temperature control specified below shall be used—

- (a) where the maximum ambient temperature to be expected during carriage is at least 10°C below the control temperature, any of the methods specified in paragraph 8(5);
- (b) where the maximum ambient temperature to be expected during carriage does not exceed the control temperature by more than 30°C, one of the methods specified in paragraph 8(5)(b) to (e);

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(c) in all other cases, one of the methods specified in paragraph 8(5)(c) to (e).

SCHEDULE 5

Regulation 8(2)

REQUIREMENTS FOR THE CARRIAGE IN BULK IN VEHICLES OF CERTAIN DANGEROUS GOODS

Application

1. This Schedule only applies where the dangerous goods specified herein are, or are to be, carried in bulk in a vehicle.

Flammable solids

2. A vehicle carrying the goods UN 1334 NAPHTHALENE, CRUDE or NAPHTHALENE, REFINED shall be—

- (a) closed and have a metal body; or
- (b) covered with a non-combustible sheet and—
 - (i) have a metal body, or
 - (ii) have its floor and sides protected from the load.

3.—(1) A vehicle carrying the goods UN 3175 SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S.*—

- (a) may be open, provided it is sheeted; and
- (b) shall have adequate ventilation.

(2) Suitable measures shall be taken to ensure that where a vehicle is carrying the goods referred to in sub-paragraph (i) above, none of those goods particularly any liquid components thereof, can escape.

4. A vehicle carrying flammable solids, other than those specified in paragraphs 2 and 3, shall be closed or sheeted.

Spontaneously combustible substances

5. A vehicle carrying spontaneously combustible substances shall have a metal body and be closed or sheeted.

Substances which in contact with water emit flammable gas

6. A vehicle carrying the goods UN 3170 ALUMINIUM SMELTING BY-PRODUCTS or ALUMINIUM REMELTING BY-PRODUCTS of packing group II

- (a) may be open, provided it is sheeted; and
- (b) shall be well-ventilated.

7. A vehicle carrying any of the following goods shall be closed or sheeted—

UN 3170

ALUMINIUM SMELTING BY-PRODUCTS OR
ALUMINIUM REMELTING BY-PRODUCTS OF
PACKING GROUP II

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UN 1408	FERROSILICON WITH $\geq 30\%$ BUT $< 90\%$ SILICON
UN 1405	CALCIUM SILICIDE IN PIECES OF PACKING GROUPS II AND III
UN 2844	CALCIUM MAGNESIUM SILICON in pieces

8. The openings used for loading and unloading in a vehicle carrying substances which in contact with water emit gas, other than those specified in paragraphs 6 and 7, shall be capable of being closed hermetically.

Oxidizing substances

9.—(1) Where oxidizing substances are carried in a sheeted vehicle, the sheet shall be of an impermeable non-combustible material.

- (2) A vehicle carrying oxidizing substances shall be so constructed that either—
- (a) the goods cannot come into contact with wood or any other combustible material; or
 - (b) the entire surface of the floor and sides, if combustible, have been provided with—
 - (i) an impermeable and incombustible surfacing, or
 - (ii) treated with substances rendering any wood with which the goods may come into contact difficult to ignite.

(3) Steps shall be taken to ensure that if a leakage occurs in a vehicle carrying oxidizing substances those substances cannot come into contact with wood or any other combustible material.

Toxic substances

10.—(1) The following goods shall be carried in a vehicle under sole use—

UN 1884	BARIUM OXIDE
UN 1564	BARIUM COMPOUNDS, TOXIC, N.O.S. OF PACKING GROUP III

Solid wastes containing either of these goods.

(2) A vehicle carrying any of the goods referred to in sub-paragraph (1) above may be open, provided it is sheeted.

11.—(1) The goods UN 3243 SOLIDS CONTAINING TOXIC LIQUID, N.O.S.* shall be carried in a vehicle under sole use.

- (2) A vehicle carrying the goods referred to in sub-paragraph (1) above—
- (a) may be open, provided it is sheeted; and
 - (b) shall be leak-proof or rendered leak-proof, for example, by the provision of a suitable and sufficiently stout inner lining.

12. Toxic substances, other than those specified in paragraphs 10 and 11 or solid wastes containing those toxic substances specified in paragraphs 10 and 11, shall not be carried in bulk in a vehicle.

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Corrosive substances

13. Solid wastes which are classified as corrosive substances of packing group III shall be carried in a vehicle under sole use.

14.—(1) The following goods shall be carried in a vehicle under sole use.

UN 1794	LEAD SULPHATE
UN 2506	AMMONIUM HYDROGEN SULPHATE
UN 2509	POTASSIUM HYDROGEN SULPHATE
UN 3244	SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.*

- (a) (2) (a) A vehicle carrying any of the goods referred to in sub-paragraph (1) above shall be equipped with a suitable and sufficiently stout inner lining; and
 (b) where the vehicle is sheeted, the sheet shall be so placed that it cannot touch the load.

15. The provisions of paragraph 14 shall apply to vehicles carrying solid wastes of any of the following goods—

UN 3244	SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.*
UN 2506	AMMONIUM HYDROGEN SULPHATE
UN 2509	POTASSIUM HYDROGEN SULPHATE

16. A vehicle carrying the goods UN 3244 SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.* shall be leak-proof or rendered leak-proof, for example by the provision of a suitable and sufficiently stout inner lining.

17. Only those corrosive substances which are listed in paragraphs 14 to 16 or solid wastes containing those corrosive substances may be carried in bulk in a vehicle.

Miscellaneous dangerous goods

18. A vehicle carrying any of the following goods—

UN 2211	POLYMERIC BEADS, EXPANDABLE
UN 3077	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.*

- (a) may be open, provided it is sheeted; and
 (b) shall have adequate ventilation.

SCHEDULE 6

Regulation 8(3)

REQUIREMENTS FOR THE CARRIAGE IN BULK IN
CONTAINERS OF CERTAIN DANGEROUS GOODS

Application

1. This Schedule only applies where the dangerous goods specified herein are, or are to be, carried in bulk in a container.

Flammable solids

2. A container carrying the goods UN 1334 NAPHTHALENE, CRUDE or NAPHTHALENE, REFINED shall be

- (a) closed and have a metal body; or
- (b) covered with a non-combustible sheet; and
 - (i) have a metal body, or
 - (ii) have its floor and sides protected from the load.

3.—(1) A container carrying the goods UN 3175 SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S.*—

- (a) may be open, provided it is sheeted; and
- (b) shall have adequate ventilation.

(2) Suitable measures shall be taken to ensure that none of the contents, particularly liquid components, of a container carrying the goods referred to in sub-paragraph (1) above can escape.

4. A container carrying flammable solids, other than those specified in paragraphs 2 and 3, shall be closed or sheeted.

Spontaneously combustible substances

5. A container carrying spontaneously combustible substances shall be closed or sheeted and have a metal body.

Substances which in contact with water emit flammable gas

6. A container carrying the goods UN 3170 ALUMINIUM SMELTING BY-PRODUCTS or ALUMINIUM REMELTING BY-PRODUCTS of packing group II

- (a) may be open, provided it is sheeted; and
- (b) shall be well-ventilated.

7. A container carrying any of the following goods shall be closed or sheeted—

UN 3170	ALUMINIUM SMELTING BY-PRODUCTS ALUMINIUM REMELTING BY-PRODUCTS OF PACKING GROUP III
UN 1408	FERROSILICON WITH $\geq 30\%$ BUT $< 90\%$ SILICON
UN 1405	CALCIUM SILICIDE IN PIECES OF PACKING GROUPS II AND III

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UN 2844

CALCIUM MAGNESIUM SILICON IN PIECES

8. The openings used for loading and unloading in a container carrying substances which in contact with water emit flammable gas, other than those specified in paragraphs 6 and 7, shall be capable of being closed hermetically.

Oxidizing substances

9. Packages containing any of the following goods shall not be carried in bulk in a container—

UN 2015	HYDROGEN PEROXIDE, STABILISED OR HYDROGEN PEROXIDE, AQUEOUS SOLUTION, STABILISED
UN 1510	TETRANITROMETHANE,

10. A container carrying any of the following goods—

UN 1438	ALUMINIUM NITRATE
UN 1451	CAESIUM NITRATE
UN 1454	CALCIUM NITRATE
UN 1465	DIDYMIUM NITRATE
UN 1466	FERRIC NITRATE
UN 1467	GUANIDINE NITRATE
UN 1474	MAGNESIUM NITRATE
UN 1477	NITRATES, INORGANIC, N.O.S.
UN 1486	POTASSIUM NITRATE
UN 1498	SODIUM NITRATE
UN 1499	SODIUM NITRATE AND POTASSIUM NITRATE MIXTURE
UN 1507	STRONTIUM NITRATE
UN 2067	AMMONIUM NITRATE FERTILISERS
UN 2068	AMMONIUM NITRATE FERTILISERS
UN 2069	AMMONIUM NITRATE FERTILISERS
UN 2070	AMMONIUM NITRATE FERTILISERS
UN 2720	CHROMIUM NITRATE
UN 2722	LITHIUM NITRATE
UN 2724	MANGANESE NITRATE
UN 2725	NICKEL NITRATE
UN 2728	ZIRCONIUM NITRATE

UN 3218	NITRATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.
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shall be—

- (a) covered with a lid or an impermeable non-combustible sheet; and
- (b) so constructed that either—
 - (i) the goods in the container cannot come into contact with wood or any other combustible material, or
 - (ii) the entire surface of the floor and sides, if made of wood—
 - (aa) has been provided with an impermeable surfacing resistant to combustion, or
 - (bb) has been coated with sodium silicate or a similar substance.

11. A container carrying oxidizing substances, other than those specified in paragraphs 9 and 10, shall be—

- (a) made of metal;
- (b) leak-proof;
- (c) covered with a lid or an impermeable sheet resistant to combustion; and
- (d) so constructed that the goods contained therein cannot come into contact with wood or any other combustible material.

