
STATUTORY INSTRUMENTS

2004 No. 568

HEALTH AND SAFETY

**The Carriage of Dangerous Goods and Use of Transportable
Pressure Equipment Regulations 2004 (revoked)^{F1}**

<i>Made</i>	- - - -	<i>1st April 2004</i>
<i>Laid before Parliament</i>		<i>16th April 2004</i>
<i>Coming into force</i>		<i>10th May 2004</i>

**THE CARRIAGE OF DANGEROUS GOODS
AND USE OF TRANSPORTABLE PRESSURE
EQUIPMENT REGULATIONS 2004 (REVOKED)**

PART 1

INTRODUCTORY PROVISIONS

1. Citation and commencement
2. Interpretation
3. Application
4. Application to international carriage
5. Application to tanks, pressure receptacles, battery-vehicles, battery-wagons, MEGCs, UN MEGCs and transportable pressure equipment
6. Application to armed forces
7. Exemptions
8. Competent authority

PART 2

REQUIREMENTS OF ADR AND RID

9. Training
10. Safety obligations
- 10A. Security provisions
11. Class 7 goods for carriage by rail
12. Safety advisers
13. Reports on accidents or incidents
14. Emergency plans for marshalling yards
15. Classification of goods

Changes to legislation: There are currently no known outstanding effects for the *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (revoked)*. (See end of Document for details)

16. Prohibition from carriage
17. Dangerous goods list and special provisions
18. Use of packagings
19. Use of tanks, battery-vehicles, battery-wagons, MEGCs and UN MEGCs
20. Consignment
21. Construction and testing of packagings and packages
22. Construction and testing of tanks, battery-vehicles, battery-wagons, MEGCs, UN MEGCs and bulk containers
23. Carriage, loading, unloading and handling
24. Vehicle crews, equipment, operation and documentation
25. Construction and approval of vehicles

PART 3

COMPETENT AUTHORITY FUNCTIONS

26. Interpretation of Part 3 and Schedule 3
27. Grant of approvals by the GB competent authority
28. Grant of unilateral and multilateral approvals by the GB competent authority in relation to class 7 goods for carriage by rail
29. Appointment of persons by the GB competent authority
30. Recognition of approvals, tests, methods, standards and procedures etc. by the GB competent authority
31. Imposing of requirements by the GB competent authority
32. Issuing of safety adviser vocational training certificates by the GB competent authority
33. Issuing of driver training certificates by the GB competent authority
34. Notification under sub-section 1.8.2.2 of ADR or of RID
35. Miscellaneous functions of the GB competent authority
36. Exemption certificates, temporary and ad hoc exemptions

PART 4

TRANSPORTABLE PRESSURE EQUIPMENT

37. Interpretation of Part 4
38. Placing on the market and use at work of transportable pressure equipment
39. Transportable pressure equipment placed on the market and used at work exclusively in Great Britain
40. Reassessment of conformity
41. Periodic inspection and repeated use
42. Notified bodies
43. Approved bodies
44. Appointment of notified bodies and approved bodies by the competent authority
45. Conformity marking

PART 5

ADDITIONAL REQUIREMENTS TO ADR AND RID

46. Attendant for carriage of class 1 goods by road
47. Duration of carriage and delivery of class 1 goods by road
48. Miscellaneous security requirements for carriage of class 1 goods by road
49. Miscellaneous security requirements for carriage of class 1 goods by rail

50. Security requirement for carriage of class 1 goods by road or rail and class 7 goods by rail
51. Carriage of class 1 goods in vehicles used to carry passengers for hire or reward
52. Carriage of class 1 goods by road in motor vehicles
53. Marshalling and formation of trains
54. Keeping of information by carriers
55. Placards, marks and plate markings for carriage within Great Britain

