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SCHEDULE 1 Regulations 2(3), 3(4), 8(2), 15(1) and (2),  
20(4), 21(4), and 28(2)

EXCEPTIONS

PART I

<i>1</i>	<i>2</i>
<i>Explosives</i>	<i>UN Number</i>
ARTICLES, PYROTECHNIC for technical purposes	0432
CARTRIDGES, POWER DEVICE	0323
CARTRIDGES, SIGNAL	0405
CARTRIDGES, SMALL ARMS	0012
CARTRIDGES, SMALL ARMS, BLANK	0014
CASES CARTRIDGE, EMPTY, WITH PRIMER	0055
CUTTERS, CABLE EXPLOSIVE	0070
FIREWORKS	0337
FLARES, AERIAL	0404
FUSE, SAFETY	0105
IGNITERS	0454
LIGHTERS, FUSE	0131
PRIMERS, CAP TYPE	0044
SIGNAL DEVICES, HAND	0373
SIGNALS, RAILWAYS TRACK, EXPLOSIVE	0193

PART II

<i>1</i>	<i>2</i>
<i>Explosives</i>	<i>UN Number</i>
CARTRIDGES, SMALL ARMS*	0328
CARTRIDGES, SMALL ARMS	0339
CARTRIDGES, SMALL ARMS, BLANK*	0327
CARTRIDGES, SMALL ARMS, BLANK	0338
CASES, CARTRIDGE, EMPTY, WITH PRIMER	0379

**a** These explosives are referred to in paragraph 15(c)(i) of Part II of Schedule 5.]

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<i>1</i>	<i>2</i>
<i>Explosives</i>	<i>UN Number</i>
FIREWORKS*	0333
FIREWORKS*	0334
FIREWORKS*	0335
FIREWORKS	0336
SIGNAL DEVICES, HAND	0191
SIGNAL, DISTRESS, SHIP	0195
<b>a</b> These explosives are referred to in paragraph 15(c)(i) of Part II of Schedule 5.]	

### PART III

<i>1</i>	<i>2</i>
<i>Explosives</i>	<i>UN Number</i>
ARTICLES, PYROTECHNIC for technical purposes	0428
ARTICLES, PYROTECHNIC for technical purposes	0429
ARTICLES, PYROTECHNIC for technical purposes	0430
ARTICLES, PYROTECHNIC for technical purposes	0431
CARTRIDGES, OIL WELL	0277
CARTRIDGES, OIL WELL	0278
CARTRIDGES, POWER DEVICE	0275
CARTRIDGES, POWER DEVICE	0276
CARTRIDGES, POWER DEVICE	0381
CARTRIDGES, SIGNAL	0054
CARTRIDGES, SIGNAL	0312
CASES, COMBUSTIBLE EMPTY, WITHOUT PRIMER	0446
CASES, COMBUSTIBLE EMPTY, WITHOUT PRIMER	0447
CORD, IGNITER	0066
DINITROSOBENZENE	0406
FLARES, AERIAL	0093
FLARES, AERIAL	0403
FLARES, SURFACE	0092

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<i>I</i>	<i>2</i>
<i>Explosives</i>	<i>UN Number</i>
FLASH POWDER	0094
FLASH POWDER	0305
FUSE, INSTANTANEOUS NON- DETONATING; (QUICKMATCH)	0101
IGNITERS	0121
IGNITERS	0314
IGNITERS	0315
IGNITERS	0325
5-MERCAPTO-TETRAZOLE-1-ACETIC ACID	0448
POTASSIUM SALTS OF AROMATIC NITRO-DERIVATIVES, explosive	0158
PRIMERS, CAP TYPE	0377
PRIMERS, CAP TYPE	0378
ROCKETS, LINE THROWING	0238
ROCKETS, LINE THROWING	0240
ROCKETS, LINE THROWING	0453
SIGNALS, DISTRESS, ship	0194
SIGNALS, RAILWAY TRACK, EXPLOSIVE	0192
SIGNALS, SMOKE with explosive sound unit	0196
SIGNALS, SMOKE without explosive sound unit	0197
SODIUM DINITRO-o-CRESOLATE, dry or wetted with less than 15% water by mass	0234
SODIUM PICRAMATE, dry or wetted with less than 20% water by mass	0235
TETRAZOLE-1-ACETIC ACID	0407
ZIRCONIUM PICRAMATE, dry or wetted with less than 20% water by mass	0236

## SCHEDULE 2

Regulation 10(2)

