

*Status: Point in time view as at 05/03/1999.*

*Changes to legislation: The Carriage of Dangerous Goods (Amendment) Regulations 1999 (revoked) is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## STATUTORY INSTRUMENTS

# 1999 No. 303

## HEALTH AND SAFETY

### The Carriage of Dangerous Goods (Amendment) Regulations 1999

<i>Made</i>	- - - -	<i>11th February 1999</i>
<i>Laid before Parliament</i>		<i>11th February 1999</i>
<i>Coming into force</i>	- -	<i>5th March 1999</i>

The Secretary of State, in exercise of the powers conferred on him by sections 15(1), (2), (4), (5)(b), (6)(a) and 43(2) to (6) of, and paragraphs 1(1), (2), (4), 3, 6(2), 7, 12, 14 and 16 of Schedule 3 to, the Health and Safety at Work etc. Act 1974<sup>M1</sup> 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:

#### Marginal Citations

**M1** 1974, c. 37; [section 1\(1\)\(c\)](#) was modified by the [Health and Safety at Work etc. Act 1974 \(Application to Environmentally Hazardous Substances\) Regulations 1996 \(S.I. 1996/2075\)](#), as amended by the [Health and Safety at Work etc. Act 1974 \(Application to Environmentally Hazardous Substances\) \(Amendment\) Regulations 1999 \(S.I. 1999/40\)](#); [sections 15\(1\) and 50\(3\)](#) were amended by the [Employment Protection Act 1975 \(c. 71\)](#), [Schedule 15](#), paragraphs 6 and 16(3) respectively.

#### Citation and commencement **E+W+S**

1. These Regulations may be cited as the Carriage of Dangerous Goods (Amendment) Regulations 1999 and shall come into force on [5th March] 1999.

#### Amendments to the Classification and Labelling of Explosives Regulations 1983 **E+W+S**

2. The Classification and Labelling of Explosives Regulations 1983 <sup>M2</sup> shall be amended in accordance with Schedule 1.

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#### Marginal Citations

**M2** [S.I. 1983/1140](#); relevant amending instrument is [S.I. 1996/2093](#).

### Amendments to the Pressure Systems and Transportable Gas Containers Regulations 1989 **E+W+S**

3. The Pressure Systems and Transportable Gas Containers Regulations 1989 <sup>M3</sup> shall be amended in accordance with Schedule 2.

#### Marginal Citations

**M3** [S.I. 1989/2169](#), amended by [S.I. 1991/2749](#) and 1996/2092.

### Amendments to the Packaging of Explosives for Carriage Regulations 1991 **E+W+S**

4. The Packaging of Explosives for Carriage Regulations 1991 <sup>M4</sup> shall be amended in accordance with Schedule 3.

#### Marginal Citations

**M4** [S.I. 1991/2097](#), to which there are amendments not relevant to these Regulations.

### Amendments to the Carriage of Dangerous Goods by Rail Regulations 1996 **E+W+S**

5. The Carriage of Dangerous Goods by Rail Regulations 1996 <sup>M5</sup> shall be amended in accordance with Schedule 4.

#### Marginal Citations

**M5** [S.I. 1996/2089](#), to which there are amendments not relevant to these Regulations.

### Amendments to the Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996 **E+W+S**

6. The Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996 <sup>M6</sup> shall be amended in accordance with Schedule 5.

#### Marginal Citations

**M6** [S.I. 1996/2090](#).

### Amendments to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 **E+W+S**

7. The Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 <sup>M7</sup> shall be amended in accordance with Schedule 6.

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**Marginal Citations**

**M7** [S.I. 1996/2092](#), to which there are amendments not relevant to these Regulations.

**Amendments to the Carriage of Explosives by Road Regulations 1996** **E+W+S**

**8.** The Carriage of Explosives by Road Regulations 1996 <sup>M8</sup> shall be amended in accordance with Schedule 7.

**Marginal Citations**

**M8** [S.I. 1996/2093](#), to which there are amendments not relevant to these Regulations.

**Amendments to the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996** **E+W+S**

**9.** The Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 <sup>M9</sup> shall be amended in accordance with Schedule 8.