Organic peroxides

12. Packages containing any of the following goods shall not be carried in bulk in a container—

UN 3101	ORGANIC PEROXIDE TYPE B, LIQUID*
UN 3102	ORGANIC PEROXIDE TYPE B, SOLID*

Toxic substances

13. A container carrying any of the following goods—

UN 1884	BARIUM OXIDE
UN 1564	BARIUM COMPOUNDS, TOXIC, N.O.S. OF PACKING GROUP III
UN 3243	SOLIDS CONTAINING TOXIC LIQUID, N.O.S.*

Waste toxic substances of packing group III—

- (a) shall be sheeted or covered; and
- (b) shall have complete sides.

14. A container carrying the goods UN 3243 SOLIDS CONTAINING TOXIC LIQUID, N.O.S.* shall be leak-proof or rendered leak-proof, for example by the provision of a suitable and sufficiently stout inner lining.

15. A container carrying solid wastes containing toxic substances, other than those toxic substances specified in paragraphs 13 and 14, shall—

- (a) be sheeted or covered; and

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(b) have complete sides.

Corrosive substances

16.—(1) The following goods shall be carried in a large container under sole use—

UN 1794	LEAD SULPHATE
UN 2506	AMMONIUM HYDROGEN SULPHATE
UN 2509	POTASSIUM HYDROGEN SULPHATE

(2) A container carrying any of the goods referred to in sub-paragraph (1) above shall—

- (a) be equipped with a suitable inner lining;
- (b) be sheeted or covered; and
- (c) have complete sides.

17. The provisions of paragraph 16 shall apply to containers carrying the solid wastes of any of the following goods—

UN 3244	SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.*
UN 2506	AMMONIUM HYDROGEN SULPHATE
UN 2509	POTASSIUM HYDROGEN SULPHATE

18.—(1) The provisions of paragraph 16(1), (2)(b) and (2)(c) shall apply to containers carrying the goods UN 3244 SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S.*

(2) A container carrying the goods referred to in sub-paragraph (1) above shall be leak-proof or rendered leak-proof, for example by the provision of a suitable and sufficiently stout inner lining.

19. A container carrying solid wastes containing corrosive substances, other than those corrosive substances specified in paragraphs 16 to 18, shall—

- (a) be sheeted or covered; and
- (b) have complete sides.

SCHEDULE 7

Regulation 10(2)(c) and 10(4)

TYPES OF VEHICLE TO BE USED FOR THE CARRIAGE OF CERTAIN DANGEROUS GOODS

Gases

1. Where compressed gases, flammable gases or toxic gases are carried in packages in a closed vehicle, the vehicle shall be provided with adequate ventilation.

Flammable solids

2. An insulated, refrigerated or mechanically refrigerated vehicle used to carry flammable solids shall comply with the appropriate provisions in the Approved Vehicle Requirements.

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3. The following goods shall be loaded in a closed or sheeted vehicle—

UN 3233	SELF-REACTIVE LIQUID TYPE C, TEMPERATURE CONTROLLED*
UN 3234	SELF-REACTIVE SOLID TYPE C, TEMPERATURE CONTROLLED*
UN 3235	SELF-REACTIVE LIQUID TYPE D, TEMPERATURE CONTROLLED*
UN 3236	SELF-REACTIVE SOLID TYPE D, TEMPERATURE CONTROLLED*
UN 3237	SELF-REACTIVE LIQUID TYPE E, TEMPERATURE CONTROLLED*
UN 3238	SELF-REACTIVE SOLID TYPE E, TEMPERATURE CONTROLLED*
UN 3239	SELF-REACTIVE LIQUID TYPE F, TEMPERATURE CONTROLLED*
UN 3240	SELF-REACTIVE SOLID TYPE F, TEMPERATURE CONTROLLED*

4.—(1) Where any of the following dangerous goods are contained in protective packagings filled with a coolant they shall be loaded in a closed or sheeted vehicle—

UN 3231	SELF-REACTIVE LIQUID TYPE B, TEMPERATURE CONTROLLED*
UN 3232	SELF-REACTIVE SOLID TYPE B, TEMPERATURE CONTROLLED*

4.—(2) Where the vehicle carrying any of the goods referred to in sub-paragraph (1) above is—

- (a) closed, it shall be adequately ventilated;
- (b) sheeted—
 - (i) it shall be fitted with side boards and a tail-board, and
 - (ii) the sheets shall be of an impermeable and non-combustible material.

Spontaneously combustible substances

5. Packages containing spontaneously combustible substances shall be carried in a closed or sheeted vehicle.

Substances which in contact with water emit flammable gas

6. Packages containing substances which in contact with water emit flammable gas shall be loaded in a closed or sheeted vehicle.

Oxidizing substances

7.—(1) Flexible intermediate bulk containers containing any of the following goods shall be carried in a closed or sheeted vehicle—

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UN 1442	AMMONIUM PERCHLORATE
UN 1450	BROMATES, INORGANIC, N.O.S.
UN 1452	CALCIUM CHLORATE
UN 1455	CALCIUM PERCHLORATE
UN 1458	CHLORATE AND BORATE MIXTURE
UN 1459	CHLORATE AND MAGNESIUM CHLORIDE MIXTURE, SOLUTION
UN 1461	CHLORATES, INORGANIC, N.O.S.
UN 1473	MAGNESIUM BROMATE
UN 1475	MAGNESIUM PERCHLORATE
UN 1481	PERCHLORATES, INORGANIC, N.O.S.
UN 1484	POTASSIUM BROMATE
UN 1485	POTASSIUM CHLORATE
UN 1489	POTASSIUM PERCHLORATE
UN 1494	SODIUM BROMATE
UN 1495	SODIUM CHLORATE
UN 1502	SODIUM PERCHLORATE
UN 1506	STRONTIUM CHLORATE
UN 1508	STRONTIUM PERCHLORATE
UN 1513	ZINC CHLORATE
UN 2427	POTASSIUM CHLORATE, AQUEOUS SOLUTION
UN 2428	SODIUM CHLORATE, AQUEOUS SOLUTION
UN 2429	CALCIUM CHLORATE, AQUEOUS SOLUTION
UN 2721	COPPER CHLORATE
UN 2723	MAGNESIUM CHLORATE
UN 3210	CHLORATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.
UN 3211	PERCHLORATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.
UN 3213	BROMATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.

7.—(2) Where the vehicle carrying any of the goods referred to in sub-paragraph (1) above is sheeted, the sheet shall be of an impermeable and non-combustible material.

(3) Steps shall be taken to ensure that if a leakage occurs in a vehicle carrying any of the goods referred to in sub-paragraph (1) above, those goods cannot come into contact with wood or any other combustible material.

8. Where the goods UN 2015 HYDROGEN PEROXIDE, STABILIZED or HYDROGEN PEROXIDE, AQUEOUS SOLUTION, STABILIZED are carried in a road tanker or in a tank with a capacity greater than 3000 litres in a vehicle, the road tanker or vehicle concerned shall carry an additional tank which—

- (a) shall be placed as securely as possible; and
- (b) shall have a capacity of approximately 30 litres of water to which has been added an anti-freeze preparation which does not attack the skin or the mucous membranes and does not react chemically with the load.

Organic peroxides

9. Organic peroxides, other than those which require temperature control, shall be carried in a closed or sheeted vehicle.

10.—(1) Organic peroxides which require temperature control, other than those which are contained in protective packagings filled with a coolant, shall be carried in an insulated, refrigerated or mechanically-refrigerated vehicle which complies with the appropriate provisions in the Approved Vehicle Requirements.

(2) Organic peroxides requiring temperature control which are contained in protective packagings filled with a coolant shall be carried in a closed or sheeted vehicle.

(3) Where the vehicle referred to in sub-paragraph (2) above—

- (a) is closed it shall be adequately ventilated;
- (b) is sheeted—
 - (i) it shall be fitted with side boards and a tail-board; and
 - (ii) the sheets of the vehicle shall be of an impermeable and non-combustible material.

Infectious substances

12. Packages containing infectious substances shall be carried in a closed vehicle or a vehicle which is covered.

Miscellaneous dangerous goods

13. Packages containing miscellaneous dangerous goods other than articles shall be carried in a closed vehicle or a vehicle which is covered.

SCHEDULE 8

Regulation 11(13)

FEE FOR APPROVALS AND SURVEILLANCE INSPECTIONS

1. On the making of an application under regulation 11 to the competent authority for the approval of a person as an approved person there shall be payable by the applicant in connection with the performance by or on behalf of the competent authority of its functions in relation to that application, a fee or fees to be determined in accordance with paragraphs 2 to 5.

2. On receipt of the application referred to in paragraph 1 the competent authority shall prepare and send to the applicant an estimate of the cost to it of the work necessary for the determination of the application, and subject to paragraph 4, the amount so estimated shall be the amount of the initial fee payable and shall be paid forthwith to the competent authority.

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3. On determination of the application referred to in paragraph 1 the competent authority shall prepare and send to the applicant a detailed statement of the work carried out for the determination of the application and of the cost reasonably incurred by it in carrying out that work or in having it carried out on its behalf.

4. If the cost so stated in accordance with paragraph 3 differs from the amount estimated in accordance with paragraph 2—

- (a) where it is greater, the amount of the difference shall be the amount of the final fee payable and shall be paid forthwith; and
- (b) where it is less, the initial fee shall be redetermined accordingly and the amount of the difference shall be paid forthwith to the applicant by the competent authority.

5. In estimating or stating the cost of carrying out any work the competent authority may determine the cost of employing an officer for any period on work appropriate to his grade by reference to the average cost to it of employing officers of his grade for that period.

6. Following a surveillance inspection of an approved person in accordance with regulation 11(12), the competent authority shall prepare and send to that person a statement of the cost of the performance by or on behalf of the competent authority of its functions in relation to that inspection, and the amount so stated shall be the fee payable for that inspection and shall be paid forthwith.

