
STATUTORY INSTRUMENTS

2004 No. 568

**The Carriage of Dangerous Goods and Use of
Transportable Pressure Equipment Regulations 2004**

PART 3

COMPETENT AUTHORITY FUNCTIONS

Miscellaneous functions of the GB competent authority

35.—(1) The GB competent authority may approve the classification of dangerous goods in those circumstances where sub-sections 2.2.41.1.13 and 2.2.52.1.8 of ADR in relation to carriage by road or of RID in relation to carriage by rail require classification and assignment to a collective entry to be made by the competent authority in Great Britain.

(2) The GB competent authority may recognise the classification and conditions of carriage of dangerous goods in those circumstances where sub-sections 2.2.41.1.13 and 2.2.52.1.8 of ADR in relation to carriage by road or of RID in relation to carriage by rail provide for classification and conditions of carriage of such goods to be recognised by the competent authority in Great Britain.

(3) The GB competent authority shall assign a packing group for dangerous goods where required in accordance with—

- (a) special provision 278 of chapter 3.3 of ADR in relation to carriage by road; or
- (b) special requirement 278 of chapter 3.3 of RID in relation to carriage by rail.

(4) The GB competent authority shall provide information or documents to a person in the circumstances where—

- (a) ADR in relation to carriage by road; or
- (b) RID in relation to carriage by rail,

provide for such information or documents to be sent to that person by the competent authority in Great Britain and the references to which are set out in paragraph (5).

(5) The references referred to in paragraph (4) are sub-sections 6.2.5.6.2.1, 6.2.5.6.4.5, 6.2.5.6.4.9 and 6.2.5.6.4.11 of ADR in relation to carriage by road or of RID in relation to carriage by rail.

(6) The GB competent authority shall maintain a list in accordance with sub-section 6.2.5.6.2.3 of ADR in relation to carriage by road or of RID in relation to carriage by rail.

(7) The GB competent authority may issue approval certificates in accordance with sub-section 6.2.5.6.4.9 of ADR in relation to carriage by road or of RID in relation to carriage by rail.

(8) The GB competent authority shall maintain the registers required by sub-section 6.4.23.15 of RID.

(9) The GB competent authority may issue certificates of approval where sub-section 9.1.2.1.2 of ADR requires such certificates to be issued by the competent authority in Great Britain.

(10) A certificate issued by the GB competent authority by reference to sub-section 9.1.2.1.2 of ADR shall—

- (a) comply with that paragraph and sub-section 9.1.2.1.5 of ADR;
- (b) comply with sub-section—
 - (i) 1.6.5.2; or
 - (ii) 1.6.5.3,of ADR where applicable to the vehicle in question; and
- (c) be valid for the period calculated in accordance with sub-section 9.1.2.1.4 of ADR.

(11) Any current certificate held by a person which—

- (a) was issued to him by a competent authority under national provisions giving effect to the ADR Directive; and
- (b) is in the form required by paragraph (10),

shall be deemed to be a certificate issued by the GB competent authority under this regulation.

(12) Where a certificate referred to in paragraph (10)(a) is required pursuant to regulation 25 and Part 9 of ADR in relation to the base vehicle of a new motor vehicle or its trailer, the GB competent authority may instead issue a type approval for such a vehicle in the circumstances set out in and in accordance with sub-section 9.1.2.2.1 of ADR.

(13) Any type approval held by a person which—

- (a) was issued to him by a competent authority under national provisions giving effect to the ADR Directive; and
- (b) complies with sub-section 9.1.2.2.1 of ADR,

shall be deemed to be a type approval issued by the GB competent authority under this regulation provided that no modification has been made to the base vehicle since the type approval was issued.

(14) In this regulation, “base vehicle” has the meaning in sub-section 9.1.1.2 of ADR.