
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Carriage of Dangerous Goods
(Amendment) Regulations 2019**

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Carriage of Dangerous Goods (Amendment) Regulations 2019 and come into force on the fortieth day after the day on which they were made.

Interpretation

2. In these Regulations—

“the 2008 Regulations” means the Transfrontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008(1); and

“the 2009 Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009(2).

PART 2

Amendment to the 2008 Regulations

Amendment to the 2008 Regulations: application

3. In regulation 3(1) of the 2008 Regulations for the words from “paragraph 2” to the end, substitute “Table B of Annex VII to Council Directive 2013/59/Euratom”.

PART 3

Amendment to the 2009 Regulations

Amendment to regulation 4 of the 2009 Regulations

4. In regulation 4 (application),

(a) after paragraph (1), insert—

(1) [S.I. 2008/3087](#).

(2) [S.I. 2009/1348](#), amended by [S.I. 2011/1885](#), [S.I. 2013/235](#), [S.S.I. 2013/119](#) and [S.I. 2014/469](#). There are other amending instruments but none is relevant for the purposes of this instrument.

- “(1A) Part 5 of these Regulations also applies in relation to the carriage of class 7 goods by inland waterway.”;
- (b) in paragraph (2), for “These Regulations” substitute “Parts 1 to 4, 6 and 7 of these Regulations”.

Control of volatile organic compounds

5. After regulation 23 insert—

“PART 4A

Control of Volatile Organic Compounds

Interpretation of Part 4A

- 23A.** In this Part—

“petrol” means any petroleum derivative, with or without additives, having a Reid vapour pressure of 27.6 kilopascals or more, which is intended for use as a fuel for motor vehicles, except liquefied petroleum gas (LPG);

“tank” means a container designed and operated so that residual vapours are retained in the container after the unloading of the petrol.

Approved tank requirements

23B.—(1) The Secretary of State must approve and publish approved tank requirements, which must contain—

- (a) the requirements for the design and construction of tanks for the carriage of petrol;
- (b) the requirements for the filling of such tanks; and
- (c) the requirements for the examination, testing and certification of such tanks.

(2) The Secretary of State may revise the approved tank requirements and, when doing so, must within 3 months of the date of that approval, publish in such a matter as the Secretary of State considers appropriate, a notice specifying—

- (a) the revision;
- (b) the date on which it was approved; and
- (c) the date on which it takes effect, the date of which must be not less than 6 months after the date of the approval of the revision.

Duty to comply with the approved tank requirements

23C.—(1) The operator of any tank which is intended to be, or is being, used for the carriage of petrol must take all reasonable steps to ensure that such of the requirements specified in the approved tank requirements as are relevant to that tank are complied with.

(2) 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 petrol, must ensure, insofar as they are matters within that person’s control, that such of the requirements specified in the approved tank requirements as are relevant to that tank are complied with.”.

Radiation emergencies and notifiable events

6. For the heading to Part 5, substitute “Radiation Emergencies and Notifiable Events”.

Amendment to regulation 24 (radiological emergencies)

7. For regulation 24 substitute—

“Radiation emergencies and notifiable events

24.—(1) This Part applies in relation to the carriage of class 7 goods only.

(2) Schedule 2 makes provision in connection with radiation emergencies and notifiable events

(3) But this Part does not apply to carriage by vehicles or wagons belonging to or under the responsibility of one of the armed forces.”.

8. For Schedule 2, substitute the Schedule 2 set out in the Schedule to these Regulations.

Transitional provisions

9.—(1) Any person who had a duty under Schedule 2 to the 2009 Regulations prior to these Regulations coming into force must continue to comply with the provisions of that Schedule, as that Schedule had effect before the amendments made in regulations 7 and 8, until the relevant day.

(2) After the relevant day, the amendments to the 2009 Regulations made by these Regulations must be complied with in full, save that any test of an emergency plan carried out in the three years prior to the relevant day is to be treated as though it were a test undertaken pursuant to paragraph 5 of Schedule 2.

(3) In this regulation, “the relevant day” means the day twelve months after the day on which these Regulations come into force.

Consequential amendment

10.—(1) The following consequential amendment is made.

(2) In the Human Medicines Regulations 2012(3), in the table in Part 5 of Schedule 17, in the entry numbered 20, in the third column, for “radiological” substitute “radiation”.

Date

Name
Secretary of State
Department for Business, Energy and Industrial
Strategy