SCHEDULE 9

Regulation 14(4)(b)

ADDITIONAL EMERGENCY INFORMATION RELATING TO THE CARRIAGE OF CERTAIN DANGEROUS GOODS

Infectious substances

1. Where infectious substances are carried the emergency information shall include—
 - (a) an instruction that, in the case of breakage or deterioration of packagings or of the goods being carried, particularly where such goods have spilled over the road, the emergency services shall be informed;
 - (b) information as to how the goods are to be absorbed and contained, and how the dangers of infectious substances are to be eliminated on the spot, for example by the use of suitable disinfectants;
 - (c) information on suitable protective equipment for the driver.

Miscellaneous dangerous goods

2. Where any of the following goods, or apparatus containing such goods (such as transformers, condensers and hydraulic apparatus) are carried, the text of the emergency information shall indicate that highly toxic dioxins may form in the event of fire—

UN 2315	POLYCHLORINATED BIPHENYLS
UN 3151	POLYHALOGENATED BIPHENYLS, LIQUID OR POLYHALOGENATED TERPHENYLS, LIQUID
UN 3152	POLYHALOGENATED BIPHENYLS, SOLID OR

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POLYHALOGENATED TERPHENYLS, SOLID

3. Where any of the following goods are carried, the emergency information shall include the measures to be taken to avoid or minimise damage in the event of spillage of these goods, which are considered to be pollutant to the aquatic environment.

UN 3082	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
UN 3077	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.

4. Where the goods UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS are carried, the emergency information shall include—

- (a) an instruction that, in the case of damage to or leakage from a package containing these goods the emergency services shall be informed;
- (b) information as to how the goods are to be absorbed and contained, and how the dangers of the goods are to be eliminated on the spot, for example by the use of suitable disinfectants; and
- (c) information on suitable protective equipment for the driver.

SCHEDULE 10

Regulation 17(1)

INFORMATION TO BE DISPLAYED ON CONTAINERS,
TANKS AND VEHICLES CARRYING DANGEROUS GOODS

PART I

INFORMATION TO BE DISPLAYED

1. Where dangerous goods are being carried in any container, tank or vehicle information shall be displayed thereon in accordance with the provisions of this Schedule.

Interpretation

2. Any reference in this Schedule to—

- (a) a numbered figure is a reference to the figure so numbered in Part II of this Schedule;
- (b) “the telephone number” is a reference to the telephone number where specialist advice concerning the goods may be obtained in English at any time during carriage.

Display of orange-coloured panels, UN numbers and emergency action codes

3. Subject to paragraph 4, an orange-coloured panel conforming to figure 1 shall be displayed at the front of any vehicle carrying dangerous goods.

4. Paragraph 3 shall not apply to any trailer carrying dangerous goods where that trailer is not attached to a motor vehicle.

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5. An orange-coloured panel conforming to figure 1 shall be displayed at the rear of any vehicle carrying dangerous goods in packages.

6.—(1) Where a vehicle is carrying only one of the dangerous goods listed in the Approved Carriage List in a tank—

- (a) an orange-coloured panel conforming to figure 2 shall be displayed at the rear of the vehicle bearing the appropriate UN number and the appropriate emergency action code;
- (b) an orange-coloured panel conforming to figure 2 shall be displayed on both sides of—
 - (i) the tank;
 - (ii) the frame of the tank, or
 - (iii) the vehicle, provided the panel is positioned immediately below the tank, bearing the appropriate UN number and the appropriate emergency action code.

(2) Subject to sub-paragraph (3) below, where a vehicle is carrying a multi-load in tanks—

- (a) an orange-coloured panel conforming to figure 3 shall be displayed at the rear of the vehicle, bearing the appropriate emergency action code;
- (b) subject to paragraph (c) below, an orange-coloured panel shall be displayed on both sides of each tank or, where the relevant tank has more than one compartment, each compartment—
 - (i) at least one of which on each side conforms to figure 2, bearing the appropriate UN number and the appropriate emergency action code; and
 - (ii) the remainder of which conform to figure 4, bearing the appropriate UN number;
- (c) notwithstanding paragraph (b) above, the orange-coloured panels may be displayed on both sides of the frame of each tank or on both sides of the vehicle, provided they are positioned immediately below the tank or tank compartment concerned.

(3) Notwithstanding sub-paragraph (2) above, where any of the following goods—

UN 1202	DIESEL FUEL OR GAS OIL OR HEATING OIL, LIGHT
UN 1203	PETROL OR MOTOR SPIRIT OR GASOLINE OR
UN 1223	KEROSENE

are being carried in a multi-compartment road tanker—

- (a) sub-paragraph (1) above shall apply as though the road tanker were a vehicle carrying only one of these goods; and
- (b) any reference in that sub-paragraph to the appropriate UN number and the appropriate emergency action code shall be deemed to be a reference to the UN number and the emergency action code for the most hazardous of the goods being carried.

7.—(1) Where a vehicle is carrying only one of the dangerous goods listed in the Approved Carriage List in bulk, in the vehicle or in a container on the vehicle—

- (a) an orange-coloured panel conforming to figure 2 shall be displayed at the rear of the vehicle, bearing the appropriate UN number and the appropriate emergency action code;
- (b) an orange-coloured panel conforming to figure 2 shall be displayed on both sides of the vehicle or the container, as the case may be, bearing the appropriate UN number and the appropriate emergency action code.

(2) Where a vehicle is carrying a multi-load in bulk, in separate compartments of the vehicle or in separate containers on the vehicle—

- (a) an orange-coloured panel conforming to figure 3 shall be displayed at the rear of the vehicle, bearing the appropriate emergency action code;
- (b) an orange-coloured panel shall be displayed on both sides of each compartment of the vehicle or each container on the vehicle, as the case may be—
 - (i) at least one of which on each side conforms to figure 2, bearing the appropriate UN number and the appropriate emergency action code; and
 - (ii) the remainder of which conform to figure 4, bearing the appropriate UN number.

8. Any orange-coloured panel required to be displayed in accordance with paragraphs 1 to 7 shall be attached in a substantially vertical plane, and, subject to paragraph 10(1) shall be—

- (a) rigid or fixed to be rigid; and
- (b) in the form of a plate.

9. Any UN number or emergency action code required to be displayed in accordance with paragraphs 1 to 7 shall conform to the following specification—

- (a) the UN number and, subject to paragraph (b) below, the emergency action code shall consist of black digits, measuring not less than 100 mm in height and not less than 15 mm stroke width;
- (b) notwithstanding paragraph (a) above, where the emergency action code in column 5 of the Approved Carriage List indicates a white letter on a black background, that letter shall be displayed as an orange letter on a black rectangle which rectangle shall have a height and width not less than 10 mm greater than the height and width of the letter;
- (c) subject to paragraphs 10(2) and 11, the UN number and the emergency action code shall be indelible and shall remain legible after 15 minutes engulfment in fire.

10.—(1) Notwithstanding paragraph 8, where a vehicle is carrying dangerous goods in a tank container or in bulk in a container, the orange-coloured panels may be replaced by—

- (a) orange-coloured self-adhesive sheets, or
- (b) orange-coloured paint or any other equivalent process,

provided the material used is weather-resistant and ensures durable marking.

(2) Where the panels are replaced by sheets, paint or other equivalent process, in accordance with sub-paragraph (1) above, paragraph 9(c) shall not apply.

11. Paragraph 9(c) shall not apply in relation to any tank constructed before 1 January 1999.

12. Where the size and construction of the vehicle are such that the available surface area is insufficient to display orange-coloured panels conforming to the dimensions specified in figures 1, 2 or 3, as the case may be, the dimensions of the orange-coloured panels displayed may be reduced to 300 mm at the base, 120 mm in height and with a black border measuring 10 mm.

Display of the telephone number

13. Subject to paragraph 16 where a vehicle is carrying only one of the dangerous goods listed in the Approved Carriage List in a tank, the telephone number shall be displayed—

- (a) at the rear of the vehicle;
- (b) on both sides of—
 - (i) the tank,

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- (ii) the frame of the tank, or
- (iii) the vehicle; and
- (b) in the immediate vicinity of the orange-coloured panels.

14. Subject to paragraph 16, where a vehicle is carrying a multi-load in tanks, the telephone number shall be displayed—

- (a) at the rear of the vehicle;
- (b) on both sides of—
 - (i) each tank,
 - (ii) the frame of each tank, or
 - (iii) the vehicle; and
- (b) in the immediate vicinity of those orange-coloured panels which conform to figure 2 or figure 3.

15. The telephone number shall consist of black digits of not less than 30 mm for the height and shall be displayed on an orange-coloured background.

16. Notwithstanding paragraphs 13 and 14, the telephone number may be substituted by the text “consult local depot” or “contact local depot” provided—

- (a) the name of the operator of the vehicle is clearly identifiable from the marking on the tank or the vehicle;
- (b) the chief fire officer, as regards England and Wales, or the firemaster, as regards Scotland, of every area in which the vehicle will carry the dangerous goods has been notified in writing of the address and telephone number of that local depot; and
- (c) each such chief fire officer or firemaster, as the case may be, has indicated in writing that he is satisfied with the arrangements.

Display of danger signs and subsidiary hazard signs

17. Where a vehicle is carrying dangerous goods in packages in a container, any danger sign or subsidiary hazard sign which is required by the CDGCPL Regulations to be displayed on those packages shall also be displayed on at least one side of the container.

18. Where a vehicle is carrying dangerous goods in a tank container or in bulk in a container—

- (a) any danger sign or subsidiary hazard sign which is required by the CDGCPL Regulations to be displayed on packages containing such goods shall be displayed on each side of the tank container or container concerned; and
- (b) where such signs are not visible from outside the carrying vehicle, the same signs shall also be displayed on each side of, and at the rear of, the vehicle.

19. Where a vehicle is carrying dangerous goods—

- (a) in a tank, other than a tank container; or
- (b) in bulk in a vehicle, but not in bulk in a container on a vehicle,

any danger sign or subsidiary hazard sign which is required by the CDGCPL Regulations to be displayed on packages containing such goods shall be displayed on each side of, and at the rear of, the vehicle.