PART 6

MISCELLANEOUS

56. Fees
 - 56A Fees for certificates and applications for the issuing of driver training certificates and safety adviser vocational training certificates
 57. Transitional defence
 58. Defence and enforcement
 59. Amendments to the Health and Safety (Fees) Regulations 2004
 60. Amendments to Chemicals (Hazard Information and Packaging for Supply) Regulations 2002
 61. Amendments to the Classification and Labelling of Explosives Regulations 1983
 62. Consequential amendments
 63. Revocations and savings
- Signature

SCHEDULE 1 — OLD TANKS

1. Interpretation
2. Construction of tanks of old tank-vehicles, tank containers and old tank wagons for carriage by road or rail
3. Testing, examination and maintenance for carriage by road or rail
4. Testing, examination and maintenance for carriage by road
5. Testing, examination and maintenance for carriage by rail
6. Use of old tank-vehicles, old tank wagons or tank-containers for carriage by road or rail
7. Keeping of documents
8. Appointment of inspection bodies by the competent authority
9. Exceptions

SCHEDULE 2 — OLD PRESSURE RECEPTACLES

1. Interpretation
2. Duties on those designing, manufacturing, importing, supplying, modifying or repairing old pressure receptacles
3. Conformity to approved design standard or specification
4. Examination of old pressure receptacles by competent or approved persons
5. Filling of old pressure receptacles
6. Approved design specification
7. Modification, repair and re-rating of old pressure receptacles
8. Additional requirements for old pressure receptacles containing certain dangerous goods not classified as class 2
9. Approvals by the competent authority

Changes to legislation: There are currently no known outstanding effects for the *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (revoked)*. (See end of Document for details)

10. Exceptions

SCHEDULE 3 — COMPETENT AUTHORITY FUNCTIONS

PART 1 — APPROVALS BY THE GB COMPETENT AUTHORITY

- 1. The references referred to in regulation 27(b) are—
- 2. Any approval granted by the GB competent authority by reference...
PART 2 — MULTILATERAL AND UNILATERAL APPROVALS BY THE GB COMPETENT AUTHORITY

- 3. The references referred to in regulation 28(1) are for—
- 4. The references referred to in regulation 28(3) in relation to...
- 5. (1) Where the GB competent authority grants approvals under regulation...
PART 3 — APPOINTMENT OF PERSONS BY THE GB COMPETENT AUTHORITY
- 6. The references referred to in regulation 29(1)(b) are sub-sections 6.2.1.4.1...
PART 4 — RECOGNITION OF APPROVALS, TESTS, METHODS, STANDARDS, PROCEDURES ETC. BY THE GB COMPETENT AUTHORITY

- 7. The references referred to in regulation 30(1)(b) are—
- 8. (1) Where the GB competent authority recognises a quality assurance...
PART 5 — IMPOSING OF REQUIREMENTS BY THE GB COMPETENT AUTHORITY

- 9. The references referred to in regulation 31(1)(b) are—
- 10. (1) Where the GB competent authority imposes requirements by reference...

SCHEDULE 4 — CONFORMITY ASSESSMENT PROCEDURES

— ...

Module A—internal production control

The manufacturer must draw up the technical documentation described in...

The technical documentation must enable an assessment to be made...

The manufacturer, or his authorised representative established within the Community,...

The manufacturer must take all measures necessary to ensure that...

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Module B—EC type-examination

The application of EC type-examination must be lodged by the...

The technical documentation must enable an assessment to be made...

The notified body must:

- .1 examine the technical documentation, verify that the type has been...
- .2 perform or have performed the appropriate examinations and necessary tests...
- .3 perform or have performed the appropriate examinations and necessary tests...
- .4 agree with the applicant the location where the examinations and...
Where the type satisfies the relevant provisions of Part 4...
The applicant must inform the notified body that holds the...
Each notified body must communicate to the member States, the...
The other notified bodies may receive copies of the EC...

The manufacturer, or his authorised representative established within the Community,...

Module B1—EC design examination

The manufacturer, or his authorised representative established within the Community,...

The technical documentation must enable an assessment to be made...

The notified body must:

- .1 examine the technical documentation and identify components which have been...
- .2 perform the necessary examinations to establish whether the solutions adopted...
- .3 perform the necessary examinations to establish whether the relevant provisions...