**Marginal Citations**

**M9** [S.I. 1996/2094](#).

**Amendments to the Carriage of Dangerous Goods by Road Regulations 1996** **E+W+S**

**10.** The Carriage of Dangerous Goods by Road Regulations 1996 <sup>M10</sup> shall be amended in accordance with Schedule 9.

**Marginal Citations**

**M10** [S.I. 1996/2095](#), to which there are amendments not relevant to these Regulations.

**Amendments to the Health and Safety (Fees) Regulations 1997** **E+W+S**

**11.** The Health and Safety (Fees) Regulations 1997 <sup>M11</sup> shall be amended in accordance with Schedule 10.

**Marginal Citations**

**M11** [S.I. 1997/2505](#), amended by [S.I. 1999/257](#).

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Signed by authority of the Secretary of State

11th February 1999

*Larry Whitty*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions.

SCHEDULE 1 **E+W+S**

Regulation 2

AMENDMENTS TO THE CLASSIFICATION AND  
LABELLING OF EXPLOSIVES REGULATIONS 1983

1. In regulation 2(1)—
  - (a) for the definition of “Class 1”, substitute the following—

““Class 1” means Class 1 in respect of explosives or the classification of dangerous goods set out in the United Nations Recommendations;”;
  - (b) at the end of the definition of “unit load”, add the following definition—

““the United Nations Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods (based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Council at its twenty-third session (Resolution 645 G (XXIII) of 26th April 1957)) [Current Edition (1997): ISBN 92-1-139057 5], as revised or reissued from time to time and any reference in these Regulations to the United Nations Recommendations shall, for a period of 6 months after any revision or reissue, be a reference to either the document as it was immediately before that revision or reissue took effect or the document as revised or reissued;”.
2. In regulation 4(1), for sub-paragraphs (b) and (c) substitute the following sub-paragraph—

“(b) which has not been classified or which has been allocated on classification the United Nations Serial Number 0190 and which—

  - (i) does not include any initiating explosives,
  - (ii) is a commercial sample or a sample for one or more of the following purposes, namely research and development, quality control, their testing or in connection with an application for their classification, and
  - (iii) is in accordance with such conditions as are approved in writing for the time being by the Health and Safety Executive or, in the case of military explosives, by the Secretary of State for Defence, for the purposes of this regulation,

and in this sub-paragraph “initiating explosives” means explosives intended solely to cause the detonation of other explosives; or”.
3. In regulation 6—
  - (a) in paragraph (6), for the words “A packaged article or substance or a combination thereof or an unpackaged article” substitute “ An article, whether in packaging or not, ” and for the numbers “0015, 0016, 0018, 0019, 0113, 0301 or 0303” substitute “ 0018, 0019 or 0301 ”; and
  - (b) after paragraph (6), insert the following paragraph—

“(7) An article, whether in packaging or not, to which these Regulations apply, allocated on classification the United Nations Serial Number 0015, 0016 or 0303 and containing a substance which, if classified in accordance with regulation 5 of the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 [S.I. 1996/2092] (whether or not it is required to be so classified), would be classified as corrosive, shall bear a label in accordance with paragraph 17 of Schedule 3, and “classified” in this paragraph shall have the meaning assigned to it in those Regulations.”.
4. In regulation 9(2), for the words “or (6)” substitute “, (6) or (7) ”.

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5. In paragraph (2) of regulation 14, for the words from “it is satisfied” to the end of the paragraph substitute “it is satisfied that the environment, the security of the explosives and the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it”.
6. In Schedule 2, in the Compatibility Group entry for the Compatibility Group B insert the words “do not” before the word “contain”.
7. In paragraph 17 of Schedule 3, after the words “regulation 6(6)” insert “or (7)”.

## SCHEDULE 2 E+W+S

Regulation 3

### AMENDMENTS TO THE PRESSURE SYSTEMS AND TRANSPORTABLE GAS CONTAINERS REGULATIONS 1989

1. In paragraph 9 of Part I of Schedule 2, for the words “Carriage of Dangerous Goods Regulations 1996” substitute “Carriage of Dangerous Goods by Road Regulations 1996”.
2. In Part II of Schedule 2, delete paragraph 5.