20. Nothing in paragraphs 17 to 19 shall require a danger sign for a particular classification or a subsidiary hazard sign for a particular subsidiary hazard to be displayed more than once at the rear of, or more than once on the sides of any container, tank or vehicle.

21. Subject to paragraph 22, the danger signs and subsidiary hazard signs required to be displayed by this Schedule shall—

- (a) have sides which measure not less than 250 mm;
- (b) have a line of the same colour as the symbol 12.5 mm inside the edge and running parallel to it; and
- (c) be displayed adjacent to one another and in the same horizontal plane.

Display of hazard warning panels

22.—(1) Notwithstanding paragraphs 6(1), (2)(a) and (b)(i), 6(3), 7(1), 7(2)(a) and (b)(i), 13, 14, 16, 18 and 19—

- (a) the information required to be displayed on an orange-coloured panel;
- (b) the danger sign; and
- (c) the telephone number or the text “consult local depot” or “contact local depot”,

may be displayed on a hazard warning panel, which panel shall conform to figure 5 and be orange-coloured, except that part of it which incorporates the danger sign, which part shall be coloured white.

(2) Notwithstanding paragraph 21, where a hazard warning panel is displayed—

- (a) the danger sign incorporated within the panel shall have—
 - (i) sides which measure not less than 200 mm,
 - (ii) a line of the same colour as the symbol not more than 12.5 mm inside the edge and running parallel to it; and
- (b) the subsidiary hazard sign, if any, shall be the same size as the danger sign and shall be displayed adjacent to it and in the same horizontal plane;

(3) Wherever an orange-coloured panel conforming to figure 2 or 3 is required to be displayed either at the rear or at the sides of a container, tank or vehicle, the hazard warning panel may be displayed instead at the rear or at the sides, as appropriate—

- (a) on the vehicle;
- (b) on a tank or container; or
- (c) on the frame of a tank or container.

(4) Wherever a subsidiary hazard sign is displayed adjacent to the hazard warning panel in accordance with sub-paragraph (2)(b) above paragraphs 18 and 19 shall not apply insofar as they relate to subsidiary hazard signs.

General

23. Where any orange-coloured panel, danger sign, subsidiary hazard sign or hazard warning panel is displayed—

- (a) at the front or at the rear of the vehicle, it shall be positioned at right angles across the width of the vehicle;
- (b) on the sides of a container, tank or vehicle it shall be positioned at right angles along the length of the container, tank or vehicle concerned.

24. Any orange-coloured panel, danger sign, subsidiary hazard sign or hazard warning panel displayed in accordance with this Schedule shall be clearly visible.

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PART II

Figures referred to in this Schedule

Figure 1

Orange-coloured panel

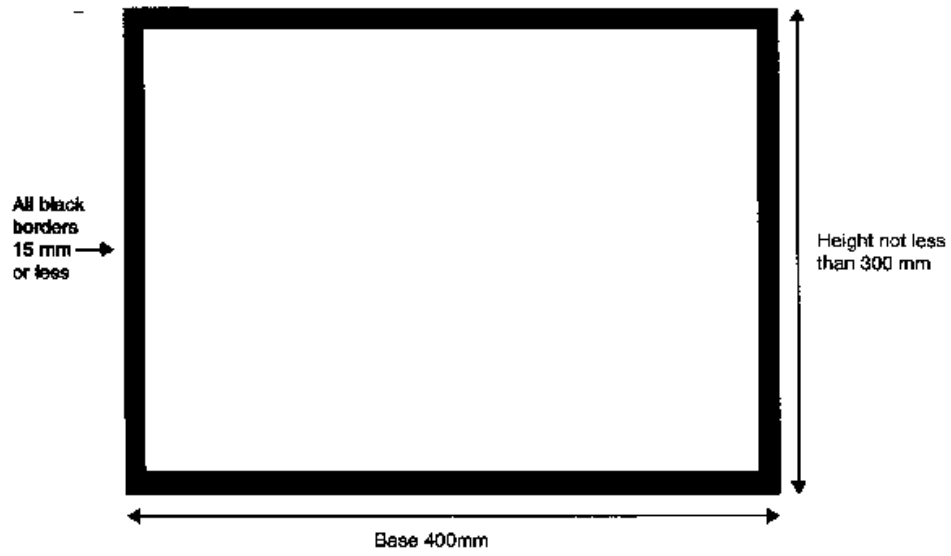
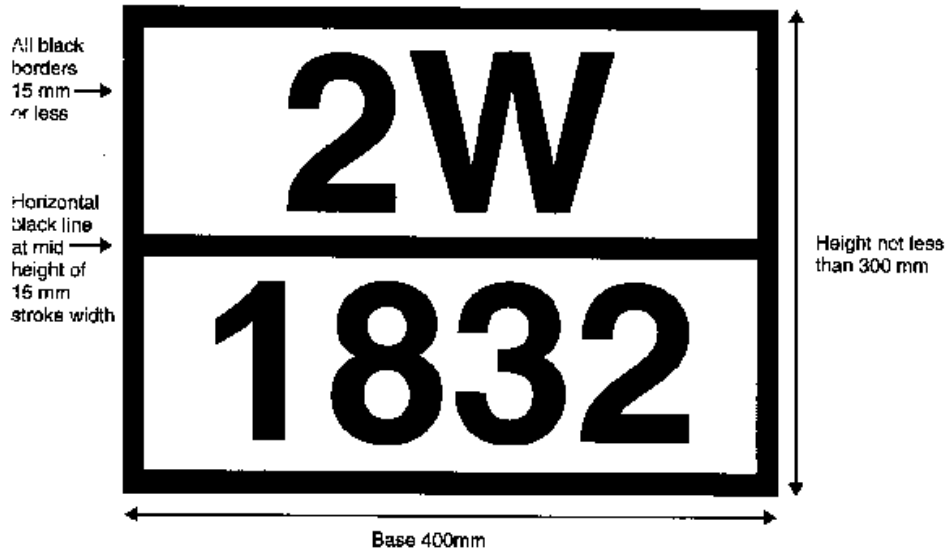


Figure 2

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Orange-coloured panel displaying the emergency action code and the UN number



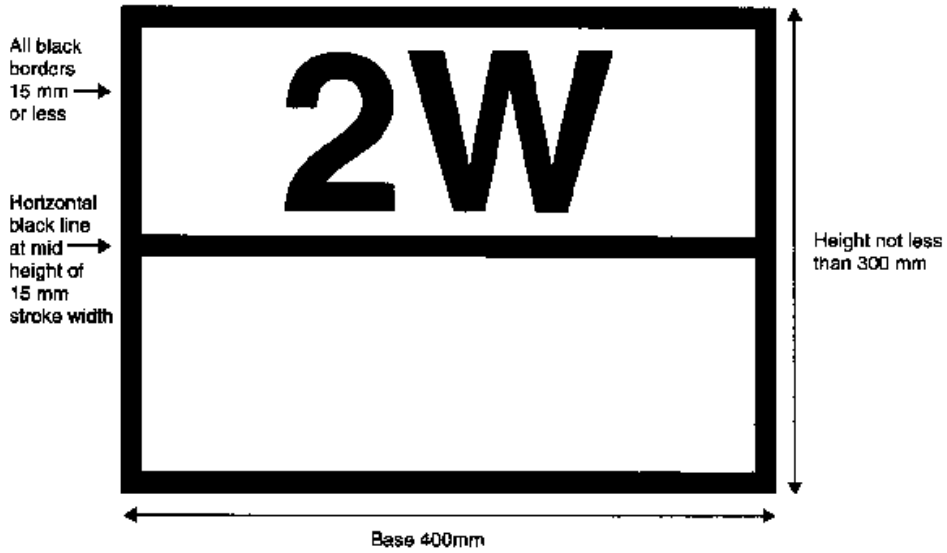
The emergency action code shall be inscribed in the upper half and the UN number shall be inscribed in the lower half

The emergency action code shall be inscribed in the upper half and the UN number shall be inscribed in the lower half.

Figure 3

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Orange-coloured panel displaying the emergency action code



The emergency action code shall be inscribed in the upper half.

The emergency action code shall be inscribed in the upper half.

Figure 4

Orange-coloured panel displaying the UN number

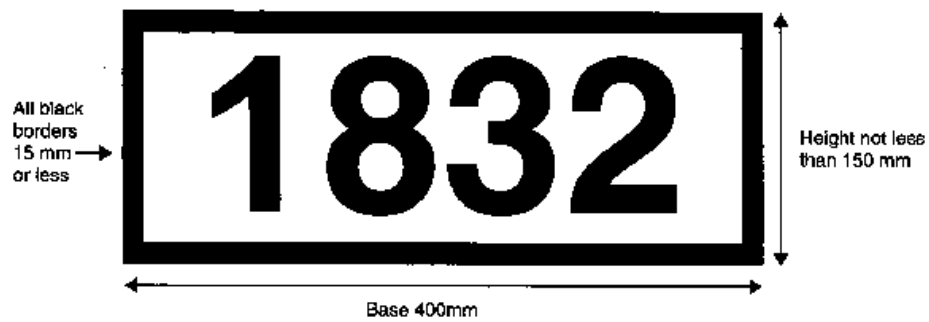
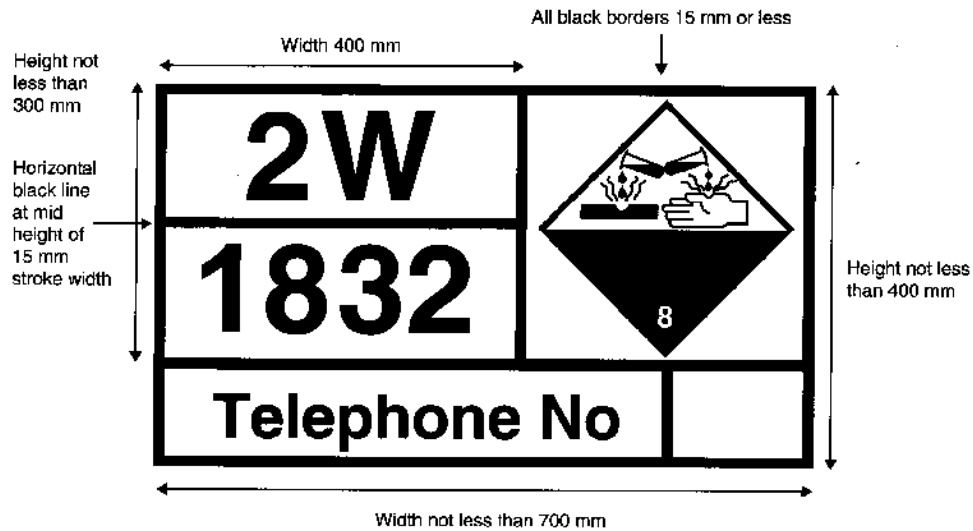


Figure 5

Hazard warning panel



The emergency action code shall be inscribed in the upper half and the UN number in the lower half of the orange-coloured panel and the telephone number (or text as the case may be) beneath the UN Number.

