

## SCHEDULES

### SCHEDULE 4

#### SAND AND OTHER BALLAST

##### PART II

##### CARRIAGE OF BALLAST BY ROAD

- 7 (1) If any of the ballast is being carried for delivery to a buyer in pursuance of, or of an agreement for, its sale and paragraph 2 above applies to the sale, the following provisions of this paragraph shall have effect with respect to that ballast.
- (2) There shall, before the journey begins, be delivered to the person in charge of the vehicle a document signed by or on behalf of the seller (in this paragraph referred to as "the delivery document ") stating—
- (a) the name and address of the seller,
  - (b) the name of the buyer, and the address of the premises to which the ballast is being delivered,
  - (c) the type of the ballast,
  - (d) subject to sub-paragraph (4) below, the quantity of the ballast either by net weight or by volume,
  - (e) sufficient particulars to identify the vehicle, and
  - (f) the place, date and time of the loading of the ballast in the vehicle.
- (3) Where the quantity of the ballast is stated in the delivery document by volume, the ballast shall be carried on the vehicle only in such a receptacle as is mentioned in paragraph 4 above.
- (4) The statement referred to in sub-paragraph (2)(d) above shall not be required at any time while the vehicle is travelling between the place where it was loaded and the nearest suitable and available weighing equipment if the whole of the vehicle's load is being delivered to the same person at the same premises and the delivery document states that the quantity of the ballast is to be expressed by net weight determined by means of that equipment and specifies the place at which the equipment is situated.
- (5) In any case to which sub-paragraph (4) above applies, the person in charge of the vehicle at the time when the net weight of the ballast is determined shall forthwith add to the delivery document a statement of that net weight, and if he fails so to do he shall be guilty of an offence.
- (6) If any of the provisions of sub-paragraph (2) or (3) above is contravened, the seller shall be guilty of an offence.
- (7) If the vehicle is carrying ballast as mentioned in sub-paragraph (1) above for delivery to each of two or more persons, sub-paragraphs (1) to (3) above shall apply separately in relation to each of those persons ; but this sub-paragraph shall not be construed as

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*Status: This is the original version (as it was originally enacted).*

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prohibiting the use of the same receptacle such as is mentioned in sub-paragraph (3) above for the carriage of ballast for delivery to two or more different persons.