### SUITABILITY OF VEHICLES AND CONTAINERS

1. The operator of a vehicle shall ensure that—
  - (a) the vehicle has no more than one trailer or semi-trailer attached to it;

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- (b) where the vehicle is being used for the carriage of packages comprising packagings made of materials sensitive to moisture, it is either a sheeted or closed vehicle.
- 2. The operator of a container shall ensure that—
  - (a) in the case of a small container it is of the closed type with complete sides; and
  - (b) in the case of a large container in or on a vehicle, it satisfies paragraph (1)(b) as though it was a vehicle, in which case that requirement shall not apply to the vehicle itself.
- 3. The operator of a vehicle or container which is carrying—
  - (a) explosive substances in Division 1.1 and Compatibility Group C, D or G, or in Division 1.2 and Compatibility Group G, or in Division 1.3 and Compatibility Group C or G, that are free flowing and powdery;
  - (b) fireworks in Divisions 1.1, 1.2 or 1.3, and Compatibility Group G,

shall ensure that the floor of the vehicle or container respectively has a non-metallic surface or covering which is incapable of producing sparks.

4. The operator of a vehicle or container shall ensure that no explosive substances are carried therein, if the body of that vehicle or container respectively was constructed, in part or in whole, with any materials which are likely to form dangerous compounds with those substances.

### SCHEDULE 3

Regulation 13

#### LIMITS ON QUANTITIES PERMITTED TO BE CARRIED

##### PART I

- 1. In a case where explosives in different Divisions are being carried together regulation 13(1)(a) and (b) shall be applied in accordance with the provisions of paragraphs 3, 4 and 5 of Schedule 4.
- 2. In a case where explosives in different Compatibility Groups are being carried together regulation 13(1)(b) shall be applied in accordance with paragraph 2 of Schedule 4.
- 3. Where explosives in Division 1.4 and Compatibility Group S are being carried in a vehicle, regulation 13(1)(a) and (b) shall apply as if there were no upper limit on the quantity of such explosives which may be carried.
- 4. Where explosives allocated on classification UN Number 0336 are being carried in a vehicle of type I, regulation 13(1)(a) shall apply as if the maximum quantity which may be carried in that vehicle where it is not attached to a trailer were 3,000 kilograms and the maximum quantity where the vehicle is attached to a trailer were 4,000 kilograms.
- 5. Notwithstanding regulation 13(1)(a) no person shall carry explosives in Compatibility Group A in a vehicle which was constructed on or after 1st January 1997 unless the vehicle is of type III and the explosives are at or below a quantity of 50 kilograms.
- 6. Where, in accordance with paragraph 7(c) of Schedule 4, the dangerous goods allocated on classification the UN Number 1942 are carried with explosives, they shall be treated as if they were explosives in Division 1.1 and Compatibility Group D for the purposes of regulation 13.

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## PART II

<i>Vehicle type</i>	<i>Division</i>					
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
	1.1	1.2	1.3	1.4	1.5	1.6
Type I	50 kg	50 kg	50 kg	300 kg	50 kg	50 kg
Type II	1,000 kg	3,000 kg	5,000 kg	15,000 kg	5,000 kg	5,000 kg
Type III	16,000 kg	16,000 kg	16,000 kg	16,000 kg	16,000 kg	16,000 kg

## PART III

<i>Type of explosives</i>	<i>Maximum Quantity (kilograms)</i>	
<i>1</i>	<i>2</i>	
Division	Compatibility Group	
1.1	A	50
1.1	B, F, G or L	5,000
1.1	C, D, E or J	16,000
1.2	Any	16,000
1.3	Any	16,000
1.4	Any	16,000
1.5	Any	16,000
1.6	Any	16,000

## SCHEDULE 4

Regulation 14

### MIXED LOADS

#### Compatibility Groups

1. Where explosive articles in Compatibility Group N are carried together with explosives in Compatibility Groups C, D or E, the aforementioned articles shall, for the purpose of applying this Schedule, be deemed to be in Compatibility Group D.

2. Where explosives in different Compatibility Groups are carried together, then, subject to paragraph (1), they shall, for the purpose of applying the Table in Part III of Schedule 3 and Schedule 5, all be deemed to be in the Group amongst them which comes highest in the following list, that is Group B (highest), F, G, C, D, E and J (lowest).

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## Divisions

3. Where explosives in different Divisions are carried together then, subject to paragraphs 4 and 5 of this Schedule and paragraph 6 of Schedule 3, for the purpose of applying Schedules 3 and 5, all the explosives shall be deemed to be in the Division amongst them which comes highest in the following list, that is Division 1.1 (highest), 1.5, 1.2, 1.3, 1.6 and 1.4 (lowest).