## SCHEDULE 3 E+W+S

Regulation 4

### AMENDMENTS TO THE PACKAGING OF EXPLOSIVES FOR CARRIAGE REGULATIONS 1991

1. In regulation 2(1), for the definition of “the United Nations Recommendations”, substitute the following—
 

““the United Nations Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods (based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Council at its twenty-third session (Resolution 645 G (XXIII) of 26th April 1957)) [Current Edition (1997): ISBN 92-1-139057 5], as revised or reissued from time to time and any reference in these Regulations to the United Nations Recommendations shall, for a period of 6 months after any revision or reissue, be a reference to either the document as it was immediately before that revision or reissue took effect or the document as revised or reissued.”.
2. In regulation 3—
  - (a) for paragraph (2), substitute the following paragraph—
 

“(2) Regulations 7 to 9 and 11 shall not apply to explosives which are carried or consigned for carriage—

    - (a) between private premises and a vehicle in the immediate vicinity of those premises; or
    - (b) between one part of private premises and another part of those premises situated in the immediate vicinity of that first part, notwithstanding that those parts may be separated by a road.”; and
  - (b) for sub-paragraph (d) of paragraph (4), substitute the following sub-paragraph—

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- “(d) the carriage of explosives which have not been classified under the 1983 Regulations or which have been allocated on classification the UN Number 0190 where—
- (i) those explosives are not initiating explosives,
  - (ii) those explosives are a commercial sample or a sample for one or more of the following purposes, namely research and development, quality control, their testing or in connection with an application for their classification under the 1983 Regulations, and
  - (iii) the carriage is in accordance with such conditions as are approved in writing for the time being by the Health and Safety Executive or, in the case of military explosives, by the Secretary of State for Defence, for the purposes of this Regulation,
- and in this sub-paragraph, “initiating explosives” means explosives intended solely to cause the detonation of other explosives;”.

3. In paragraph (2) of regulation 13, for the words from “it is satisfied” to the end of the paragraph substitute “ it is satisfied that the environment, the security of the explosives and the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it ”.

4. In column 3 of Schedule 1 Part I—

- (a) in the entry corresponding to Item “(b)” in column 1, delete the words “or Substances”;
- (b) in the entry corresponding to Item “(c)” in column 1 and Class and Division “1.4” in column 2, delete “B,”; and
- (c) following the entry corresponding to Item “(c)” in column 1 and Class and Division “1.4” in column 2, add the words “ Articles of B ”.

#### SCHEDULE 4 E+W+S

Regulation 5

### AMENDMENTS TO THE CARRIAGE OF DANGEROUS GOODS BY RAIL REGULATIONS 1996

1. In regulation 1(2)—

- (a) at the end of the definition of “Carriage Information”, add the following definition—  
““the CDG Road Regulations” means the Carriage of Dangerous Goods by Road Regulations 1996 [S.I. 1996/2095]”;
- (b) in the definition of “emergency action code”, after the words “displayed on” insert “ containers, wagons, ”; and
- (c) delete the definitions of “fragile package” and “multi-load”.

2. In regulation 2—

- (a) at the end of paragraph (1), add the following sub-paragraphs—
  - “(j) the goods are not explosives and are being carried by private individuals, packaged for retail sale, and intended for the personal or domestic use of those individuals or for leisure or sporting activities;
  - (k) the goods are being carried in machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment;

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- (l) the goods are not explosives and are being carried by, or under the supervision of, the emergency services;
- (m) the goods are being carried as a result of an emergency, with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely;
- (n) the goods are—

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(i)UN 1228	MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.
UN 1986	ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.
UN 1988	ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.
UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2310	PENTANE-2,4-DIONE
UN 2478	ISOCYANATES, FLAMMABLE, TOXIC, N.O.S. or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.
UN 2841	DI-n-AMYLAMINE,
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

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of packing group III,

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(ii)UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2603	CYCLOHEPTATRIENE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

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of packing group II, or

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(iii)UN 1544	ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.
UN 1570	BRUCINE
UN 1654	NICOTINE
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.



