
STATUTORY INSTRUMENTS

2016 No. 721

The Dangerous Goods in Harbour Areas Regulations 2016

PART 1

INTERPRETATION AND APPLICATION

Application

- 5.—^{F1}(1) These Regulations apply to—
- (a) every harbour area in Great Britain;
 - (b) premises or activities in any part of a harbour area in the territorial sea adjacent to Great Britain to which sections 1 to 59 and 80 to 82 of the Health and Safety at Work etc. Act 1974 apply under Articles 6 (but only to the extent it relates to monobuoys) and 11 of the Health and Safety at Work etc. Act (Application outside Great Britain) Order 2013 but not, except as provided in regulation 14, elsewhere.]
- (2) These Regulations apply to or in relation to dangerous goods except—
- (a) dangerous goods of Class 4.2 meeting the definition of dangerous goods solely by virtue of being at risk of oxidative self-heating when stored over a long period of time;
 - (b) goods meeting the definition of dangerous goods solely by virtue of being marine pollutants;
 - (c) dangerous goods carried under the limited quantity or excepted quantity provisions in the IMDG Code;
 - (d) dangerous goods taken in sample form for testing by an enforcement officer;
 - (e) dangerous goods being used solely in connection with the propulsion of a vessel or any other mode of transport and which are not loaded or carried as cargo;
 - (f) dangerous goods, other than explosives, which are brought into a harbour area from inland and which are not loaded onto a vessel as cargo;
 - (g) dangerous goods when carried—
 - (i) by a vessel as part of the equipment or stores of that vessel;
 - (ii) by a vehicle or in a freight container or by any other mode of transport as part of the equipment of that vehicle, vessel, freight container or any other mode of transport;
 - (iii) for safety purposes;
 - (iv) by a vessel as a result of the use of a fumigant;
 - (h) dangerous goods, other than explosives, when carried by a harbour craft in the course of harbour engineering operations; and
 - (i) any nuclear explosive device or any part of a nuclear explosive device.
- (3) These Regulations do not affect—

Changes to legislation: There are currently no known outstanding effects for the The Dangerous Goods in Harbour Areas Regulations 2016, Section 5. (See end of Document for details)

- (a) any action of Her Majesty's Commissioners for Revenue and Customs or any requirement for the approval of, authority from, clearance by or notification to them or the necessity to comply with any order or conditions imposed by them;
- (b) any action taken by a person in relation to a direction given under Schedule 3A to the Merchant Shipping Act 1995(1), or any action taken under paragraphs 1-4 of that Schedule.

F1 [Reg. 5\(1\)](#) substituted (6.4.2017) by [The Health and Safety \(Miscellaneous Amendments and Revocation\) Regulations 2017 \(S.I. 2017/304\)](#), regs. 1(4), 7

Commencement Information

II [Reg. 5](#) in force at 1.10.2016, see [reg. 1](#)

(1) [1995 c.21](#): Schedule 3A was inserted by Schedule 1 to the Marine Safety Act 2003 (c.16).

Changes to legislation:

There are currently no known outstanding effects for the The Dangerous Goods in Harbour Areas Regulations 2016, Section 5.