Where the design meets the relevant provisions of Part 4...

The applicant must inform the notified body that holds the...

Each notified body must communicate to the member States the...

The other notified bodies may on request obtain the relevant...

The manufacturer, or his authorised representative established within the Community,...

Module C1—conformity to type

The manufacturer must take all measures necessary to ensure that...

The manufacturer, or his authorised representative established within the Community,...

Final assessment must be subject to monitoring in the form...

During such visits, the notified body must: — ensure that...

Module D—production quality assurance

The manufacturer must operate an approved quality system for production,...

Quality system

- .1 The manufacturer must lodge an application for assessment of his...
- .2 The quality system must ensure compliance of the transportable...
- .3 The notified body must assess the quality system to determine...
- .4 The manufacturer must undertake to fulfil the obligations arising out...

Surveillance under the responsibility of the notified body

- .1 The purpose of the surveillance is to make sure that...
- .2 The manufacturer must allow the notified body access for inspection...
- .3 The notified body must carry out periodic audits to make...
- .4 In addition, the notified body may pay unexpected visits to...

The manufacturer must, for a period of 10 years after...

Each notified body must communicate to the member States the...

Module D1—production quality assurance

The manufacturer must draw up the technical documentation described below...

The manufacturer must operate an approved quality system for production,...

Quality system

- .1 The manufacturer must lodge an application for assessment of his...
- .2 The quality system must ensure compliance of the transportable pressure...
- .3 The notified body must assess the quality system to determine...
- .4 The manufacturer must undertake to fulfil the obligations arising out...

Surveillance under the responsibility of the notified body

- .1 The purpose of surveillance is to make sure that the...
- .2 The manufacturer must allow the notified body access for inspection...

Module H—full quality assurance

The manufacturer must implement an approved quality system for design,...

Quality system

- .1 The manufacturer must lodge an application for assessment of his...
- .2 The quality system must ensure compliance of the transportable pressure...
- .3 The notified body must assess the quality system to determine...
- .4 The manufacturer must undertake to fulfil the obligations arising out...

Surveillance under the responsibility of the notified body

- .1 The purpose of this surveillance is to make sure that...
- .2 The manufacturer must allow the notified body access for inspection...
- .3 The notified body must carry out periodic audits to make...
- .4 In addition, the notified body may pay unexpected visits to...

The manufacturer must, for a period of 10 years after...

Each notified body must communicate to the other member States...

Module H1—full quality assurance with design examination and special surveillance of the final test

Final assessment is subject to increased surveillance in the form...

SCHEDULE 5 — MODULES TO BE FOLLOWED FOR CONFORMITY ASSESSMENT

— ...

.....

Transportable pressure equipment must be subject, at the choice of...

As part of the quality assurance procedures, the notified body...

SCHEDULE 6 — CONFORMITY REASSESSMENT PROCEDURE

— ...

This procedure describes the method for ensuring that transportable pressure...

The owner must make available to a notified body information...

The notified body must check whether transportable pressure equipment which...

If the results of the above checks are satisfactory, the...

For equipment manufactured in series, including their valves and other...

SCHEDULE 7 — PERIODIC INSPECTION PROCEDURES

— ...

Module 1—periodic inspection of products

To meet the requirements referred to in paragraph 1 the...

The notified body or approved body must perform the appropriate...

- .1 All transportable pressure equipment must be examined individually and appropriate...
- .2 The notified body or approved body must affix, or have...
- .3 The owner or his authorised representative established in the Community...

Module 2—periodic inspection through quality assurance

The owner or his authorised representative established within the Community...

Quality system

- .1 The owner or his authorised representative established in the Community...
 - .2 Under the quality system, each item of transportable pressure equipment...
 - .3 The notified body must assess the quality system to determine...
 - .4 The owner or his authorised representative established in the Community...
- Surveillance under the responsibility of the notified body

Changes to legislation: There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (revoked). (See end of Document for details)

- .1 The purpose of surveillance is to make sure that the...
- .2 The owner or his authorised representative established in the Community...
- .3 The notified body must carry out periodic audits to make...
- .4 In addition, the notified body may pay unannounced visits to...
The owner or his authorised representative established in the Community...