The emergency action code shall be inscribed in the upper half and the UN number in the lower half of the orange-coloured panel and the telephone number (or text as the case may be) beneath the UN number

SCHEDULE 11

Regulation 19(2)(b)

REQUIREMENTS RELATING TO THE LOADING, STOWAGE, UNLOADING AND CLEANING OF CONTAINERS, TANKS AND VEHICLES CARRYING CERTAIN DANGEROUS GOODS

Gases

1.—(1) This paragraph shall apply where transportable pressure receptacles or packages containing such receptacles contain gases.

(2) Transportable pressure receptacles or packages containing such receptacles shall not be thrown or subjected to impact.

(3) Transportable pressure receptacles shall be stowed in a vehicle or container so that they cannot overturn or fall.

(4) Transportable pressure receptacles—

- (a) which have a capacity not exceeding 150 litres shall be laid parallel to or at right angles to the longitudinal axis of the vehicle or container in which they are being carried, except where they are situated near the forward transverse wall when they shall be laid at right angles to the said axis;
- (b) which are short and of large diameter (not less than 30 centimetres), may be stowed longitudinally with their valve-protecting devices directed towards the middle of the vehicle or container in which they are being carried;

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- (c) which are sufficiently stable or are carried in suitable devices effectively preventing them from overturning may be placed upright;
- (d) which are laid flat shall be securely and appropriately wedged, attached or secured so that they cannot shift;
- (e) which contain non-combustible, deeply refrigerated liquefied gases, shall be placed in the position for which they were designed and be protected against any possibility of being damaged by other packages.

Flammable liquids

2. Where any flammable liquids which have toxic hazardous properties have leaked or have been spilled in a vehicle or container—

- (a) that vehicle or container may not be re-used until after it has been thoroughly cleaned and, if necessary, decontaminated; and
- (b) any other goods and articles carried in the same vehicle or container shall be examined for possible contamination.

3. The provisions of paragraph 2 shall also apply to the goods UN 3064 NITROGLYCERIN, SOLUTION IN ALCOHOL.

Flammable solids

4.—(1) Packages containing flammable solids shall be loaded so that a free circulation of air within the loading space provides a uniform temperature of the load.

(2) Where the contents of a vehicle or container exceed 5000 kg of flammable solids, the load shall be divided into stacks of not more than 5000 kg separated by air spaces of at least 0.05 m.

5. Packages containing any of the following goods shall be stored in cool, well-ventilated places away from heat sources—

UN 3242	AZODICARBONAMIDE
UN 2956	5-TERT-BUTYL-2,4,6-TRINITRO-M-XYLENE (MUSK-XYLENE)
UN 3251	ISOSORBIDE-5-MONONITRATE

6.—(1) Packages containing the goods SELF-REACTIVE SUBSTANCES REQUIRING TEMPERATURE CONTROL—

- (a) shall not be placed on top of other goods; and
- (b) shall be so stowed as to be readily accessible.

(2) The control temperature for the goods referred to in sub-paragraph (1) above shall be maintained during the whole transport operation, including loading and unloading, as well as any intermediate stops.

Substances which in contact with water emit flammable gas

7. Where packages containing substances which in contact with water emit flammable gases are being handled, special measures shall be taken to prevent them from coming into contact with water.

Oxidizing substances

8. Where oxidizing substances are being carried in vehicles or containers, the use of readily flammable materials for stowing packages is prohibited.

Organic peroxides

9.—(1) Vehicles and containers intended for the carriage of packages containing organic peroxides shall be carefully cleaned.

(2) The use of readily combustible materials for stowing packages containing organic peroxides is prohibited.

(3) Packages containing organic peroxides shall be loaded so that a free circulation of air within the loading space provides a uniform temperature of the load.

(4) Where the contents of a vehicle or container exceed 5,000 kg of organic peroxides, the load shall be divided into stacks of not more than 5,000 kg separated by air spaces of at least 0.05 m.

10.—(1) Packages containing the goods ORGANIC PEROXIDES REQUIRING TEMPERATURE CONTROL

(a) shall not be placed on top of other goods; and

(b) shall be stowed as to be readily accessible.

(2) The specified control temperature of the goods referred to in sub-paragraph (1) above shall be maintained during the whole transport operation, including loading and unloading, as well as any intermediate stops.

Toxic substances

11. Where toxic substances have leaked or have been spilled in a vehicle or container—

(a) that vehicle or container may not be re-used until it has been thoroughly cleaned and, if necessary, decontaminated; and

(b) all other goods and articles carried in the same vehicle shall be examined for possible contamination.

12.—(1) A vehicle which has been contaminated with any of the following goods, or with a mixture thereof, shall not be put back into service until it has been decontaminated under the supervision of a competent person.

UN 1649	MOTOR FUEL ANTI-KNOCK MIXTURE (TETRAETHYL LEAD)
UN 1649	MOTOR FUEL ANTI-KNOCK MIXTURE (TETRAMETHYL LEAD)

(2) Any wooden parts of a vehicle which have been attacked by any of the goods referred to in sub-paragraph (1) above shall be removed and burnt.

Infectious substances

13.—(1) Packages containing infectious substances shall be stowed so that they are readily accessible.

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(2) Where packages containing infectious substances are to be carried at ambient temperature of not more than 15°C or refrigerated, the temperature shall be maintained during unloading or in transit storage.

(3) Packages containing infectious substances shall be kept only in cool places away from sources of heat.

- (4) Where infectious substances have leaked and been spilled in a vehicle or container—
- (a) that vehicle or container may not be re-used until after it has been thoroughly cleaned and, if necessary, disinfected;
 - (b) all goods and articles carried in such a vehicle shall be checked for possible contamination; and
 - (c) any wooden parts of the vehicle which have come into contact with infectious substances of risk groups 3 or 4 shall be removed and burnt.

14. The following goods shall be loaded in tanks or in specially equipped vehicles in a manner which avoids risks to humans, animals and the environment, for example by carrying in bags or by airtight connections.

UN 3291	CLINICAL WASTE, UNSPECIFIED, N.O.S. OR MEDICAL WASTE, N.O.S. OR REGULATED MEDICAL WASTE, N.O.S.
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Corrosive substances

15. Where a package containing a corrosive substance has leaked or has been spilled in a vehicle—

- (a) the packaging of that package may not be re-used until after it has been thoroughly cleaned and, if necessary, decontaminated; and
- (b) all other goods and articles carried in the same vehicle shall be examined for possible contamination.

16. Vehicles intended to carry packages containing any of the following goods shall be carefully cleaned and any combustible waste such as straw, hay or paper removed.

UN 2032	NITRIC ACID, RED FUMING
UN 1796	NITRATING ACID, MIXTURE OF PACKING GROUP I
UN 1826	NITRATING ACID, MIXTURES, SPENT OF PACKING GROUP I
UN 1802	PERCHLORIC ACID
UN 3084	CORROSIVE SOLID, OXIDIZING, N.O.S.*
UN 3093	CORROSIVE SOLID, OXIDIZING, N.O.S.*

Miscellaneous dangerous goods

17.—(1) Packages containing the goods UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS shall be—

- (a) so stowed that they are readily accessible; and
- (b) kept only in cool places away from sources of heat.

(2) Where packages containing the goods referred to in sub-paragraph (1) above are to be carried refrigerated, the temperature shall be maintained during unloading or in transit storage.

(3) Where these goods have escaped and contaminated a vehicle—

- (a) that vehicle may not be re-used until after it has been thoroughly cleaned and, if necessary, disinfected;
- (b) all goods and articles carried in such a vehicle shall be checked for possible contamination; and
- (c) any wooden parts of a vehicle which have come into contact with genetically modified micro-organisms shall be removed and incinerated.

18. Where dangerous goods, other than genetically modified micro-organisms and any other miscellaneous dangerous goods specified in this Schedule, have leaked and been spilled in a vehicle or container—

- (a) that vehicle or container may not be re-used until after it has been thoroughly cleaned and, if necessary, disinfected; and
- (b) all goods and articles carried in the same vehicle shall be checked for possible contamination.

SCHEDULE 12

Regulation 20(1)

UNLOADING OF PETROL AT PETROLEUM FILLING STATIONS AND CERTAIN OTHER PREMISES LICENSED FOR THE KEEPING OF PETROL

PART I

GENERAL REQUIREMENTS

1.—(1) It shall be the duty of the person licensed under the Petroleum (Consolidation) Act 1928 to keep petrol at a particular petroleum filling station or at particular premises of the kind specified in regulation 20(1)(b) (“the licensee”) to ensure that the unloading of petrol from a road tanker at those premises (“the licensed premises”) is carried out—

- (a) under his control and in accordance with the procedure set out in Part II of this Schedule (“the Part II procedure”); or
- (b) under the control of the driver of the road tanker making the delivery, under the authority of a licence issued by the petroleum licensing authority pursuant to paragraph 19(1)(a) (“a Part III licence”) and in accordance with the procedure set out in Part III of this Schedule (“the Part III procedure”); and
- (c) (in either case)—
 - (i) subject to the provisions of this Part of this Schedule, and
 - (ii) by transferring the petrol from the tank of the road tanker into a storage tank.