4. Where explosives in Compatibility Group D and Division 1.5 are carried with explosives in Division 1.2 then, for the purpose of applying Schedules 3 and 5, they shall all be deemed to be in Division 1.1.

5. Where explosive articles in Compatibility Group N and Division 1.6 are carried with a different type of explosive article in the same Division and Compatibility Group then, unless it can be shown that effective measures have been taken to ensure that there is no additional risk of sympathetic detonation between the articles, they shall, for the purpose of applying Schedules 3 and 5, all be deemed to be in Division 1.1.

## Permitted mixed loads

6. For the purposes of regulation 14(1)(a) the following explosives may be carried together—
- (a) detonating fuses in Compatibility Group B may be carried with explosive articles in Compatibility Group D, E or F of which the fuses are components;
  - (b) explosives in Compatibility Group C, D, E, N or S may be carried together or in any combination of them;
  - (c) explosives in Compatibility Group F may be carried with explosive articles in Compatibility Group C or D or explosives in Compatibility Group E or S;
  - (d) explosive articles in Compatibility Group G may be carried with explosive articles in Compatibility Group C or D or explosives in Compatibility Group E;
  - (e) explosives in Compatibility Group S may be carried with explosives in Compatibility Group B, G, H or J,

and where a particular type of explosive is mentioned in more than one sub-paragraph, above as being permitted to be carried with other types of explosive, it may be carried with all or any of those other types of explosives.

7. For the purposes of regulation 14(3) the following explosives and other dangerous goods may be carried together—

- (a) explosives allocated on classification the UN Number 0276, 0323, 0431 or 0432 may be carried with the dangerous goods allocated on classification the UN Number 3268, or with automotive air bag inflator units allocated on classification to UN Class 2, or in any combination of them, provided the total mass or volume of dangerous goods when added together does not exceed 500;
- (b) explosives allocated on classification the UN Number 0092, 0093 or 0191 may be carried with the dangerous goods allocated on classification the UN Number 3072 and 2990, and/or in any combination of them, provided the total mass or volume of dangerous goods allocated on classification the UN Number 3072 or 2990 does not exceed 500;
- (c) explosives allocated on classification the UN Number 0030, 0042, 0065, 0081, 0082, 0241, 0255, 0360 or 0361 may be carried with the dangerous goods allocated on classification the UN Number 1942;
- (d) explosives allocated on classification the UN Number 0191, 0197, 0336, 0403, 0431, 0432 or 0453 may be carried with dangerous goods in transport category 3 provided the total net mass of such explosives does not exceed 500 kilograms;

- (e) explosive articles in Compatibility Group S and Division 1.4 may be carried with dangerous goods in transport categories 2, 3 or 4, provided the total mass or volume of dangerous goods in transport categories 2 and 3 do not exceed 200 and 500, respectively;
- (f) explosives in Compatibility Group G and Division 1.4 may be carried with flammable liquids and flammable gases in transport category 2 or non-flammable, non-toxic gases in transport category 3, or in any combination of them, provided the total mass or volume of dangerous goods when added together does not exceed 200 and the total net mass of explosives does not exceed 20 kilograms,

and in this paragraph “total mass or volume of dangerous goods” shall be construed in accordance with regulation 2(3), (4) and (5) of the Carriage of Dangerous Goods by Road Regulations 1996 as if—

- (g) those Regulations applied to explosives; and
- (h) in relation to their application to explosives—
  - (i) the references in paragraphs (3)(a) and (4)(b)(ii) of those Regulations to “gross mass of any article” and “gross mass”, respectively, were references to “net mass of any explosive substance or article” and “net mass”, and
  - (ii) sub-paragraphs (b) to (f) of paragraph (3) and heads (iii) to (vi) of paragraph 4(b) of those Regulations did not apply.

