
STATUTORY INSTRUMENTS

2009 No. 1348

**The Carriage of Dangerous Goods and Use of
Transportable Pressure Equipment Regulations 2009**

PART 2

PROHIBITIONS AND REQUIREMENTS

Additional security requirements for carriage by road

7.—(1) For the purposes of regulation 5, the requirements set out in paragraphs (2) to (4) are deemed to be requirements of Chapter 1.10 of ADR.

(2) The carrier and the driver of a vehicle which is being used for the carriage of class 1 goods must ensure that—

- (a) the carriage is completed within a reasonable length of time having regard to the distance involved;
- (b) the class 1 goods are delivered to—
 - (i) the consignee or the consignee's agent; or
 - (ii) a person who is authorised by the consignee to accept custody of the class 1 goods—
 - (aa) for onward despatch; or
 - (bb) in circumstances where the consignee has compelling reasons not to accept the goods in accordance with Sub-section 1.4.2.3,
provided they are delivered to qualifying premises;
- (c) the goods are unloaded from the vehicle as soon as is reasonably practicable after it arrives at its place of delivery; and
- (d) any trailer or container containing class 1 goods is not detached, or removed, from the vehicle unless it is in qualifying premises.

(3) But paragraph (2)(d) does not apply in an emergency.

(4) The carrier of a vehicle used for the carriage of class 1 goods must not remove any class 1 goods from the consignor's premises unless ready immediately to despatch them to the consignee or a person authorised by the consignee to accept custody in the circumstances referred to in paragraph (2)(b)(ii)(aa).

(5) In this regulation—

- (a) “designated parking area” means—
 - (i) in relation to an airport or railway transshipment depot or siding, an area allocated by the occupier as an area for parking vehicles carrying class 1 goods; and
 - (ii) in relation to a harbour or harbour area, a parking area designated for the purposes of regulation 32 of the Dangerous Substances in Harbour Areas Regulations 1987(1);

(1) [S.I. 1987/37](#); to which there are amendments not relevant to these Regulations.

- (b) “qualifying premises” means—
 - (i) premises under the control of the Secretary of State for Defence;
 - (ii) a safe and secure place; or
 - (iii) a designated parking area in an airport, a railway transshipment depot or siding or a harbour or harbour area; and
- (c) “a safe and secure place” means a place within a site—
 - (i) in relation to which a person—
 - (aa) is licensed to manufacture or store explosives under regulation 13 of the Manufacture and Storage of Explosives Regulations 2005⁽²⁾; or
 - (bb) is registered in respect of such storage under regulation 11 of those Regulations; or
 - (ii) in respect of which a certificate of exemption has been granted under the Explosives Act 1875 (Exemption) Regulations 1979⁽³⁾.

⁽²⁾ S.I. 2005/1082.
⁽³⁾ S.I. 1979/1378.