

SCHEDULE 4

Regulation 5

**Amendments to the Carriage of Dangerous Goods by Road
(Driver Training) Regulations (Northern Ireland) 1997**

1. In regulation 1(2), at the end of the definition of “transport category” there shall be inserted the words “and shall be construed in accordance with regulation 2(5) of those Regulations”.

2. In regulation 2—

(a) in paragraph (1)(a)(ii)—

(i) in sub-head (*ee*) for the words “none of the goods are in transport category 0” there shall be substituted the words “the goods are in transport category 1”;

(ii) in sub-head (*ff*) for the words “none of the goods are in transport category 0 or 1” there shall be substituted the words “the goods are in transport category 2”, and

(iii) in sub-head (*gg*) for the words “none of the goods are in transport category 0, 1 or 2” there shall be substituted the words “the goods are in transport category 3”; and

(b) after paragraph (5), there shall be inserted the following paragraph—

“(6) These Regulations shall not apply to or in relation to the carriage of any of the following dangerous goods—

(a) UN 1992 FLAMMABLE LIQUID, TOXIC, N.O.S.

UN 2603 CYCLOHEPTATRIENE

UN 3248 MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S., of packing group II;

(b) UN 1228 MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.

UN 1986 ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.

UN 1988 ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.

UN 1992 FLAMMABLE LIQUID, TOXIC, N.O.S.

UN 2310 PENTANE-2,4-DIONE

UN 2478 ISOCYANATES, FLAMMABLE, TOXIC, N.O.S. or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.

UN 2841 DI-n-AMYLAMINE

UN 3248 MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S., of packing group III; and

(c) UN 1544 ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.

UN 1570 BRUCINE

UN 1654 NICOTINE

UN 1655 NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.

UN 1656 NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION

UN 1657 NICOTINE SALICYLATE

UN 1658 NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION

Status: This is the original version (as it was originally made).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

UN 1659 NICOTINE TARTRATE

UN 1692 STRYCHNINE or STRYCHNINE SALTS

UN 1851 MEDICINE, LIQUID, TOXIC, N.O.S.

UN 3140 ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.

UN 3144 NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.

UN 3172 TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.

UN 3249 MEDICINE, SOLID, TOXIC, N.O.S.,

where those goods are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this paragraph, “pharmaceutical products” include medicines, drugs and cosmetics.”

3. In regulation 4—

(a) at the end of paragraph (2), there shall be inserted the following sub-paragraph—

“(c) in regulation 2(1)(b), the vocational training certificate shall be appropriate to the carriage of radioactive material.”;

(b) at the end of paragraph (5) (but before the full stop), there shall be inserted the words “, except that in the case of the subject specified in paragraph 3(c) of Schedule 3, the training need not be accompanied by practical exercises”;

(c) in paragraph (6)—

(i) for the words “for periods of up to 5 years by the Secretary of State” there shall be substituted the words “by the Secretary of State for periods of up to 5 years from the date of expiry of the original certificate or of any extension of it granted in accordance with this paragraph,” and

(ii) for sub-paragraph (b), there shall be substituted the following sub-paragraph—

“(b) passed an examination (the syllabus of which shall cover the course referred to in sub-paragraph (a)) which has been approved by the Secretary of State; and”;

(d) after paragraph (6), there shall be inserted the following paragraph—

“(6A) The course referred to in paragraph (6)(a) shall be given in the form of a theoretical course accompanied by practical exercises and shall cover new technical, legal and substance-related developments in at least the subjects specified in—

(a) paragraph 1 of Schedule 3;

(b) in the case of a vocational training certificate referred to in paragraph (2)(a), paragraph 3 of Schedule 3;

(c) in the case of a vocational training certificate referred to in paragraph (2)(b), paragraph 2 of Schedule 3; and

(d) in the case of a vocational training certificate referred to in paragraph (2)(c), paragraph 4 of Schedule 3,

except that in the case of the subject specified in paragraph 3(c) of Schedule 3, the training need not be accompanied by practical exercises.”

4. In paragraph (2) of regulation 9, for the words from “it is satisfied” to the end of the paragraph there shall be substituted the words “it is satisfied that neither the health and safety of persons who are likely to be affected by the exemption nor the environment will be prejudiced in consequence of it.”

5. In Schedule 1—

- (a) after paragraph (c), there shall be inserted the following paragraph—

“(cc) the goods concerned are being carried in machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment;”; and

- (b) after paragraph (j) there shall be inserted the following paragraph—

“(k) as a result of an emergency the vehicle concerned is being driven with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely.”.

6. In Schedule 3—

- (a) in paragraph 1—

(i) after the word “training” there shall be inserted the words “or refresher course”, and

(ii) after the words “regulation 4(3)(a)” there shall be inserted the words “or (6)(a)”;

- (b) in paragraph 2, after the word “training” there shall be inserted the words “or refresher course”; and

- (c) for paragraph 3, there shall be substituted the following paragraphs—

“3. For drivers of road tankers or vehicles carrying dangerous goods in tank containers, the training or refresher course required to be approved must also cover—

- (a) the behaviour of such vehicles on roads, including the movement of the loads they are carrying;
- (b) specific requirements of the vehicles;
- (c) general theoretical knowledge of the various loading and discharge systems; and
- (d) specific additional provisions applicable to the use of the vehicles (including certificates of approval, approval marking, marking and labelling).

4. For drivers of vehicles carrying radioactive material, the training or refresher course required to be approved must also cover—

- (a) specific hazards relating to ionizing radiation;
- (b) specific requirements concerning packing, handling, mixed loading and stowage of radioactive material; and
- (c) specific measures to be taken in the event of an accident involving radioactive material.”.

7. Schedule 4 shall be omitted.