## SCHEDULE 5

Regulation 15

### INFORMATION TO BE DISPLAYED ON VEHICLES AND CONTAINERS

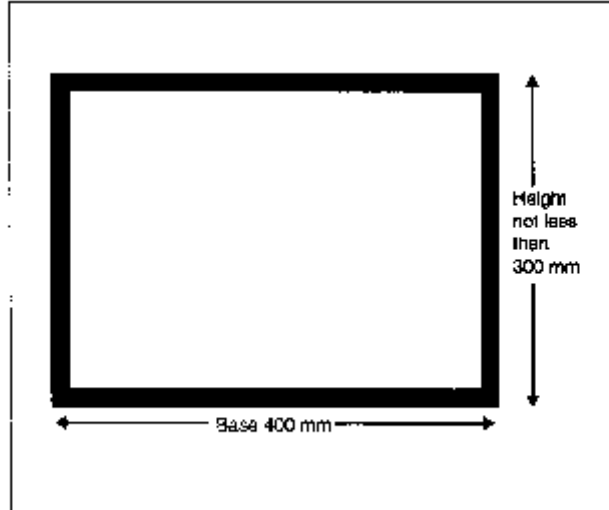
#### PART I

#### REQUIREMENTS

1. At all times when explosives are being carried in a vehicle—
  - (a) two blank rectangular orange-coloured panels conforming to the requirements of paragraph 4 or 5 shall be affixed to the vehicle, one at the front and the other at the rear;
  - (b) three of each of any danger sign and subsidiary hazard sign required to be displayed under this Schedule shall be affixed to the vehicle, one of each to each side, and one of each to the rear of the vehicle; and
  - (c) where the explosives are carried in a container, one of each of any danger sign and subsidiary hazard sign required to be displayed under this Schedule shall be affixed to the container.
2. Where explosives are being carried in a container in or on a vehicle, it shall be sufficient compliance with paragraph 1(b) if any danger sign or subsidiary hazard sign which is required to be affixed to the vehicle under that sub-paragraph is affixed to the container, provided any such sign is visible from the outside of the vehicle, and positioned as if it had been affixed to the vehicle in accordance with that sub-paragraph.
3. Nothing in this Schedule shall require a danger sign or subsidiary hazard sign of the same specification to be displayed more than once at the rear or on either side of a vehicle.
4. Each panel referred to in paragraph 1(a) shall—

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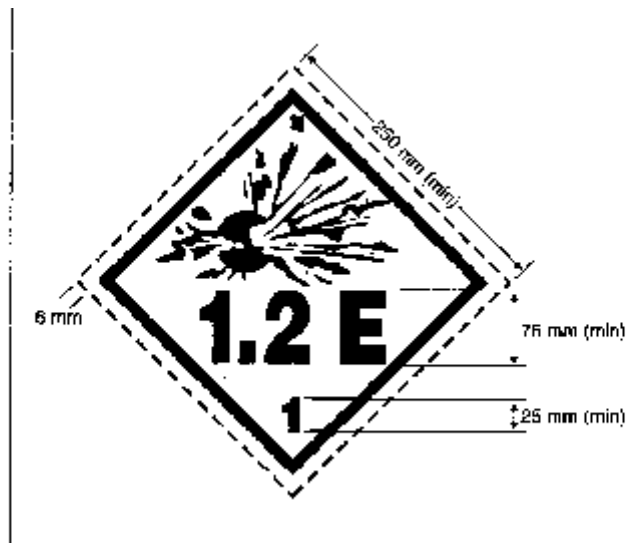
- (a) be in the form of the following diagram and comply with the measurements in the diagram; and



- (b) have a black border not more than 15 millimetres wide.
5. Where the size and construction of the vehicle is such that the available surface area is insufficient to affix a panel of the measurements specified in paragraph 4, that paragraph shall apply as if the specified measurements for the base were 300 millimetres, for the height, 120 millimetres and for the border, 10 millimetres.
6. Each danger sign and subsidiary hazard sign required to be displayed under this Schedule shall—
- (a) be in the form of a square set with its side at an angle of 45° to the vertical; and
- (b) have an orange-coloured background with a black border and any figure, letter or pictograph required by the provisions of this Schedule shall be in black.
7. Each orange-coloured panel, danger sign and subsidiary hazard sign required to be affixed to or displayed under this Schedule shall—
- (a) be clearly visible; and
- (b) so far as is reasonably practicable, be kept clean and free from obstruction at all times when explosives are being carried.
8. Any orange-coloured panel, danger or subsidiary hazard sign, other than one which is displayed under the Carriage of Dangerous Goods Regulations 1996 which does not relate to the explosives being carried, or any residue thereof—
- (a) shall be covered or removed; and
- (b) in the case where an orange-coloured panel is covered, any material used to cover it shall remain effective after 15 minutes engulfment in fire.
9. Where explosives in Division 1.1, 1.2 or 1.3 are carried in a vehicle or container, there shall be displayed in accordance with paragraph 1, danger signs which—
- (a) are in the form of the following diagram (the Division number “1.2” and the Compatibility Group letter “E” are only examples);



