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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 173**

**The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2006**

**PART I**

**INTRODUCTORY PROVISIONS**

**Application to tanks, pressure receptacles, battery-vehicles, battery-wagons, MEGCs, UN-certified MEGCs and transportable pressure equipment**

5.—(1) Regulations 18 and 21, insofar as they relate to pressure receptacles, shall not apply to pressure receptacles which are old pressure receptacles.

(2) Regulations 19 (except for paragraphs (1)(a) and (3)(a)) and 22, insofar as they relate to tanks, shall not apply to battery-vehicles, battery-wagons, MEGCs, UN-certified MEGCs and tanks which are old tanks.

(3) Subject to the exception to paragraph 9 of that Schedule and to paragraphs (4) to (16), Schedule 1 shall apply to old tanks except for those which are transportable pressure equipment to which Part IV applies.

(4) Any old tank which complies with the requirements of ADR in relation to carriage by road or of RID in relation to carriage by rail shall be deemed to have satisfied the requirements of Schedule 1.

(5) Subject to the exceptions in paragraph 10 of that Schedule and to paragraphs (6) to (16), Schedule 2 shall apply to the following pressure receptacles which are used or intended to be used or carried or intended to be carried by road or rail, at work—

- (a) cylinders, tubes or cryogenic receptacles which are—
  - (i) manufactured on or before 30th September 2005; and
  - (ii) not transportable pressure equipment to which Part IV applies;
- (b) pressure drums or bundles of cylinders manufactured on or before the date on which these Regulations come into operation; and
- (c) notwithstanding regulation 3(12), UN 1044 FIRE EXTINGUISHERS with compressed or liquefied gas which comply with the provisions of special provision 594 of chapter 3.3 of ADR in relation to carriage by road or of special requirement 594 of chapter 3.3 of RID in relation to carriage by rail, as that Schedule applies to old pressure receptacles.

(6) Any old pressure receptacle, other than one which is UN 1044 FIRE EXTINGUISHERS with compressed or liquefied gas, which complies with the requirements of ADR in relation to carriage by road or of RID in relation to carriage by rail, shall be deemed to have satisfied the requirements of Schedule 2.

(7) Any cylinder—

- (a) used to contain class 2 goods;

- (b) which forms a component part of a breathing appliance or is a portable fire extinguisher; and
  - (c) which complies with the requirements of the Pressure Equipment Regulations 1999(1),
- shall be deemed to meet the requirements of paragraphs 2, 3 and 6(1) of Schedule 2.
- (8) Schedule 2 shall not apply to an old pressure receptacle—
- (a) known as a two-part beer keg, one part of which is intended to contain a gas or a mixture of gases under pressure;
  - (b) used for the conveyance or storage of beer or carbonated drinks, the capacity of which does not exceed 0.252 cubic metres and the maximum working pressure of which is not greater than 12 bar above atmospheric pressure; or
  - (c) which is a portable fire extinguisher with a working pressure below 25 bar at 60°C and having a total mass not exceeding 23 kilograms.
- (9) Subject to paragraphs (10) to (16), Part IV and Schedules 4 to 8 shall apply to any equipment used at work and manufactured—
- (a) on or after 1st October 2003 in the case of transportable pressure equipment which is a cylinder, tube or cryogenic receptacle and is not an old pressure receptacle to which Schedule 2 applies;
  - (b) on or after 1st August 2006 in the case of equipment which is a pressure drum, bundle of cylinders, battery-vehicle, battery-wagon, MEGC, UN-certified MEGC or a tank;
  - (c) on or before 30th September 2005 in the case of equipment which is—
    - (i) a cylinder, tube or cryogenic receptacle which is subject to a reassessment of conformity; or
    - (ii) an EEC-type cylinder; and
  - (d) on or before 30th June 2007 in the case of equipment which is a pressure drum, bundle of cylinders, battery-vehicle, battery-wagon, MEGC, UN-certified MEGC or a tank which is subject to a reassessment of conformity.
- (10) Until 30th June 2007, any person who places on the market or uses at work transportable pressure equipment which is a—
- (a) tank and which has been manufactured on or after 1st August 2006 may comply with regulations 19 and 22, insofar as they relate to battery-vehicles, battery-wagons, MEGCs, UN-certified MEGCs and tanks, rather than Part IV; or
  - (b) pressure drum or a bundle of cylinders and which has been manufactured on or after 1st August 2006 may comply with regulations 18 and 21, insofar as they relate to such equipment, rather than Part IV.
- (11) Part IV shall not apply to any pressure equipment to which the Pressure Equipment Regulations 1999 apply.
- (12) Part IV shall not apply to any transportable pressure equipment which is used exclusively for the transport of a gas, UN 1051 STABILISED HYDROGEN CYANIDE, UN 1052 ANHYDROUS HYDROGEN FLUORIDE or UN 1790 HYDROFLUORIC ACID, with more than 85% hydrofluoric acid, between the European Community and third-countries provided that—
- (a) the goods are being carried in connection with the transport of those goods by sea and the goods are classified, packaged and labelled in accordance with the appropriate provisions of the IMDG Code, as revised or re-issued from time to time;

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(1) [S.I. 1999/2001](#), to which there are amendments not relevant to these Regulations

- (b) the goods are being carried in connection with the transport of those goods by air and the goods are classified, packaged and labelled in accordance with the appropriate provisions of the Technical Instructions for the Safe Transport of Dangerous Goods by Air issued by the International Civil Aviation Organisation(2), as revised or re-issued from time to time;
- (c) the transport forms part of an international transport operation within the meaning of article 1(c) of ADR and conforms to the provisions of that agreement; or
- (d) the transport forms part of an international transport operation within the meaning of COTIF and conforms with the provisions of RID.

(13) Regulations 38 and 40 shall not apply to an EEC-type cylinder made on or before 30th September 2005.

(14) These Regulations shall not apply to or in relation to the carriage of a storage tank where it is nominally empty.

(15) Notwithstanding regulations 18 and 21(7) and (8), the requirements in sub-section 6.2.1.1.1, sub-sections 6.2.1.2, 6.2.1.4 to 6.2.1.6, section 6.2.3 and packing instruction P200 of sub-section 4.1.4.1 of ADR shall not apply to or in relation to the carriage of UN 1011, UN 1965 or UN 1978 where—

- (a) the cylinders are made from—
  - (i) rolled and annealed pure titanium with the minimum requirements of RM 450 MPa, A 20% (where A = elongation after fracture); or
  - (ii) austenitic steel;
- (b) the main body of the cylinders is provided with an outer, water resistant protective layer which is at least 25mm thick and is made from foam or a similar material;
- (c) the cylinders have a wall thickness calculated for a maximum operating pressure at more than 40°C;
- (d) the cylinders are marked with a label which is clearly visible and states that the cylinders are to be used only for the operation of hot air balloons; and
- (e) no more than five of such cylinders are to be carried in any one transport unit.

(16) In paragraph (14)—

- (a) “storage tank” means a tank used or intended to be used only for the storage of dangerous goods; and
- (b) a storage tank shall be “nominally empty” if as much of the dangerous goods as it is reasonably practicable to discharge from it has been discharged from it.