
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 173

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

PART II

REQUIREMENTS OF ADR AND RID

Safety advisers

12.—(1) Subject to paragraph (3), any carrier, filler or loader involved in the carriage of dangerous goods by road or by rail shall comply with the requirements relating to the appointment and duties of safety advisers in sub-sections 1.8.3.1 and 1.8.3.3 to 1.8.3.9 of ADR in relation to carriage by road or of RID in relation to carriage by rail.

(2) Subject to paragraph (3), any person who transports dangerous goods by inland waterway shall—

- (a) appoint a safety adviser in accordance with sub-section 1.8.3.1 of ADR as if that paragraph applied to those transporting dangerous goods by inland waterway; and
- (b) ensure that the duties of that adviser are as set out in sub-sections 1.8.3.3 to 1.8.3.9 of ADR except that those paragraphs shall apply as if they referred to the transport of dangerous goods by inland waterway.

(3) Paragraphs (1) and (2) shall not apply—

- (a) to any person—
 - (i) whose main or secondary activity is not the carriage or the related loading of dangerous goods or the transport of such goods by road, rail or inland waterway; and
 - (ii) who occasionally engages in the carriage or the related loading of dangerous goods or the transport of such goods by road, rail or inland waterway within Northern Ireland which pose little danger or risk of pollution; and
- (b) to any person whose activities only concern the carriage by road or rail or the transport by inland waterway of dangerous goods where the quantity of dangerous goods in each—
 - (i) transport unit in relation to carriage by road;
 - (ii) wagon or large container in relation to carriage by rail; or
 - (iii) vessel in relation to the transport by inland waterway,

is less than that specified for the goods in question in sub-section 1.1.3.6, as modified by regulation 3(7), or chapters 3.3 and 3.4 of ADR in relation to carriage by road or transport by inland waterway or of RID in relation to carriage by rail, and in relation to transport of dangerous goods by inland waterway sub-section 1.1.3.6 of ADR shall apply for the purposes of this paragraph as if the references to a “transport unit” were references to a “vessel”.

(4) Any person required by paragraph (1) to appoint a safety adviser shall—

- (a) when requested to do so by—
 - (i) the Northern Ireland competent authority in relation to carriage by road or by rail; or
 - (ii) any goods vehicle examiner in relation to carriage by road,
inform it of the name of the adviser;
- (b) when requested to do so by—
 - (i) the Northern Ireland competent authority in relation to carriage by road or by rail; or
 - (ii) any goods vehicle examiner in relation to carriage by road,
provide it with a copy of any accident and annual reports which have been prepared pursuant to this regulation in accordance with sub-sections 1.8.3.3 and 1.8.3.6 of ADR in relation to carriage by road or of RID in relation to carriage by rail.