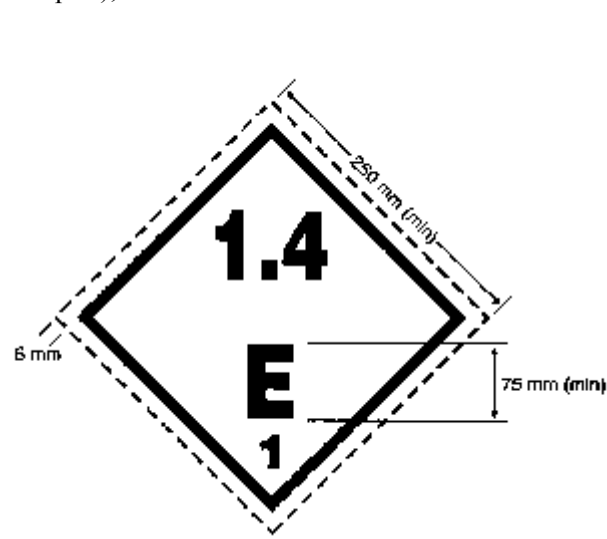
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- (b) comply with the measurements in the diagram except that larger measurements may be used in which case the measurements shall be increased proportionally;
- (c) have a pictograph of a bomb blast filling most of the upper half;
- (d) have the Division number and Compatibility Group letter appropriate to the explosives being carried written in the lower half; and
- (e) have the class number “1” written in the bottom corner below the Division number and Compatibility Group letter.

**10.** Where explosives in Division 1.4, 1.5 or 1.6 are carried in a vehicle or container, there shall be displayed, in accordance with paragraph 1, danger signs which—

- (a) are in the form of the following diagram (the Division number “1.4” and the Compatibility Group letter “E” are only examples);



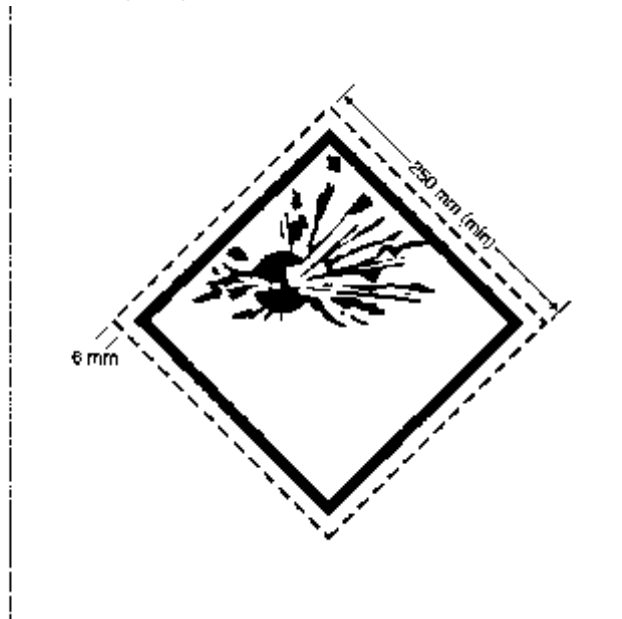
- (b) comply with the measurements in the diagram except that larger measurements may be used in which case the measurements shall be increased proportionally;
- (c) have the Division number appropriate to the explosives being carried written on the upper half;

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- (d) have the Compatibility Group letter appropriate to the explosives being carried written on the lower half; and
- (e) have the class number “1” written in the bottom corner below the Compatibility Group letter.

**11.** In the case of explosives which are carried in a vehicle or container solely in connection with an application for their classification, there shall be displayed, in accordance with paragraph 1, danger signs which—

- (a) are in the form of the following diagram; and



- (b) comply with the measurements in the diagram, except that larger measurements may be used in which case the measurements shall be increased proportionally.

**12.** Where explosives allocated on classification the UN Number 0018, 0019, 0020, 0021, 0076, 0077, 0143, 0224 or 0301 are carried in a vehicle or container, there shall be displayed, in accordance with paragraph 1, subsidiary hazard signs which—