(2) Where the licensee has been granted a Part III licence in respect of the licensed premises, he shall use the Part III procedure and no other thereat unless—

- (a) he has given at least one week’s notice to the petroleum licensing authority that he intends to change to using the Part II procedure and that notice period has expired; or
- (b) due to failure of equipment, compliance with the Part III procedure has ceased to be possible and the licensee has agreed with the operator and (where the operator is not the

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supplier of the petrol) with the supplier to revert temporarily to the Part II procedure pending correction of the equipment.

(3) Where the temporary use of the Part II Procedure occurs in accordance with sub-paragraph (2) (b) of this paragraph, the licensee shall give notice to the petroleum licensing authority—

- (a) of his having commenced such temporary use; and
- (b) of his having resumed the use of the Part III procedure upon correction of the equipment failure.

(4) Any notice required to be given in accordance with sub-paragraph (3) of this paragraph shall be given by the quickest practicable means.

(5) The licensee shall, within 3 working days of giving any notice in accordance with sub-paragraph (3) of this paragraph, give written confirmation of that notice to the petroleum licensing authority.

(6) In sub-paragraph (5) of this paragraph, the reference to “3 working days” is a reference to a period of 72 hours calculated from the time the relevant notice was given in accordance with sub-paragraph (3) of this paragraph, but disregarding so much of any such period as falls on a Saturday or Sunday, or on Christmas day or Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(25) in the part of Great Britain where the licensed premises concerned are situated.

2.—(1) The licensee shall, for the purpose of distinguishing one storage tank from any other storage tank situated at the licensed premises, ensure that every such tank is clearly marked with—

- (a) a number, a letter or a combination of both a number and a letter in such a manner that the number, letter or number and letter cannot be readily altered or obliterated; and
- (b) (adjacent to that number, letter or number and letter) the maximum working capacity of the tank and the grade of petrol permitted to be stored therein under the petroleum-spirit licence granted in respect of the licensed premises.

(2) In this Schedule, any reference to the maximum working capacity of a storage tank shall be a reference to 97 per cent of its actual capacity, expressed in litres.

3. For the purpose of distinguishing one compartment of the tank of a road tanker from each other compartment of that tank, the operator shall ensure that every such compartment is clearly marked with a number in such a manner that that number cannot readily be altered or obliterated.

4. The licensee shall ensure that every dipstick, not being one permanently fixed to a storage tank, and any other device used for ascertaining the quantity of the petrol for the time being contained in a storage tank, is marked with the same number, letter or combination of both a number and letter and in the like manner as that with which the storage tank in connection with which it is used is marked.

5. Where the method of filling a storage tank is by means of a pipe (whether in a single length or segmented) leading from the tank to a filling point not situated on, or immediately adjacent to, the tank itself, the licensee shall ensure that the said pipe is clearly marked on, or immediately adjacent to, the filling point with—

- (a) the same number, letter or combination of both a number and letter and in the like manner as that with which the tank is marked; and
- (b) (adjacent to that number, letter or number and letter) the maximum working capacity of the tank and the grade of petrol permitted to be stored therein under the petroleum-spirit licence granted in respect of the licensed premises.

(25) 1971 c. 80.

6. In any case where the method of filling the tank is that referred to in paragraph 5, the licensee shall ensure, so far as practicable, that no filling takes place until—

- (a) the pipe is properly and securely connected to the tank and to the filling point; and
- (b) (where the pipe is segmented) each segment is properly and securely connected one with another.

7. Where, during the course of filling a storage tank, vapours given off by that storage tank are returned to the road tanker by means of a vapour balance pipe which is connected to a vapour balance hose emanating from that road tanker, the licensee shall ensure that that vapour balance pipe is marked with the words “vapour balance”.

8.—(1) The licensee shall appoint a competent person over the age of 18 years (in this Schedule referred to as “the competent person”) who shall be permitted neither to be the driver of, nor to be employed to be in attendance on, any vehicle from which a delivery of petrol is to be made at the licensed premises and who shall have the functions given to him by Parts II and III of this Schedule.

(2) The licensee shall ensure that—

- (a) the competent person has received adequate training to enable him to understand—
 - (i) the nature of the dangers to which the carriage of petrol may give rise, and
 - (ii) the functions given to him by Parts II and III of this Schedule and his duties under sections 7 and 8 of the Health and Safety at Work etc. Act 1974; and
- (b) a record of the training received pursuant to sub-paragraph (2)(a) of this paragraph is available at the licensed premises.

PART II

THE PART II PROCEDURE

(PROCEDURE FOR LICENSEE-CONTROLLED DELIVERIES)

9. The competent person shall be in charge of the storage tank for the purpose of the delivery and shall not permit delivery into that tank to commence—

- (a) unless the tank has immediately before the delivery been measured with a dipstick or other suitable measuring device and the measurement has shown that the quantity of petrol proposed to be delivered can safely be received by that tank; and
- (b) until—
 - (i) the hose (whether a single length or segmented) through which the petrol will be delivered (“the delivery hose”) is connected to the filling point of that tank, and
 - (ii) (where the provisions of paragraph 7 apply to the delivery) the vapour balance hose is secured to the vapour balance pipe before the delivery hose is connected as aforesaid;
- (c) (in any case where there is a separate dipping opening in the storage tank) until that dipping opening has been securely closed; and
- (d) (where siphon pipes link storage tanks at the licensed premises and none of the linked tanks is fitted with a mechanical overfill prevention device) until the tank has been isolated from the other storage tanks by the closure of suitable valves,

and shall not as respects that tank sign his name on the certificate referred to in paragraph 10 until he has complied with the appropriate requirements of sub-paragraphs (a) to (d) of this paragraph.

10. Before delivery into any storage tank is begun, the competent person shall, in the presence of the driver of the road tanker from which the delivery is to be made, in Part A of each of two

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copies of a certificate in the form specified in Part IV of this Schedule, in the first column, enter the address of the licensed premises concerned, in the second column, enter the name of the licensee of the premises, in the third column, enter the number, letter or number and letter marked on the tank, in the fourth and fifth columns, enter the quantity and grade respectively of petrol which is to be delivered into the tank, in the sixth column, enter his signature and in the seventh column, enter the correct date and time.

11. The driver of a road tanker shall not commence any delivery of petrol into a storage tank until—

- (a) he has (after the competent person has completed Part A of each of two copies of a certificate in the form specified in Part IV of this Schedule in accordance with paragraph 10), in Part B of each of the said two copies, in the first column, entered the number, letter or number and letter marked on the tank, in the second column, entered the number of each compartment of any tank of a road tanker from which the petrol is to be delivered and, in the third column, entered his signature;
- (b) he has—
 - (i) properly and securely connected the delivery hose (whether a single length or segmented) to—
 - (aa) the appropriate outlet on the road tanker, and
 - (bb) the filling point of the tank, and
 - (ii) (where the delivery hose is segmented) properly and securely connected each segment one with another;
- (c) (where the provisions of paragraph 7 apply to the delivery) he has (before properly and securely connecting the delivery hose and, where appropriate, any segments thereof as aforesaid) properly and securely connected the vapour balance hose—
 - (i) to the vapour balance pipe, and
 - (ii) to the appropriate faucet on the road tanker; and
- (d) the competent person is keeping watch as required by paragraph 12.

12. The competent person shall, during the whole time of a delivery of petrol into a storage tank, be in close proximity to the road tanker and the storage tank and shall, so far as is practicable, keep a constant watch on the licensed premises for the purpose of preventing any hazardous situation arising.

13. The driver of a road tanker shall ensure that, during the whole time of a delivery of petrol therefrom—

- (a) neither its engine, nor any other engine or motor which is attached to that road tanker, is run; and
- (b) the road tanker remains stationary.

14. During the whole time of a delivery of petrol from a road tanker, the driver of that tanker shall remain near it, and shall—

- (a) so far as is practicable, keep a constant watch on—
 - (i) the delivery hose (whether a single length or segmented), the connections at both ends of the delivery hose and (in the case of a segmented hose) each connection between the segments,
 - (ii) (where the provisions of paragraph 7 apply to the delivery) the vapour balance hose and the connections at both ends of that hose, and
 - (iii) the tank of the road tanker; and

- (b) ensure, so far as is practicable, that no petrol escapes from any hose connection such as is specified in sub-paragraph (a)(i) of this paragraph.

15. Both the driver and the competent person shall, during the whole time of a delivery of petrol from a road tanker into a storage tank, ensure, so far as is practicable, that no petrol overflows from the storage tank concerned.

16. The driver of a road tanker shall ensure that petrol from a single compartment of the tank of that road tanker is not delivered into more than one storage tank unless—

- (a) each of the storage tanks into which the petrol is to be delivered can safely receive all of the petrol remaining in the compartment;
- (b) either the foot valve or the faucet valve for the compartment can be operated from on top of the tank of the road tanker and dipping of the compartment is carried out on a continual basis; or
- (c) other effective and reliable mechanical or other measures are taken to prevent overfilling of each of the storage tanks concerned.

17. When the driver of a road tanker has completed a delivery of petrol to which the provisions of paragraph 7 applied, he shall, having first disconnected the delivery hose (whether a single length or segmented), disconnect the vapour balance hose.

18. The competent person shall, following the completion of a delivery of petrol from a road tanker—

- (a) give one of the two copies of the certificate completed in accordance with paragraphs 10 and 11 to the driver of the road tanker from which the delivery has been made, and the driver shall give it to the supplier of the petrol, who shall keep it for a period of not less than 12 months after the delivery; and
- (b) give the second of the 2 copies of the certificate completed in accordance with paragraphs 10 and 11 to the licensee of the premises where the delivery was made, who shall keep it at those premises for a period of not less than 12 months after the delivery.

