
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 387

**The Carriage of Explosives by Rail
Regulations (Northern Ireland) 2001**

Part II

Requirements Concerning the Carriage of Explosives

Restrictions on the carriage of explosives

- 3.—(1) A person shall not cause nor permit to be carried any unclassified explosives.
- (2) A person shall not cause nor permit to be carried any explosives, except in accordance with these Regulations.
- (3) A person shall not cause nor permit to be carried any explosives in a tank container or tank wagon.
- (4) Except as provided for in paragraphs (6) and (13), explosives shall only be carried in closed containers or in closed wagons.
- (5) A person shall not cause nor permit to be carried any explosives in Compatibility Group K unless—
- (a) the explosives are to be carried for the purpose of explosive ordnance disposal under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence; and
 - (b) the approval has been obtained of—
 - (i) the train operator, in whose train the explosives are to be carried; and
 - (ii) the infrastructure controller, on whose railway those explosives are to be carried.
- (6) A person shall not cause nor permit to be carried any explosive substances in an open container or open wagon unless—
- (a) the explosive substances form part of equipment or material belonging to Her Majesty's Forces or under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence;
 - (b) the explosive substances are carried under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence; and
 - (c) means of initiation not having at least two effective protective devices are removed or the explosive substances are in a locked military vehicle.
- (7) A person shall not cause nor permit to be carried any explosive substances in Compatibility Group A.
- (8) A person shall not cause nor permit to be carried any explosives in Compatibility Group L other than in a load which is under sole use.

(9) A person shall not cause nor permit to be carried in any container or wagon explosives with a net explosive content exceeding 20 tonnes unless such explosives are in Division 1.4.

- (a) (10) (a) A person shall not cause nor permit to be carried in any adjacent group of containers or wagons explosives of the type specified in column 1 of Schedule 7 with a net explosive content exceeding that specified for that type of explosives in the corresponding entry in column 2;
- (b) where a train comprises more than one such group of adjacent containers or wagons, the train operator shall ensure that the minimum separation distance between the nearest parts of each such group shall be that specified in the corresponding entry in column 3 of Schedule 7.

(11) Subject to paragraph (12) a person shall not cause nor permit to be carried any explosives within different Compatibility Groups (other than those in the Division 1.4), in the same container or wagon unless effective measures have been taken to ensure that the carriage of such a mixed load is no more dangerous than would be the carriage of the same quantity of explosives within any one of the Compatibility Groups in the load.

(12) Nothing in paragraph (11) shall apply to the carriage of explosives within different Compatibility Groups mixed in accordance with Schedule 8 to these Regulations.

(13) A person shall not cause nor permit to be carried any explosive articles in an open container or open wagon unless—

- (a) by reason of their packaged weight or dimension, it is not possible to carry the articles concerned in a closed container or closed wagon; or
- (b) (i) the explosive articles form part of equipment or material belonging to Her Majesty's Forces or under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence;
- (ii) the explosive articles are carried under the direction of Her Majesty's Forces or a person authorised by the Secretary of State for Defence; and
- (iii) means of initiation not having at least two effective protective devices are removed or the explosive articles are in a locked military vehicle.

(14) Any person who causes or permits to be carried any explosive articles in an open container or open wagon in accordance with paragraph (13) shall ensure that the articles concerned are completely covered by sheeting and that the sheeting is securely fixed to the open container or open wagon concerned except where it would not be—

- (a) reasonably practicable to cover the explosive articles with such sheeting; and
- (b) necessary for their protection.

(15) In this regulation—

“means of initiation” means a device intended to cause the detonation of an explosive; and

“military vehicle” means a vehicle which is owned by Her Majesty's Forces, and includes a vehicle which has been provided under any kind of 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.

Carriage of explosives on passenger trains

4.—(1) Subject to paragraph (2), a person shall not carry any explosives on a passenger train.

(2) Notwithstanding paragraph (1)—

- (a) gunpowder or smokeless powder or any mixture of them; and
- (b) explosives in Compatibility Group S;

may be carried in a passenger train provided the person complies with the conditions specified in paragraph (3).

(3) The conditions referred to in paragraph (2) are that—

- (a) subject to paragraph (4), the person concerned has obtained the approval of the train operator;
- (b) subject to paragraph (4), the explosives are kept with the person concerned and are kept properly packed;
- (c) the net explosive content of explosives carried by the person concerned does not exceed 2 kilograms; and
- (d) all reasonable precautions are taken by the person concerned to prevent accidents arising from the explosives being carried.

(4) Nothing in sub-paragraphs (a) and (b) of paragraph (3) shall apply to the carriage of railway fog signals.

Carriage in bulk

5. A person shall not cause nor permit the carriage in bulk of explosives which are explosive substances.

Carriage in small containers

6. An operator of a small container shall not cause nor permit to be carried in it any explosives unless he complies with the requirements specified in Schedule 2 relating to those explosives.

Suitability of containers, packages and wagons

7.—(1) An operator of any container or wagon shall not cause nor permit to be carried in it any explosives unless the container or wagon concerned—

- (a) is suitable for the purpose of such carriage; and
- (b) has been adequately maintained.

(2) A train operator shall not cause nor permit to be carried in his train any explosives in any container or wagon unless he has taken all reasonable steps to ensure that it complies with paragraph (1).

(3) A train operator shall not cause nor permit to be carried in his train any explosives in a package unless he has taken all reasonable steps to ensure that the package—

- (a) is suitable for such carriage; and
- (b) has been adequately maintained.

(4) In this regulation the expression “suitable for such carriage” means suitable having regard to—

- (a) the nature and circumstances of the journey to be undertaken; and
- (b) the hazardous properties and quantities of the explosives and of all other goods to be carried with them.

(5) An operator of any large container shall not cause nor permit any explosives to be carried in it unless it is checked before loading to ensure that—

- (a) it is free from any residue of a previous load; and
- (b) the interior floor and walls are free from protrusions.

(6) An operator of any large container, which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

- (a) if the container is fitted with top corner fittings, at least 7 square metres; or
- (b) in any other case, at least 14 square metres,

shall not cause nor permit any explosives to be carried in it unless it complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organisation, 4th Edition, 1996).

(7) No operator of any large container which—

- (a) is 6 or more metres long; or
- (b) is—
 - (i) 2.991 metres long, and
 - (ii) 2.438, 2.5 or 2.6 metres wide,

shall cause or permit to be carried in it any explosives unless that container complies with the requirements of those International Union of Railways UIC leaflets particularised in paragraph (8).

(8) The leaflets referred to in paragraph (7) are—

- (a) 590-10th edition, 1st January 1979 (as amended on 1st July 1979, and in 1981, 1985 and 1994 and updated on 1st January 1989);
- (b) 592-2-5th edition of 1st July 1996;
- (c) 592-3-1st edition, 1st July 1977 (as amended in 1979 and 1985); and
- (d) 592-4-1st edition, 1985 (as amended in 1987, 1989, 1990, 1991, 1992 and 1995 and reprinted on 1st July 1995).

(9) No operator of any large container shall cause or permit to be carried in it any explosives unless the requirements specified in Schedule 3 are complied with.

(10) In this regulation, “corner fittings” means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes.