
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 533

**Packaging, Labelling and Carriage of Radioactive
Material by Rail Regulations (Northern Ireland) 2003**

PART I

INTRODUCTION

Meaning of “operator”

3.—(1) For the purposes of these Regulations, the operator of a wagon, a container, a tank container, a portable tank or a tank wagon used for the carriage of radioactive material shall be –

- (a) the person who –
 - (i) has a place of business in Northern Ireland; and
 - (ii) owns the wagon, the container, the tank container, the portable tank or the tank wagon in question; or
- (b) if there is no such person as described in sub-paragraph (a), the person who –
 - (i) has a place of business in Northern Ireland; and
 - (ii) acts as agent for the owner of the wagon, the container, the tank container, the portable tank or the tank wagon in question; or
- (c) if there is no such person as described in either sub-paragraph (a) or sub-paragraph (b), the operator of the train –
 - (i) on which the container, the tank container or the portable tank in question is carried; or
 - (ii) of which the wagon or the tank wagon in question forms part.

(2) Subject to paragraph (3), for the purposes of paragraph (1), a person to whom a wagon, a container, a tank container, a portable tank or a tank wagon is leased or hired shall be deemed to be the owner of that wagon, container, tank container, portable tank or tank wagon, as the case may be.

(3) Paragraph (2) shall not apply where the lessor, or as the case may be, the hirer of the wagon, the container, the tank container, the portable tank or the tank wagon has made a written agreement with the person to whom he has leased or hired the wagon, the container, the tank container, the portable tank or the tank wagon to the effect that the lessor or the hirer shall assume the responsibilities of the owner imposed by or under these Regulations.