

---

STATUTORY INSTRUMENTS

---

**1996 No. 2089**

**The Carriage of Dangerous Goods by Rail Regulations 1996**

**PART VII:**

**SPECIAL REQUIREMENTS CONCERNING THE CARRIAGE OF EXPLOSIVES**

**Restrictions on the carriage of explosives**

- 24.**—(1) No person shall cause or permit to be carried any unclassified explosives.
- (2) No person shall cause or permit to be carried any explosives, except in accordance with these Regulations.
- (3) No person shall cause or permit to be carried any explosives in a tank container or tank wagon.
- (4) No person shall cause or permit to be carried any explosives within a Compatibility Group whose Compatibility Group letter is K unless—
- (a) the explosives are to be carried for the purpose of explosive ordnance disposal under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence; and
  - (b) the approval has been obtained of—
    - (i) the train operator, in whose train the explosives are to be carried; and
    - (ii) the infrastructure controller, on whose railway those goods are to be carried.
- (5) No person shall cause or permit to be carried any explosive substances in an open container or open wagon.
- (6) No person shall cause or permit to be carried any explosive substances within a Compatibility Group whose Compatibility Group letter is A.
- (7) No person shall cause or permit to be carried in any container or wagon explosives with a net explosive content exceeding 20 tonnes unless such explosives are within a Division whose Division number is 1.4.
- (a) (8) (a) No person shall cause or permit to be carried in any adjacent group of containers or wagons explosives of the type specified in column 1 of Schedule 8 with a net explosive content exceeding that specified for that type of explosives in the corresponding entry in column 2 thereof;
  - (b) where a train comprises more than one such group of adjacent containers or wagons the train operator shall ensure that the minimum separation distance between the nearest parts of each such group shall be that specified in the corresponding entry in column 3 thereof.
- (9) Subject to paragraph (10), no person shall cause or permit to be carried any explosives within different Compatibility Groups, (other than those within a Division whose Division number is 1.4), in the same container or wagon unless effective measures have been taken to ensure that the carriage of such a mixed load is no more dangerous than the carriage of the same quantity of explosives within any one of the Compatibility Groups in the load would be.

(10) Nothing in paragraph (9) shall apply to the carriage of explosives within different Compatibility Groups mixed in accordance with Schedule 9 to these Regulations.

(11) No person shall cause or permit to be carried any explosive articles in an open container or open wagon unless, by reason of their packaged weight or dimension, it is not possible to carry the articles concerned in a closed container or closed wagon.

(12) Any person who causes or permits to be carried any explosive articles in an open container or open wagon in accordance with paragraph (11) shall ensure that the articles concerned are completely covered by sheeting and that the sheeting is securely fixed to the open container or open wagon concerned except where—

- (a) it would not be reasonably practicable to cover the explosive articles with such sheeting; and
- (b) it would not be necessary for their protection.

### **Carriage of explosives on passenger trains**

**25.**—(1) Subject to paragraph (2), no person shall carry any explosives on a passenger train.

(2) Notwithstanding paragraph (1),—

- (a) gunpowder or smokeless powder or any mixture thereof; and
- (b) explosives within a Compatibility Group whose Compatibility Group letter is S;

may be carried in a passenger train provided the conditions specified in paragraph (3) are complied with.

(3) The conditions referred to in paragraph (2) are—

- (a) subject to paragraph (4), the person concerned has obtained the approval of the train operator;
- (b) subject to paragraph (4), the explosives are kept with the person concerned and are kept properly packed;
- (c) the net explosive content of explosives carried by the person concerned does not exceed 2 kilograms; and
- (d) all reasonable precautions are taken by the person concerned to prevent accidents arising from the explosives being carried.

(4) Nothing in sub-paragraphs (a) and (b) of paragraph (3) shall apply to the carriage of railway fog signals.

### **Loading and stowage requirements for explosives for carriage in containers and wagons**

**26.**—(1) The consignor of explosives, other than explosives contained in a sealed container or sealed wagon, shall—

- (a) appoint a responsible person; and
- (b) ensure that that person is in constant attendance during the loading of those explosives.

(2) The consignee of the explosives referred to in paragraph (1) shall—

- (a) appoint a responsible person; and
- (b) ensure that that person is in constant attendance during the unloading of those explosives.

(3) The operator of a container or wagon which is being used for the carriage of explosives shall ensure that—

- (a) prior to loading, the floor of the container or wagon concerned is properly cleaned;

(b) the explosives are stowed in the container or wagon so that they cannot move or shift in such a way as to create a significant risk or significantly increase any existing risk to the health or safety of any person during carriage.

(4) No person, other than any person directly concerned with the carriage of the explosives, shall come within 25 metres of those explosives without reasonable cause whilst they are being loaded into or unloaded from any container or wagon.

(5) No person shall smoke or carry any source of ignition in the vicinity of explosives whilst they are being loaded into or unloaded from any container or wagon.

### **Security measures for explosives**

**27.**—(1) Where explosives are to be carried in a closed container or closed wagon the operator thereof shall ensure that the container or wagon concerned is sealed prior to carriage to prevent unauthorised access.

(2) The train operator and the infrastructure controller shall ensure that the security of any container or wagon which is being used for the carriage of explosives is maintained whenever the train is stationary.

(3) The train operator shall ensure that the carriage of the explosives is completed within a reasonable length of time, having regard to the distance involved.

(4) The consignee of explosives which have been carried by train shall ensure that the explosives are removed from the railway facility to which they have been carried as soon as is practicable after their arrival there.

### **Interpretation of this Part of the Regulations**

**28.**—(1) For the purposes of regulations 25 to 28, where explosives are being carried by a passenger, the members of the crew of the train on which they are being carried shall not be treated as though they too are carrying those explosives.

(2) In regulations 25 to 28—

(a) “railway fog signal” means a railway signals explosive within a Division whose Division number is 1.4, within a Compatibility Group whose Compatibility Group Letter is S and with a UN number 0193;

(b) “unclassified” in relation to any explosives means those explosives which have not been classified in accordance with the 1983 Regulations.