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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 173**

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

**PART I**

**INTRODUCTORY PROVISIONS**

**Application to armed forces**

6.—(1) Subject to paragraph (5), these Regulations shall not apply to or in relation to—

(a) the carriage of—

- (i) UN 2900 INFECTIOUS SUBSTANCE, AFFECTING ANIMALS only;
- (ii) UN 3077 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.;
- (iii) UN 3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.;
- and
- (iv) UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS,

where they are carried on a vehicle or a train which is owned by or under the control of the armed forces;

(b) the carriage of dangerous goods by rail where—

- (i) the goods are carried on a railway which is operated wholly within a military establishment; or
- (ii) the carriage of the goods in question commences and terminates within the same military establishment.

(2) Subject to paragraph (5) and notwithstanding the requirements in regulations 20(3) and (4) and 24(3), the requirements in chapter 5.3, sections 5.4.0 to 5.4.2 and sub-sections 5.4.3.4 and 8.1.2.3 of ADR shall not apply to the carriage of dangerous goods in a vehicle owned by the armed forces which is being used in connection with—

(a) training—

- (i) which has been certified to be training on a special occasion in accordance with regulation 9(1)(a) of the Road Vehicles Lighting Regulations (Northern Ireland) 2000<sup>(1)</sup>; and
- (ii) in respect of which at least 48 hours notice has been given to—
  - (aa) the Chief Constable; and
  - (bb) the chief fire officer (within the meaning of Article 9(2) of the Fire Services (Northern Ireland) Order 1984<sup>(2)</sup>); or

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(1) S.R. 2000 No. 169 to which there are amendments not relevant to these Regulations

(2) S.I. 1984/1821 (N.I. 11)

(b) manoeuvres within such limits and during such periods as may from time to time be specified by Order in Council made under the Manoeuvres Act 1958(3).

(3) Subject to paragraph (5), where dangerous goods are being carried in a vehicle owned by the armed forces, any requirement in Part 9 of ADR which applies to the vehicle in question by virtue of regulation 25 may be deemed to be satisfied to the extent that it is not reasonably practicable for the vehicle to meet the requirement in question because of design constraints made necessary by its intended operational use.

(4) Subject to paragraph (5), where dangerous goods are being carried in a vehicle owned by or under the control of the armed forces, the requirements in regulation 55 shall not apply.

(5) The disapplications in paragraphs (1) to (4) shall not apply where a vehicle or train owned by or under the control of the armed forces is carrying dangerous goods by road or by rail on behalf of a person who is not a member of the armed forces.

(6) These Regulations do not apply to or in relation to the carriage of class 7 goods which are—

- (a) or form part of, an instrument of war;
- (b) required for research into, or the development or production of, any such instrument or part of such instrument; or
- (c) produced in the course of, or in connection with, such research, development or production,

when that carriage is undertaken on behalf of a Department of the Government of the United Kingdom or when the carriage is undertaken in connection with the execution of a contract with any such Department.

(7) These Regulations do not apply to or in relation to the carriage of class 7 goods which are, or form part of, an instrument of war when that carriage is undertaken on behalf of a visiting force within the meaning of Part 1 of the Visiting Forces Act 1952(4) or when the carriage is undertaken in connection with the execution of a contract with such a visiting force.

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(3) 1958 c. 7; section 1(3)(a)(i) was substituted by the Water Act 1989 (c. 15), section 190 and Schedule 25, paragraph 24. In section 1(3)(a)(i) the words “Environment Agency” were substituted by the Environment Act 1995 (Consequential Amendments) Regulations 1996 (S.I. 1996/593), regulation 2 and Schedule 1. In section 1(3)(a)(iii) the words “Countryside Agency” were substituted by the Development Commission (Transfer of Functions and Miscellaneous Provisions) Order 1999 (S.I. 1999/416), Article 3. There are other amendments not relevant to these Regulations

(4) 1952 c. 67