- (a) are in the form of the following diagram; and

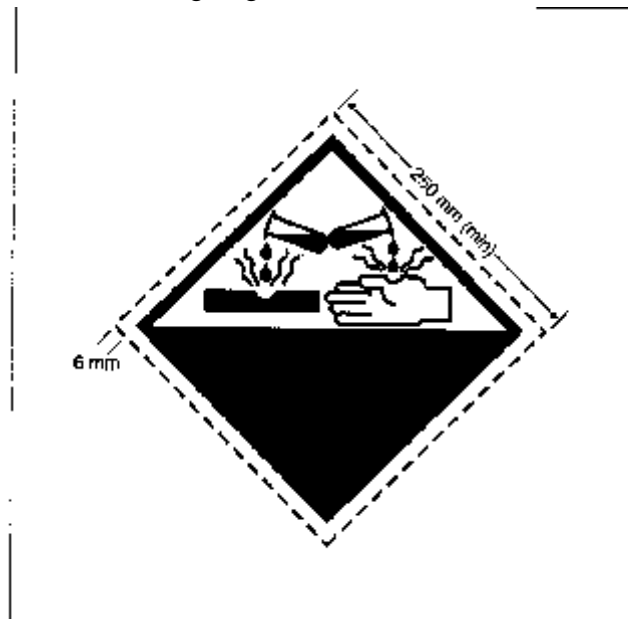


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- (b) comply with the measurements in the diagram except that larger measurements may be used in which case the measurements shall be increased proportionally.

**13.** Where explosives allocated on classification the UN Number 0015, 0016, 0018, 0019, 0301 or 0303 are carried in a vehicle or container, there shall be displayed in accordance with paragraph 1, subsidiary hazard signs which—

- (a) are in the form of the following diagram; and



- (b) comply with the measurements in the diagram except that larger measurements may be used in which case the measurements shall be increased proportionally.

**14.** In the case of a vehicle or container carrying explosives of different Compatibility Groups, no Compatibility Group letter shall be written on any danger or subsidiary hazard sign required to be displayed under this Schedule.

## PART II

### EXCEPTIONS

**15.** Paragraphs 1 to 7 and 9 to 14 shall not apply where—

- (a) the explosives carried are explosive substances in Compatibility Group G not exceeding 1 kilogram in quantity;
- (b) the explosives carried are in Compatibility Group B or unclassified explosives not exceeding (in either case) 10 kilograms in quantity;
- (c) the explosives carried are—
  - (i) explosives of a type marked with an asterisk in Part II of Schedule 1, or
  - (ii) smokeless powder in Division 1.3 (being the explosive substance allocated on classification the UN Number 0161),and the total quantity of all explosives carried in the vehicle does not exceed 100 kilograms;
- (d) the explosives carried are—

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- (i) in Division 1.4 and in a quantity not exceeding 500 kilograms, except in the case of explosives in Compatibility Group S in which case no upper limit applies, and
  - (ii) of a type other than any of those specified in any of the sub-paragraphs above;
  - (e) the explosives carried are in a quantity not exceeding 50 kilograms and are of a type other than any of those specified in any of the sub-paragraphs above.
- 16.** Paragraphs 1 to 7 and 9 to 14 shall not apply where the only explosives in the vehicle consist of, one or more of the following—
- (a) blasting explosives not exceeding 50 kilograms in quantity;
  - (b) detonating cord not exceeding 10 kilograms in quantity;
  - (c) detonators not exceeding 100 grams in quantity or 100 in number.
- 17.** Paragraph 8(a) shall not apply to any danger or subsidiary hazard sign displayed on a vehicle or container in circumstances where some of the explosives in respect of which the signs were displayed have been unloaded and the only remaining explosives being carried are of any of the types and quantities specified in the sub-paragraphs of paragraphs 15 or 16.
- 18.** While the vehicle is being loaded or unloaded—
- (a) paragraph 1(b) and (c) shall not apply;
  - (b) paragraph 7 shall not apply to the orange-coloured panel at the rear of the vehicle.
- 19.** Paragraph 1(a) shall not apply in relation to any trailer which is being used for the carriage of explosives where that trailer is detached from the motor vehicle.

## SCHEDULE 6

Regulations 16 and 17

### INFORMATION TO BE PROVIDED AND CARRIED

#### PART I

The information referred to in regulation 16(1) shall comprise—

- (a) in relation to each of the types of explosives being carried—
  - (i) the designation,
  - (ii) the classification,
  - (iii) the UN Number, preceded by the letters “UN”,
  - (iv) the total net mass in tonnes or kilograms of explosives carried, except that the gross mass (in tonnes or kilograms) may be stated instead if the consignor does not know or could not reasonably ascertain what the net mass is,
  - (v) whether, in the case of explosives in Compatibility Group C, D or G, the explosives carried are explosive substances or explosive articles;
- (b) in relation to the consignment as a whole—
  - (i) the number of packages consigned,
  - (ii) the name and address of the consignor,
  - (iii) the name and address of the consignee,
  - (iv) such other information as will enable the operator to comply with regulation 17(1), and

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- (v) a statement signed or authenticated by or on behalf of the consignor, (in these Regulations referred to as the “consignor’s declaration”) confirming that—
  - (aa) the explosives as presented to the operator may be carried in conformity with these Regulations, and
  - (bb) the labelling and packaging of the explosives as presented to the operator conform with the 1983 and 1991 Regulations.

