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STATUTORY INSTRUMENTS

1992 No.1213

HEALTH AND SAFETY

The Road Traffic (Carriage of Dangerous Goods and Substances) (Amendment) Regulations 1992

<i>Made</i>	- - - -	<i>21st May 1992</i>
<i>Laid before Parliament</i>		<i>27th May 1992</i>
<i>Coming into force</i>	- -	<i>31st May 1992</i>

The Secretary of State, in exercise of the powers conferred on him by sections 15(1), (2) and (4) (a) and 43(2) and (6) of, and paragraphs 1(3), 3, 14 and 16 of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽¹⁾ and of all other powers enabling him in that behalf, and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the said Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road Traffic (Carriage of Dangerous Goods and Substances) (Amendment) Regulations 1992 and shall come into force on 31st May 1992.

Amendments to the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992

2. The Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992⁽²⁾ shall be amended in accordance with Part I of the Schedule to these Regulations.

(1) 1974 c. 37; section 15(1) was substituted by the Employment Protection Act 1975 ("the 1975 Act") [c.71], section 116 and paragraph 6 of Schedule 15; section 43(6) was substituted for the original section 43(6) and (7) by the 1975 Act, section 116 and paragraph 12 of Schedule 15; and section 50(3) was amended by the 1975 Act, section 116 and paragraph 16(3) of Schedule 15.

(2) S.I. 1992/742.

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Amendments to the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992

3. The Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992(3) shall be amended in accordance with Part II of the Schedule to these Regulations.

Amendments to the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992

4. The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992(4) shall be amended in accordance with Part III of the Schedule to these Regulations.

Signed by Authority of the Secretary of State for Transport.

Kenneth Carlisle
Parliamentary Under Secretary of State,
Department of Transport

21st May 1992

(3) S.I. 1992/743.
(4) S.I. 1992/744.

THE SCHEDULE

Regulations 2, 3 and 4

PART I

AMENDMENTS TO THE ROAD TRAFFIC (CARRIAGE OF DANGEROUS SUBSTANCES IN PACKAGES ETC.) REGULATIONS 1992

The Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 shall be amended as follows:

- (a) in regulation 3(2)(k), substitute “cylinder” for “cylinders” where that word occurs second;
- (b) in regulation 12(6)—
 - (i) insert “or” after the semi-colon at the end of sub-paragraph (a),
 - (ii) substitute a full-stop for the semi-colon and the word “or” at the end of subparagraph (b), and
 - (iii) delete sub-paragraph (c); and
- (c) insert the following paragraph after paragraph (7) of regulation 12—

“(8) Where a trailer or semi-trailer which is carrying at least 500 kilograms of one or more dangerous substances has become separated from the vehicle to which it was attached the persons who were for the purposes of these Regulations respectively regarded as the operator and driver of the combination of motor vehicle and one or more trailers or semi-trailers of which it formed part shall ensure that—

 - (a) a single reflectorised orange-coloured plate of 400 millimetres base and 300 millimetres high and having a black border not more than 15 millimetres wide is affixed in a substantially vertical plane to the rear of the trailer or semi-trailer which has become separated as aforesaid; and
 - (b) nothing is displayed on that trailer or semi-trailer which would be likely to confuse the emergency services when read in conjunction with that plate.”.

PART II

AMENDMENTS TO THE ROAD TRAFFIC (CARRIAGE OF DANGEROUS SUBSTANCES IN ROAD TANKERS AND TANK CONTAINERS) REGULATIONS 1992

The Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 shall be amended as follows:

- (a) in regulation 7(1)(c)(iii), substitute “paragraph (10)” for “paragraph (11)”;
- (b) in regulation 9(4), substitute “regulation 7(4)” for “regulation 7(3)”;
- (c) in regulation 12(2), substitute “paragraphs (6) and (7)” for “paragraphs (5) and (6)”;
- (d) in regulation 23(3), substitute “Regulation 22(1)” for “Regulation 22”;
- (e) in regulation 27(1)—
 - (i) substitute “received by” for “which was given to”, and
 - (ii) substitute “regulation” for “paragraph”;
- (f) in Schedule 2—
 - (i) in sub-paragraph (k), insert “of” after “delivery”,

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- (ii) insert “or” after the semi-colon at the end of sub-paragraph (k),
- (iii) substitute a full-stop for the semi-colon and the word “or” at the end of subparagraph (l), and
- (iv) delete sub-paragraph (m);
- (g) in Schedule 3—
 - (i) in paragraph 2, substitute “reference to the space so numbered in the” for “refer”, and
 - (ii) in paragraph 4(b)(i), insert “, its accepted common name or its” after “substance”; and
- (h) in Schedule 4—
 - (i) in paragraph 19(5), substitute “£200” for “200” and “£30” for “30”,
 - (ii) in paragraph 21, insert “and” between sub-paragraphs (a) and (b),
 - (iii) in paragraph 23, insert “and” between sub-paragraphs (c) and (d), and
 - (iv) substitute the text of paragraph 9 of the said Schedule for the text set out in quotation marks in the Note to Part A of the form of certificate contained in Part IV of that Schedule.

PART III

AMENDMENTS TO THE ROAD TRAFFIC (TRAINING OF DRIVERS OF VEHICLES CARRYING DANGEROUS GOODS) REGULATIONS 1992

The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 shall be amended as follows:

- (a) in regulation 14(b), substitute “8” for “7”;
- (b) in paragraph 1 of Schedule 1—
 - (i) delete “or” after the semi-colon at the end of sub-paragraph (c), and
 - (ii) insert “or” after the semi-colon at the end of sub-paragraph (d);
- (c) in Part I of Schedule 2—
 - (i) delete “where” where that word occurs first in the text proper, and
 - (ii) in sub-paragraph (a), insert “where” before “the” where that word occurs second;
- (d) in Part III of Schedule 2—
 - (i) in sub-paragraph (c), substitute “Part” for “Schedule” where that word occurs second,
 - (ii) in sub-paragraph (d)(i), substitute “S” for “E”,
 - (iii) in sub-paragraph (d)(iii)(aa), insert “E, F,” after “D,”,
 - (iv) in sub-paragraph (d)(iii)(bb), insert “G,” after “F,” and
 - (v) in sub-paragraph (d)(v)—
 - (aa) insert “(consisting of explosive substances only)” after “explosives” where that word occurs first,
 - (bb) insert “C, D or” after “is” where that word occurs second, and
 - (cc) substitute “substances” for “explosives” where that word occurs second; and
- (e) in paragraph 1 of Schedule 3, delete “for Transport”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend—

- (a) the Road Traffic (Carriage of Dangerous Substances in Packages etc.) Regulations 1992 (S.I. 1992/742);
- (b) the Road Traffic (Carriage of Dangerous Substances in Road Tankers and Tank Containers) Regulations 1992 (S.I. 1992/743); and
- (c) the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 (S.I. 1992/744),

for the purpose of correcting various textual errors therein.