PART III

THE PART III PROCEDURE

(PROCEDURE FOR DRIVER-CONTROLLED DELIVERIES)

19.—(1) The licensee shall not use the Part III procedure at the licensed premises unless—

- (a) he has made application in writing to the petroleum licensing authority and has received from that authority a Part III licence—
 - (i) in the form specified in Part VI of this Schedule, and
 - (ii) which has been completed in accordance with the Note to that Part; and
- (b) he has agreed in writing with—
 - (i) the operator of each road tanker which is likely to deliver petrol to the licensed premises, and
 - (ii) each person (not being any such operator as is specified above) who is likely to supply petrol to the licensed premises,

that (subject to the occurrence of either of the events specified in paragraph 1(2)) that procedure is to be followed for all future deliveries.

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(2) A petroleum licensing authority to whom application is made in accordance with sub-paragraph (1)(a) of this paragraph shall not refuse to grant a Part III licence except on grounds relating to the safety of the specific site in respect of which the licence application has been made and, having granted such a licence, may subsequently revoke it in writing at any time.

(3) In the event of the transfer of a petroleum-spirit licence in accordance with section 1(1) of the Petroleum (Transfer of Licences) Act 1936(26), the petroleum licensing authority may, by simultaneously endorsing it, transfer any Part III licence previously granted by it to the transferor to the transferee (“the subsequent licensee”); and when such a transfer takes place the subsequent licensee shall be deemed to have received a Part III licence pursuant to sub-paragraph (1)(a) of this paragraph on the date the transfer was effected as aforesaid.

(4) A fee shall be payable—

- (a) by the applicant to the petroleum licensing authority on each application for a Part III licence made in accordance with sub-paragraph (1)(a) of this paragraph; and
- (b) by the subsequent licensee to the petroleum licensing authority on each transfer of a Part III licence effected in accordance with sub-paragraph (3) of this paragraph.

(5) The fee payable under sub-paragraph (4)(a) of this paragraph shall be £200 and that payable under sub-paragraph (4)(b) of this paragraph shall be £30.

20.—(1) Where the licensee intends to use the Part III procedure at the licensed premises, he shall ensure that—

- (a) the cap on the filling point of each storage tank is locked with a captive padlock, the key of which shall—
 - (i) be identified with the number, letter or number and letter corresponding with the number, letter or number and letter marked on the relevant storage tank, and
 - (ii) have a different profile from the key used for any other such padlock;
- (b) a suitable measuring device is provided for each storage tank, which device shall—
 - (i) be capable of continuously and visually indicating the ullage in that tank,
 - (ii) be clearly marked (adjacent to the said visual indication of ullage) with the number, letter or number and letter marked on that tank, and
 - (iii) in the event of failure, indicate that the tank is full or that there is a fault condition;
- (c) a ticket printer is provided which is capable of issuing a ticket on which the following information is indicated—
 - (i) the date and time of each delivery, and
 - (ii) (in respect of each storage tank) the number, letter or number and letter marked on the tank, the grade of petrol permitted to be stored therein under the petroleum-spirit licence granted in respect of the licensed premises and the ullage of the tank;
- (d) a suitable high-level alarm which is audible to the driver is provided for each storage tank; and, where the measuring device referred to in sub-paragraph (1)(b) of this paragraph operates on the principle of differential air pressure, he shall also ensure that the system by which that operation is effected will fail safe in the event of a failure of the air supply, and thereby sound the above-mentioned audible high level alarm;
- (e) safe and adequate illumination having an illuminance of 100 lux or more measured at ground level is provided for any area in which the vehicle stands during unloading and any area in which a storage tank filling point or a measuring device referred to in sub-

(26) 1936 c. 27; section 1(1) was modified by S.I. 1974/1942.

paragraph (1)(b) of this paragraph is situated, together with means which are accessible to the driver for switching that illumination on or off;

- (f) one or more telephones are provided which are accessible to the driver and which will enable the driver to make direct contact with the emergency services and with the depot from which he operates;
- (g) a fire extinguisher suitable for fighting petrol fires is provided which is accessible to the driver and has a minimum test fire rating of 144B, as defined in British Standard BSEN 3-1:1996;
- (h) at least 25 kg of dry sand or such quantity of other suitable absorbent material as gives an equivalent degree of absorbency is, in conjunction with suitable tools for applying it, provided in a suitable container, for the purpose of containing spillages;
 - (i) a plan of the licensed premises (which shall have been approved by the petroleum licensing authority) is provided which is accessible to the driver and which indicates the position of each filling point, together with its number or identifying letter, the capacity of the tank to which it is connected and the grade of petrol which the tank is permitted to contain under the petroleum-spirit licence; and that plan shall also indicate the unloading position for the vehicle and the position of the surface drainage points; and
- (j) a switch, which is capable of cutting off the power supply to all the petrol, diesel and, where appropriate, liquefied petroleum gas pumps at the licensed premises is provided adjacent to each telephone provided pursuant to sub-paragraph (1)(f) of this paragraph.

(2) The licensee shall ensure that the operator of any road tanker which is likely to make deliveries of petrol to the licensed premises is given written notice of any conditions which apply to such deliveries and which are attached to the petroleum-spirit licence granted in respect of those premises.

(3) In this Schedule, “ullage” means the difference (expressed in litres) between the maximum working capacity of a storage tank and the quantity of petrol in it at any given time.

21. The licensee or the competent person shall, before the commencement of a delivery of petrol into any storage tank at the licensed premises—

- (a) In Part A of each of two copies of a certificate in the form specified in Part V of this Schedule, in the first column, enter the address of the licensed premises, in the second column, enter the name of the licensee, in the third column, enter the number, letter or number and letter marked on the tank, in the fourth and fifth columns, enter the quantity and grade respectively of petrol which is to be delivered into the tank, in the sixth column, enter his signature (having first visually checked that the ullage in the tank as indicated by the tank measuring device provided in accordance with paragraph 20(1)(b) exceeds the quantity of petrol to be received by that tank) and, in the seventh column, enter the correct date and time; and
- (b) having completed Part A of each of two copies of a certificate in the form specified in Part V of this Schedule in the manner specified in sub-paragraph (a) of this paragraph, ensure that both those copies are given to the driver who is to make the delivery.

22. Before making any delivery of petrol by the Part III procedure, the operator shall ensure that—

- (a) each compartment of the tank of the road tanker which is to make the delivery is fitted with a bottom-operated foot-valve;
- (b) means are provided to shut off all such valves in an emergency;
- (c) the road tanker is loaded in such a way that the contents of a single compartment of its tank will not need to be split between two storage tanks when the petrol is unloaded; and

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- (d) the driver of the road tanker is given a written copy of any conditions of which he (the operator) has been given notice under paragraph 20(2).
23. A driver of a road tanker who makes a delivery of petrol in accordance with the Part III procedure shall—
- (a) comply with any conditions given to him in accordance with paragraph 22(d);
 - (b) immediately before commencing the delivery—
 - (i) in Part B of each of the two copies of the certificate required to be given to him in accordance with paragraph 21(b), in the first column, enter the number, letter or number and letter marked on the storage tank into which delivery is to be made, in the second column, enter the number of each compartment of any tank of the road tanker from which the petrol is to be delivered and, in the third column, enter his signature,
 - (ii) verify the availability of the key of the captive padlock with which, in accordance with paragraph 20(1)(a), the cap on the filling point of each storage tank which is specified in the copies of the certificate required to be given to him in accordance with paragraph 21(b) must be locked,
 - (iii) verify that the quantity to be delivered may be safely received by the storage tank by visually checking that the ullage indicated on a ticket obtained from the ticket printer provided in accordance with paragraph 20(1)(c) exceeds the quantity to be delivered into that tank,
 - (iv) verify that there is a dialling tone on each telephone provided in accordance with paragraph 20(1)(f),
 - (v) place the fire extinguisher provided in accordance with paragraph 20(1)(g) and the sand or other absorbent material and tools provided in accordance with paragraph 20(1)(h) in a convenient position close to the road tanker unloading point,
 - (vi) test the high level alarm provided in accordance with paragraph 20(1)(d) to verify that the audible signal functions correctly, and
 - (vii) take all reasonable steps to ensure that—
 - (aa) the delivery hose (whether a single length or segmented) is properly and securely connected to the appropriate outlet on the road tanker and to the filling point of the storage tank,
 - (bb) (where the delivery hose is segmented) each segment is properly and securely connected one with another, and
 - (cc) (where the provisions of paragraph 7 apply to the delivery) the vapour balance hose is properly and securely connected to the vapour balance pipe and to the appropriate outlet on the road tanker before the delivery hose and (where appropriate) any segments thereof are properly and securely connected as aforesaid.
 - (c) during the whole time of delivery—
 - (i) ensure that the engine of the road tanker and any other engine or motor which is attached to it is not run,
 - (ii) ensure that the road tanker remains stationary,
 - (iii) ensure, so far as is practicable, that no petrol—
 - (aa) overflows from the storage tank concerned, or
 - (bb) escapes from any hose connection such as is specified in sub-paragraph (b)(vii)(aa) and (bb) of this paragraph, and

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- (iv) so far as practicable, keep a constant watch on the filling point of the storage tank, the tank of the road tanker, the delivery hose (whether a single length or segmented) and (where the provisions of paragraph 7 apply to the delivery) the vapour balance hose and the connections at both ends of that hose;
 - (d) after the delivery is complete but before departing from the relevant premises—
 - (i) ensure that all caps on the filling points into which deliveries have been made are securely closed and locked,
 - (ii) (where the provisions of paragraph 7 applied to the delivery, but having first disconnected the delivery hose, whether a single length or segmented) disconnect the vapour balance hose, and
 - (iii) ensure that all manhole covers which were disturbed during this delivery have been securely replaced.
- 24.** The driver of a road tanker which has completed a delivery of petrol in accordance with the Part III procedure shall—
- (a) ensure that one of the two duly completed copies of the certificate given to him in accordance with paragraph 21(b) and completed by him in accordance with paragraph 23(b)(i) before the delivery commenced is given back to the licensee (who shall keep it at the licensed premises for a period of at least 12 months); and
 - (b) give the second of the said copies to the supplier of the petrol.
- 25.** The supplier of the petrol shall keep the copy certificate that he has been given in accordance with paragraph 24(b) for at least 12 months from the date of the relevant delivery.
- 26.** It shall be sufficient compliance with paragraphs 10, 11(a), 19(1), 21 and 23(b)(i) if the information specified therein is entered into a form which is identical to the form in Part IV, V or VI of this Schedule, as the case may be, except that that form may contain references to the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992, and to particular provisions thereof, instead of to these Regulations.