## PART II

1. The Transport Documentation concerning the explosives being carried shall comprise the following information—

- (a) the information specified in Part I of this Schedule;
- (b) the total number of packages;
- (c) the total net mass in tonnes or kilograms of each type of explosive carried, except that the gross mass (in tonnes or kilograms) may be stated instead if the operator does not know or could not reasonably ascertain what the net mass is;
- (d) the emergency information specified in paragraph 2;
- (e) the name and address of the operator of the vehicle.

2. The emergency information referred to in paragraph 1(d) shall comprise details of the measures to be taken by the driver in the event of an accident or emergency and other safety information concerning the explosives being carried and shall include details of—

- (a) the nature of the danger inherent in the explosives being carried and the safety measures to be taken to avert any such danger;
- (b) the action to be taken and treatment to be given in the event of any person coming into contact with the explosives being carried or with any substances which might be evolved;
- (c) the measures to be taken in case of fire and, in particular, the fire-fighting appliances or equipment which must not be used;
- (d) the measures to be taken in the case of breakage or deterioration of the packagings or of the explosives being carried, particularly where such breakage or deterioration results in a spillage of the explosives onto the road; and
- (e) the measures to be taken to avoid or minimise damage in the event of spillage of explosives which are pollutant to the aquatic environment.

## SCHEDULE 7

Regulation 19

### LOADING, STOWAGE, UNLOADING AND CLEANING OF VEHICLES AND CONTAINERS

1. The various components of a load comprising explosives shall be properly stowed and secured by appropriate means to prevent them from being significantly displaced in relation to each other and to the walls of the vehicle.

2. Where explosives have escaped from any package into a container or vehicle in which they are being carried, the container or vehicle concerned shall be cleaned as soon as possible and in any case before re-loading.

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3. Before any explosives are loaded onto a vehicle or into a container, the surface upon which they are to be loaded shall be thoroughly cleaned.

4. Except where the engine has to be used to drive the pumps or other appliances for loading or unloading the vehicle, the vehicle's engine shall be shut off during loading and unloading operations.

## SCHEDULE 8

Regulation 25

### PRECAUTIONS AGAINST FIRE OR EXPLOSION

1. Subject to paragraph 2, the operator of a vehicle which is being used for the carriage of explosives shall ensure that it is equipped with—

- (a) at least one portable fire extinguisher with a minimum capacity of 2 kilograms of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B, as defined in British Standard BSEN 3-1: 1996, suitable for fighting a fire in the engine or cab of the vehicle, and such that, if it is used to fight a fire involving the load, it does not aggravate the fire and, if possible, controls it; and
- (b) at least one portable fire extinguisher with a minimum capacity of 6 kilograms of dry powder, or other suitable extinguishant with an equivalent test fire rating of at least 21A and 183B, as defined in British Standard BSEN 3-1: 1996, suitable for fighting a tyre or brake fire or a fire involving the load, and such that, if it is used to fight a fire in the engine or cab of the vehicle, it does not aggravate the fire.

2.—(1) The fire extinguisher referred to in paragraph 1(a) need not be suitable for fighting a fire in the engine if the vehicle is equipped with a fixed fire extinguisher, suitable for fighting a fire in the engine, which either works automatically or is easily brought into action.

(2) Where the vehicle is a motor vehicle with a permissible maximum weight of less than 3.5 tonnes, the fire extinguisher referred to in paragraph 1(b) may be replaced by a fire extinguisher with a minimum capacity of 2 kilograms of dry powder or other suitable extinguishant with an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1: 1996.

3. Where a vehicle which is being used for the carriage of explosives comprises a trailer and the laden trailer is uncoupled and left on the road at a distance from the motor vehicle—

- (a) paragraph 1(a) shall not apply;
- (b) the operator, driver and any attendant of the said motor vehicle shall ensure that the trailer is equipped with at least one fire extinguisher conforming to the provisions of paragraph 1(b).

4. The operator shall ensure that the extinguishants contained in the fire extinguishers referred to in this Schedule are such that they are not liable to release toxic gases—

- (a) into the driver's cab; or
- (b) when under the influence of the heat of a fire.

5. The operator shall ensure that any portable fire extinguisher provided in accordance with this Schedule—

- (a) bears a mark of compliance with a standard recognised by a competent authority for that type of extinguisher;
- (b) is fitted with a seal verifying that it has not been used; and
- (c) where it was manufactured after 31st December 1996, bears an inscription indicating the date when it should next be inspected.

