

SCHEDULE 2

Regulation 2(1)(a) and (b)

PART I

CASES WHERE THE CARRIAGE OF DANGEROUS GOODS (OTHER THAN EXPLOSIVES AND RADIOACTIVE MATERIAL) IS NOT CARRIAGE TO WHICH THESE REGULATIONS APPLY BY VIRTUE OF REGULATION 2(1)(a)

1. Subject to paragraph 4, these regulations shall not apply to any such carriage as is specified in regulation 2(1)(a) where that carriage is in or on an agricultural or forestry tractor or any trailer being drawn thereby and the dangerous goods are—

- (a) listed in column 1 of the Approved Carriage List under the proper shipping name “DIESEL FUEL or GAS OIL or HEATING OIL, LIGHT”;
- (b) of a total volume not more than 5000 litres; and
- (c) being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for the purpose of agriculture within a radius of 50 km.

2. These Regulations shall not apply to any such carriage as is specified in regulation 2(1)(a) where—

- (a) either a flammable liquid with a flash point of not less than 32°C is being carried in a volumetric prover or a flammable liquid with a flash point of less than 32°C 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; or
- (b) subject to paragraph 4, that carriage is in or on an agricultural or forestry tractor or any trailer being drawn thereby, the dangerous goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for the purpose of agriculture within a radius of 50 km and those goods are—
 - (i) a pesticide or a plant protection product (other than sulphuric acid, whether or not dilute, or a wood preservative),
 - (ii) diluted ready for use or otherwise in a condition ready for use, and
 - (iii) goods in relation to which there has been given an approval under regulation 5 of, and a consent under regulation 6 of, the Control of Pesticides Regulations 1986(1) (or, as the case may be, an approval under regulation 5 of the Plant Protection Products Regulations 1995(2)),

and in this sub-paragraph “pesticide” has the same meaning as in section 16(15) of the Food and Environment Protection Act 1985(3), “plant protection product” has the same meaning as in regulation 2(1) of the Plant Protection Products Regulations 1995 and “wood preservative” means a pesticide used for preserving wood.

3. These Regulations shall not apply to any such carriage as is specified in regulation 2(1)(a) (ii) where—

(1) S.I.1986/1510.
(2) S.I. 1995/887.
(3) 1985 c. 48.

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

- (a) subject to paragraph 4, that carriage is in or on an agricultural or forestry tractor or any trailer being drawn thereby, the dangerous goods are being carried from one piece of land occupied for the purpose of agriculture to another piece of land occupied for the purpose of agriculture within a radius of 12 km and those goods are—
 - (i) in packages and are diluted or otherwise ready for use and with a net mass of not more than 1 tonne, or
 - (ii) (aa) listed in column 1 of the Approved Carriage List under the proper shipping name “AMMONIUM NITRATE FERTILIZER, NOS” or “AMMONIUM NITRATE FERTILIZERS”, and
 - (bb) being carried other than in a tank and with a net mass of not more than 10 tonnes; or
 - (b) the dangerous goods being carried are specified in sub-paragraph (k) of regulation 3(1) of the CDGCPL Regulations.
4. Paragraphs 1, 2(b) and 3(a) shall only apply if the driver of the vehicle concerned has received instruction and training of the type specified in regulation 3(1)(a)(i).

PART II

CASES WHERE THE CARRIAGE OF EXPLOSIVES IS NOT CARRIAGE TO WHICH THESE REGULATIONS APPLY BY VIRTUE OF REGULATION 2(1)(b)

These Regulations shall not apply to any such carriage as is specified in regulation 2(1)(b), where the explosives carried are—

- (a) any explosives specified in Part I of Schedule 1 to the Carriage of Explosives by Road Regulations 1996;
- (b) gunpowder or smokeless powder (or a mixture of them), where the net mass of such explosives is not more than 5 kilograms;
- (c) any explosives specified in Part II of Schedule 1 to the Carriage of Explosives by Road Regulations 1996, where the net mass of such explosives is not more than 50 kilograms (except that where explosives carried in accordance with this sub-paragraph are being carried in conjunction with explosives carried in accordance with sub-paragraph (b) of this Part, the net mass of explosives so carried shall not exceed 50 kilograms); or
- (d) (for the purposes of regulation 4(1) only)—
 - (i) any explosives within a Division whose Division number is 1.4 and a Compatibility Group whose Compatibility Group letter is S,
 - (ii) any explosives within a Division whose Division number is 1.4 and a Compatibility Group whose Compatibility Group letter is B, C, D, E, F or G, where the net mass of such explosives is not more than 500 kilograms,
 - (iii) of any explosives (consisting of explosive articles only) within—
 - (aa) a Division whose Division number is 1.1 and a Compatibility Group whose Compatibility Group letter is B, C, D, E, F, G, J or L,
 - (bb) a Division whose Division number is 1.2 and a Compatibility Group whose Compatibility Group letter is B, C, D, E, F, G, H, J or L, or
 - (cc) a Division whose Division number is 1.3 and a Compatibility Group whose Compatibility Group letter is C, G, H, J or L,where the net mass of such articles is not more than 50 kilograms,

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

- (iv) any explosives (consisting of explosive substances only) within—
 - (aa) a Division whose Division number is 1.1 and a Compatibility Group whose Compatibility Group letter is C, D, G or L,
 - (bb) a Division whose Division number is 1.2 and a Compatibility Group whose Compatibility Group letter is L, or
 - (cc) a Division whose Division number is 1.5 and a Compatibility Group whose Compatibility Group letter is D and of the type allocated on classification in accordance with the 1983 Regulations the UN number 0482,
where the net mass of such substances is not more than 5 kilograms,
- (v) any explosives (consisting of explosive substances only) within a Division whose Division number is 1.3 and a Compatibility Group whose Compatibility Group letter is C, G or L, where the net mass of such substances is not more than 20 kilograms, or
- (vi) any explosives (consisting of explosive substances only) within a Division whose Division number is 1.5 and a Compatibility Group whose Compatibility Group letter is D and of the type allocated on classification in accordance with the 1983 Regulations the UN number 0331 or 0332, where the net mass of such substances is not more than 50 kilograms.