PART IV

FORM OF CERTIFICATE FOR LICENSEE-CONTROLLED DELIVERIES

The Carriage of Dangerous Goods By Road Regulations 1996 (“the Regulations”)

Licensee-controlled deliveries in accordance
with Part II of Schedule 12 to the Regulations

PART A

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

First Column			Second Column	
Address of licensed premises			Name of licensee	
Third Column	Fourth Column	Fifth Column	Sixth Column	Seventh Column
Storage tank number, letter or number and letter	Quantity of petrol to be delivered	Grade of petrol to be delivered	Signature of competent person (to certify that he has complied with the appropriate requirements of sub-paragraphs (a) to (d) of paragraph 9 of Schedule 12 to the Regulations before delivery commences)	Date and time of completion of this Part of the Certificate

Note: In Part A, the competent person appointed by the licensee must enter, in the first column, the address of the licensed premises concerned; in the second column, the name of the licensee; in the third column, the relevant storage tank number, letter or number and letter; in the fourth and fifth columns, the quantity and grade respectively of petrol to be delivered; in the sixth column, his signature; and, in the seventh column, the correct date and time. This Part must be completed before delivery into the tank commences. The sixth column may only be completed after compliance with the appropriate sub-paragraphs of paragraph 9 of Schedule 12 to the Regulations.

Paragraph 9 reads as follows:

“9. The competent person shall be in charge of the storage tank for the purpose of the delivery and shall not permit delivery into that tank to commence—

- (a) unless the tank has immediately before the delivery been measured with a dipstick or other suitable measuring device and the measurement has shown that the quantity of petrol proposed to be delivered can safely be received by that tank; and
- (b) until—
 - (i) the hose (whether a single length or segmented) through which the petrol will be delivered (“the delivery hose”) is connected to the filling point of that tank, and
 - (ii) (where the provisions of paragraph 7 apply to the delivery) the vapour balance hose is secured to the vapour balance pipe before the delivery hose is connected as aforesaid;
- (c) (in any case where there is a separate dipping opening in the storage tank) until that dipping opening has been securely closed; and
- (d) (where siphon pipes link storage tanks at the licensed premises and none of the linked tanks is fitted with a mechanical overfill protection device) until the tank has been isolated from the other storage tanks by the closure of suitable valves, and shall not as respects that tank sign his name on the certificate referred to in paragraph 10 until he has complied with the appropriate requirements of sub-paragraphs (a) to (d) of this paragraph.”

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PART B

First Column	Second Column	Third Column
Storage tank number, letter or number and letter	Road tanker carrying tank compartment numbers	Signature of driver

Note: In Part B, the driver must enter, in the first column, the relevant storage tank number, letter or number and letter; in the second column, the number of each compartment of any carrying tank from which the petrol is to be delivered; and, in the third column, his signature. This Part must be completed after Part A has been completed by a competent person appointed by the licensee, but before delivery into the tank commences.

PART V

FORM OF CERTIFICATE FOR DRIVER-CONTROLLED DELIVERIES

The Carriage of Dangerous Goods by Road Regulations 1996 (“the Regulations”)

Driver-controlled deliveries in accordance
with Part III of Schedule 12 to the Regulations

PART A

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

First Column			Second Column	
Address of licensed premises			Name of licensee	
Third Column	Fourth Column	Fifth Column	Sixth Column	Seventh Column
Storage tank number, letter or number and letter	Quantity of petrol to be delivered	Grade of petrol to be delivered	Signature of licensee or competent person (to certify that in accordance with paragraph 21(a) of Schedule 12 to the Regulations he has visually checked the ullage space in the storage tank)	Date and time of completion of this Part of the Certificate

Note: In this Part, the licensee or some other competent person acting on his behalf must enter, in the first column, the address of the licensed premises concerned; in the second column, the licensee's name; in the third column, the relevant storage tank number, letter or number and letter; in the fourth and fifth columns, the quantity and grade respectively of petrol to be delivered; in the sixth column, his signature; and, in the seventh column, the correct date and time. This Part must be completed before delivery into the tank commences. The sixth column may only be completed after the person concerned has measured the ullage space in the tank.

PART B

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PART VI

FORM PART III LICENCE

The Carriage of Dangerous Goods By Road Regulations 1996 (“the Regulations”)

Driver-controlled deliveries in accordance
with Part III of Schedule 12 to the Regulations

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>	<i>Fourth Column</i>	<i>Fifth Column</i>
Address of licensed premises	Name of licensee	Name of petroleum licensing authority	Signature of person issuing licence on behalf of petroleum licensing authority	Date of issue of Part III licence

Note: A person duly authorised by the petroleum licensing authority to act in the following behalf shall enter—

- (a) in the first column, the address of the premises to which the Part III licence applies;
- (b) in the second column, the name of the licensee of those premises;
- (c) in the third column, the name of the petroleum licensing authority;
- (d) in the fourth column, his signature; and
- (e) in the fifth column, the date on which the Part III licence is issued.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations implement Council Directive [94/55/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road, insofar as it relates to the transport of dangerous goods (other than radioactive material and explosives) but not the classification, packaging and labelling of dangerous goods. They also implement European Parliament and Council Directive [94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations insofar as it relates to provisions for bottom loading and vapour recovery systems of mobile containers carrying petrol and the retention of vapours within such containers until reloading takes place at a terminal (O.J. No. L365/24, 31.12.94, p. 24). The Regulations impose prohibitions on and requirements for the carriage of dangerous goods by road in any container, tank or vehicle. They revoke the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 and the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992.

2. The terms and expressions used in the Regulations are defined in regulation 2 and the scope of the Regulations is defined in regulation 3 and schedule 2.

3. The Regulations—

- (a) require the approval and publication by the Health and Safety Commission of documents entitled “Approved Carriage List”, “Approved Tank Requirements” and “Approved Vehicle Requirements”, and place duties on the operator of, and other specified persons concerned with, any tank or vehicle used for the carriage of dangerous goods to comply with relevant requirements of those documents (regulations 5 and 6);
- (b) impose requirements for the method of dispatch of specified dangerous goods and restrictions on their forwarding (regulation 7 and schedule 4);
- (c) prohibit the carriage of dangerous goods in a container or vehicle in bulk, or in a tank, unless specified requirements are complied with (regulations 8 and 9);
- (d) require a container, tank or vehicle used for the carriage of dangerous goods to be suitable for such carriage and adequately maintained, and impose additional requirements concerning their suitability (regulation 10 and schedule 7);
- (e) require tanks constructed after 31st December 1998 and used for the carriage of dangerous goods to comply with specified provisions relating to their design and suitability, and to be examined, tested and certified, and provide for the keeping of certificates issued in connection therewith (regulation 11);
- (f) require the operator to be in possession of the consignor’s declaration as described and impose general requirements for the carriage of dangerous goods (regulation 12);
- (g) require specified information to be provided by the consignor of dangerous goods to the operator, and by the operator to any other operator engaged to carry those goods, require the operator to provide the driver with the Transport Documentation and for that documentation to be available during carriage, and provide for the keeping of certain information by operators (regulations 13—16);

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- (h) require information to be displayed in accordance with Schedule 10 on any container, tank or vehicle used for the carriage of dangerous goods and impose duties in relation to that display (regulation 17);
- (i) prohibit the carriage of certain mixed loads (regulation 18);
- (j) impose requirements for the safe loading, stowage and unloading of dangerous goods and for the cleaning of containers, tanks and vehicles used for the carriage of dangerous goods (regulation 19 and schedule 11);
- (k) set out requirements for the unloading of petrol from the tank of a road tanker at petroleum filling stations and certain other premises licensed for the keeping of petrol (regulation 20 and schedule 12);
- (l) impose duties in the event of accidents and emergencies and for the prevention of fire and explosion during the carriage of dangerous goods, and require the provision of equipment for dealing with such hazards (regulations 21—23);
- (m) specify requirements for the supervision or other means of securing parked vehicles used for the carriage of dangerous goods (regulation 24);
- (n) permit the granting of exemptions by the Health and Safety Executive or the Secretary of State for Defence in given circumstances (regulation 25);
- (o) provide a defence to the Regulations, allow alternative compliance with specified international provisions, where those provisions apply to a matter to which these Regulations apply, and provide a transitional defence (regulations 26—28); and
- (p) set out revocations and consequential amendments (regulation 29).

4. Copies of relevant documents may be obtained as follows—

- (a) the current edition of the European Agreement concerning the International Carriage of Dangerous Goods by Road (“ADR”) [ISBN 0 11 551265 9 (UK) or ISBN 92 1139043 5 (UN version)], the Convention concerning International Carriage by Rail (“COTIF”), Cmnd.5897, from Her Majesty’s Stationery Office;
- (b) the Approved Carriage List, Approved Vehicle Requirements, Approved Tank Requirements and Approved Requirements and Test Methods for the Classification and Packaging of Dangerous Goods for Carriage from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 6FS; Dillons; Rymans the Stationer; and all good booksellers;
- (c) the current edition of the International Maritime Dangerous Goods Code [volumes I to IV ISBN 92 801 1314 3, Supplement ISBN 92 801 1316 X] from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR;
- (d) British Standard BSEN 3-1: 1996 from the British Standards Institution, British Standards House, 389 Chiswick High Road, London W4 4AL; and
- (e) the current edition of the Technical Instructions for the Safe Transport of Dangerous Goods by Air [Doc 9284-AN/905 and supplement] from Civil Aviation Authority, Printing and Publications Service, Greville House, 37 Gratton Road, Cheltenham, Gloucestershire GL50 2BN.

5. A copy of the cost benefit assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Safety Policy Directorate, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.