SCHEDULE 8 — CONFORMITY MARKING

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SCHEDULE 9 — PLACARDS, MARKS AND PLATE MARKINGS FOR CARRIAGE WITHIN GREAT BRITAIN

PART 1 — CARRIAGE OF GOODS BY ROAD

1. Where orange-coloured plates bearing a HIN are required to be...
2. Subject to paragraphs 3 and 6, where a battery-vehicle, tank-vehicle...
3. Subject to paragraphs 4 and 6, where more than one...
4. Subject to paragraph 6, where more than one dangerous good...
5. (1) Subject to sub-paragraph (2), where dangerous goods are being...
6. (1) The information required to be displayed on placards and...

Hazard warning panel

.....

PART 2 — CARRIAGE OF GOODS BY RAIL

7. Where orange-coloured plates bearing a HIN are required to be...
8. Where dangerous goods are being carried in tanks, a telephone...
9. (1) The information required to be displayed on placards and...

SCHEDULE 10 — AMENDMENTS TO THE HEALTH AND SAFETY (FEES) REGULATIONS 2004

1. The Health and Safety (Fees) Regulations 2004 shall be amended...
2. For regulations 12 to 14 substitute— Fees for certificates and...
3. For Schedule 10 substitute— SCHEDULE 10 FEE FOR DRIVER TRAINING...
4. For Schedule 11 substitute— SCHEDULE 11 FEES FOR APPLICATIONS FOR...
5. For Schedule 12 substitute— SCHEDULE 12 FEE FOR SAFETY ADVISER...

SCHEDULE 11 — AMENDMENTS TO THE CHEMICALS (HAZARD INFORMATION AND PACKAGING FOR SUPPLY) REGULATIONS 2002

1. The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002...
2. After regulation 8 (labelling of dangerous substances and dangerous preparations)...

SCHEDULE 12 — AMENDMENTS TO THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

1. The Classification and Labelling of Explosives Regulations 1983 shall be...

Changes to legislation: There are currently no known outstanding effects for the *The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (revoked)*. (See end of Document for details)

2. In regulation 2(1) (interpretation)— (1) omit the definition of “class...
3. In regulation 3 (classification and labelling of explosive articles and...
4. For regulation 6 (labelling of an article, substance or combination)...
5. Regulations 7 (labelling of an article, substance or combination not...
6. In regulation 10 (labelling generally), in paragraph (1), for “6,...
7. In regulation 12A, in paragraph (a) for “3(2)(b), 6 or...
8. Omit Schedules 1 and 2.
9. In Schedule 3 (labels)— (1) omit paragraphs 1 to 11;...

SCHEDULE 13 — CONSEQUENTIAL AMENDMENTS

1. Amendment to the Petroleum (Consolidation) Act 1928
2. Amendment to the Compressed Acetylene (Importation) Regulations 1978
3. Amendments to the Dangerous Substances in Harbour Areas Regulations 1987
4. Amendment to the Dangerous Substances (Notification and Marking of Sites) Regulations 1990
5. Amendment to the Control of Explosives Regulations 1991
6. Amendment to the Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993
7. Amendment to the Notification of New Substances Regulations 1993
8. Amendments to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995
9. Amendment to the Health and Safety (Safety Signs and Signals) Regulations 1996
10. Amendments to the Pressure Systems Safety Regulations 2000
11. Amendments to the Radiation (Emergency Preparedness and Public Information) Regulations 2001
12. Amendments to the Control of Asbestos at Work Regulations 2002
13. Amendment to the Control of Lead at Work Regulations 2002
14. Amendment to the Control of Substances Hazardous to Health Regulations 2002
15. Amendment to the Dangerous Substances and Explosive Atmospheres Regulations 2002

SCHEDULE 14 — REVOCATIONS

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (revoked).