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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 387**

**The Carriage of Explosives by Rail  
Regulations (Northern Ireland) 2001**

**Part III**

**Information**

**Classification, packaging and labelling of explosives**

**8.** An operator of a container or wagon shall not cause nor permit to be carried in it any explosives—

- (a) to which the 1991 Regulations apply, unless he has taken all reasonable steps to ensure that those explosives have been classified and labelled in accordance with those Regulations;
- (b) to which the 1993 Regulations apply, unless he has taken all reasonable steps to ensure that those explosives have been packaged in accordance with those Regulations.

**Carriage Information to be provided by consignors**

**9.—(1)** Subject to paragraph (3), any consignor of explosives shall ensure that any operator of a container or wagon engaged by him to carry those explosives is provided with the information specified in paragraph (2), in these Regulations referred to as the Carriage Information.

(2) The Carriage Information shall be provided in documentary form prior to carriage and shall comprise—

- (a) in relation to each of the explosives being consigned—
  - (i) the designation,
  - (ii) the classification code, preceded by the word “Class” or the classification,
  - (iii) the UN number, preceded by the letters “UN”,
  - (iv) the Compatibility Group and Division of each type of explosive carried and the net explosive content,
  - (v) in the case of explosives in Compatibility Group C, D or G, whether the explosives are explosive articles or explosive substances,
  - (vi) the mass or volume of those explosives, and
- (b) in relation to the consignment as a whole—
  - (i) the total mass or volume of the explosives consigned,
  - (ii) the name and address of the consignor,
  - (iii) the names and addresses of all consignees, if known,
  - (iv) the name and telephone number where specialist advice concerning the explosives being carried can be obtained in English at any time, and

(v) a statement dated and signed or authenticated by or on behalf of the consignor, (in these Regulations referred to as “the consignor’s declaration”), confirming that, in accordance with the relevant provisions of these Regulations, the 1991 Regulations, the 1993 Regulations and the CDG CPL Regulations,—

(aa) the explosives as presented may be carried,

(bb) the explosives and any packaging in which they are contained are in a fit condition for carriage and are properly labelled, and

(cc) where several packages are packed together in an overpack or in a single container, that this mixed packing is not prohibited.

(3) Paragraph (1) shall not apply in circumstances where the consignor is also the operator provided he is carrying the explosives on his own behalf.

(4) A consignor or anyone acting on his behalf shall not provide false nor misleading information to any operator concerning the explosives to be carried.

### **Carriage Information to be provided to operators and infrastructure controllers**

**10.**—(1) Any operator of any container or wagon which is being used for the carriage of explosives shall ensure that any train operator who has undertaken to carry that container or wagon is provided with the Carriage Information.

(2) Any operator of a large container which is being used for the carriage of explosives, where those explosives are intended for carriage by sea, shall ensure that any train operator who has undertaken to carry that large container is provided with a container packing certificate comprising the information set out in paragraph 12.3.7 of the International Maritime Dangerous Goods Code, as revised or reissued from time to time by the International Maritime Organisation [Current Edition: Volumes I to IV ISBN 92-801-1465-4].

(3) Any consignor of explosives for carriage, other than in a container or wagon, shall ensure that any train operator engaged by him to carry those explosives is provided with the Carriage Information.

(4) Any train operator who engages another train operator to carry explosives shall ensure that that train operator is provided with the Carriage Information.

(5) The operator of any train which is being used for the carriage of explosives shall ensure that each infrastructure controller on whose railway the explosives are to be carried is provided with the Carriage Information.

(6) An operator of a container, wagon or train or anyone acting on his behalf shall not provide false nor misleading information to any other operator engaged by him concerning the explosives to be carried.

### **Keeping of information by operators**

**11.** The operator of any container or wagon which is used for the carriage of explosives and the train operator on whose train such explosives are carried shall keep a record of the Carriage Information in respect of each journey by train undertaken by the container or wagon concerned for a period of at least three months after the completion of the relevant journey.

### **Information to be displayed on containers and wagons**

**12.**—(1) The operator of any container or wagon which is being used for the carriage of explosives shall ensure that information concerning those explosives is displayed on the container or wagon concerned in accordance with Schedule 4.

(2) A person shall not cause or permit any of the information referred to in Schedule 4 to be displayed on any container or wagon concerning any explosives which are no longer being carried in it.

(3) A person shall not cause or permit any information to be displayed on any container or wagon which would be likely to confuse the emergency services when read in conjunction with any information displayed in accordance with Schedule 4.

(4) Nothing in these Regulations shall prevent the display of information on any container or wagon, in addition to the information required to be displayed in accordance with Schedule 4, concerning any explosives which are being carried in it.

(5) The operator of any container or wagon which is being used for the carriage of explosives shall ensure that any danger sign or subsidiary hazard sign affixed to it in accordance with Schedule 4 is clean and free from obstruction when the container or wagon concerned is handed over to the train operator.

(6) An operator of a train shall not cause or permit to be carried in it any explosives in a container or wagon unless he has taken all reasonable steps to ensure that information concerning those explosives is displayed on the container or wagon concerned in accordance with Schedule 4.

(7) The operator of any train which is being used for the carriage of explosives in a container or wagon shall take all reasonable steps to ensure that any danger sign and subsidiary hazard sign affixed to it in accordance with Schedule 4 is kept clean and free from obstruction until the container or wagon concerned is handed over to the consignee.

(8) A person shall not—

- (a) remove any danger sign or subsidiary hazard sign affixed in accordance with Schedule 4 from a container or wagon which is being used for the carriage of explosives except for the purpose of updating the information on it;
- (b) falsify any of the information on any such sign.

### **Information, instruction and training for train crews and other persons connected with the carriage of explosives**

**13.**—(1) The operator of any train which is being used for the carriage of explosives shall ensure that those members of the crew of that train who have responsibilities in connection with the carriage of the explosives concerned have received adequate information, instruction and training to enable them to understand—

- (a) the nature of the dangers to which the explosives being carried may give rise and the action which they should take in an emergency concerning them; and
- (b) their duties under these Regulations and Articles 8 and 9 of the Health and Safety at Work (Northern Ireland) Order 1978(1).

(2) The train operator shall keep a record of any training received by members of a train crew pursuant to paragraph (1) whilst in his employment and shall make a copy of that record available to the crew members concerned.

(3) The infrastructure controller shall ensure that those of his employees who have responsibilities in connection with the carriage of explosives on his railway have received adequate information, instruction and training to enable them to understand—

- (a) the nature of the dangers to which the explosives being carried may give rise and the action which they should take in an emergency concerning them; and

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) their duties under these Regulations and Articles 8 and 9 of the Health and Safety at Work (Northern Ireland) Order 1978.
- (4) The infrastructure controller shall keep a record of any training received by employees pursuant to paragraph (3) and shall make a copy of that record available to the employees concerned.