6. The operator of the vehicle referred to in paragraph 5 shall ensure, prior to carriage, that the date inscribed on any portable fire extinguisher in accordance with sub-paragraph (c) of that paragraph has not passed.

7. The driver shall ensure that the fire extinguishers referred to in this Schedule are stowed in such a way as to be suitably protected and easily accessible.

## SCHEDULE 9

Regulation 33(1)

### AMENDMENTS TO THE 1983 REGULATIONS

1. The 1983 Regulations shall be amended in accordance with the following paragraphs of this Schedule.

2. Regulation 6 shall be amended by—

- (a) the substitution in paragraph (3) of the words “, 1.5 or 1.6” for the words “or 1.5”;
- (b) the addition after paragraph (4) of the following paragraphs—

“(5) A packaged article or substance or a combination thereof or an unpackaged article to which these Regulations apply, allocated on classification the United Nations Serial Number 0018, 0019, 0020, 0021, 0076, 0077, 0143, 0224 or 0301 shall bear a label in accordance with paragraph 16 of Schedule 3.

(6) A packaged article or substance or a combination thereof or an unpackaged article to which these Regulations apply, allocated on classification the United Nations Serial Number 0015, 0016, 0018, 0019, 0113, 0301 or 0303 shall bear a label in accordance with paragraph 17 of Schedule 3.”.

3. Regulation 9 shall be amended by the substitution in paragraph (2) of the words “, (3), (5) or (6)” for “or (3)”.

4. After regulation 12 there shall be added the following regulation—

“**12A.** In any proceedings for an offence—

- (a) consisting of a contravention of regulation 3(2)(b), 6 or 9; and
- (b) which was committed on or after 1st January 1997 and before 1st January 1999,

it shall be a defence for the accused to prove that—

- (c) the explosives were labelled on or before 31st December 1996 in accordance with these Regulations as in force on that date;
- (d) the labelling has not been altered or removed;
- (e) it has not at any time since 31st December 1996 been reasonably practicable to re-label the explosives; and
- (f) in the case of packaged explosives—
  - (i) the explosives were packaged on or before 31st December 1996 in accordance with the Packaging of Explosives for Carriage Regulations 1991,
  - (ii) the explosives have not been removed from their package since they were packaged, and
  - (iii) it has not at any time since 31st December 1996 been reasonably practicable to repackage the explosives.”.

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5. Schedule 1 shall be amended by the addition of the following Division and Division number after the entry for Division 1.5—

“Extremely insensitive articles which do not have a mass explosion hazard.”. 1.6

6. Schedule 2 shall be amended by—

(a) the addition of the following words at the end of the Compatibility Group entry for the Compatibility Group B—

“Some articles, such as detonators for blasting, detonator assemblies for blasting and primers, cap-type, are included, even though they contain primary explosives.”;

(b) the addition of the following Compatibility Group and Compatibility Group letter after the entry for Compatibility Group L—

“Articles containing only extremely insensitive detonating substances.”. N

7. Schedule 3 shall be amended by—

(a) the substitution of the words “, 1.5 or 1.6” for the words “ or 1.5” to the heading above paragraph 4;

(b) the addition after paragraph 15 of the following paragraphs—

*“Subsidiary Hazard Labelling*

(16) The label required by regulation 6(5) shall—

(a) be a square set with its sides at an angle 45° to the vertical;

(b) be in the form of the following diagram; and

(c) comply with the measurements in the diagram except that—

(i) larger measurements may be used in which case the measurements shall be increased proportionally, or

(ii) where, in order to comply with regulation 10(1), a smaller label is necessary, the dimensions may be decreased proportionally whilst remaining as large as is reasonably practicable for the purpose of such compliance.



(17) The label required by Regulation 6(6) shall—

(a) be a square set with its sides at an angle 45° to the vertical;



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(b) be in the form of the following diagram; and



(c) comply with the measurements in the diagram except that—

- (i) larger measurements may be used in which case the measurements shall be increased proportionally, or
- (ii) where, in order to comply with regulation 10(1), a smaller label is necessary, the dimensions may be decreased proportionally whilst remaining as large as is reasonably practicable for the purpose of such compliance.”.

**8.** Schedule 4 shall be amended by the addition of the following before the entry for the explosive article allocated on classification the UN Number 0354—

“0486	ARTICLES EXPLOSIVE, EXTREMELY INSENSITIVE (ARTICLES, EEI)	1.6N”.
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