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UN 1656	NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION
UN 1657	NICOTINE SALICYLATE
UN 1658	NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION
UN 1659	NICOTINE TARTRATE
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1851	MEDICINE, LIQUID, TOXIC, N.O.S.
UN 3140	ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.
UN 3144	NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3249	MEDICINE, SOLID, TOXIC, N.O.S.,

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and are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this sub-paragraph, "pharmaceutical products" include medicines, drugs and cosmetics;

- (o) the carriage fulfils the conditions referred to in paragraph (1A).”;
- (b) at the end of paragraph (1), add the following paragraph—
- “(1A) The conditions referred to in paragraph (1)(o) are—
- (a) the carriage is by any person whose main activity is not the carriage of dangerous goods;
  - (b) the carriage is for—
    - (i) survey, repair or maintenance activities, or
    - (ii) deliveries to building or civil engineering sites; and
  - (c) the carriage is of goods which are—
    - (i) explosives in compliance with the requirements of paragraph 15 of Part II of Schedule 5 to the Carriage of Explosives by Road Regulations 1996, or
    - (ii) dangerous goods (other than explosives and radioactive material)—
      - (aa) in packages where the total mass or volume of packaged dangerous goods does not exceed the number specified in column 3 of Table 2 in Schedule 1 to the CDG Road Regulations opposite the entry in column 1 of that Table for the appropriate transport category of those goods,
      - (bb) in a receptacle in any package where the mass or volume of dangerous goods in that receptacle does not exceed the number specified in column 2 of Table 2 in Schedule 1 to the CDG Road Regulations opposite the entry in column 1 of that Table for the appropriate transport category of those goods, or

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(cc) in a receptacle which is a package, where the mass or volume of that package does not exceed the number specified in column 2 of Table 2 in Schedule 1 to the CDG Road Regulations opposite the entry in column 1 of that Table for the appropriate transport category of those goods,

and in this paragraph “mass or volume” has the meaning assigned to it in regulation 2(3) of the CDG Road Regulations, “total mass or volume of packaged dangerous goods” has the meaning assigned to it in regulation 2(4)(a) of the CDG Road Regulations, and “transport category” has the meaning assigned to it in regulation 2(1), as applied in accordance with regulation 2(5), of the CDG Road Regulations.”; and

(c) at the end of paragraph (5), add the following paragraph—

“(5A) Regulations 11 to 13 shall not apply to or in relation to the carriage of dangerous goods in any package where that package contains goods which appear in or have a classification which is specified in column 1 of Schedule 3 to the CDGCPL Regulations—

- (a) insofar as they are within the packing group, if any, specified in the corresponding entry in column 2 of that Schedule; and
- (b) are contained in individual receptacles containing quantities not exceeding those specified in the corresponding entry in column 3 of that Schedule (or, in the case of a gas, contained in individual receptacles not exceeding the volumes specified in that column),

provided that the total gross mass of any package containing any receptacles as are referred to above shall not exceed 30 kilograms.”.

3. At the end of regulation 3, insert the following paragraph—

“(3) Where the Health and Safety Commission approves a revision referred to in paragraph (2), during the period between the publication by the Commission of a notice specifying that revision and the date on which that revision takes effect a person may comply with the requirements of these Regulations as if any reference to either of the approved documents were a reference to—

- (a) the approved document prior to that revision; or
- (b) the approved document as revised.”.

4. In regulation 5(a), for the words “the letter Y” substitute “ the word Yes ”.

5. In regulation 7(1), for the words “the letter Y” substitute “ the word Yes ”.

6. At the end of regulation 7, insert the following paragraph—

“(4) No person shall carry the following goods—

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UN 2304	NAPHTHALENE, MOLTEN
UN 2426	AMMONIUM NITRATE, LIQUID
UN 2447	PHOSPHORUS, WHITE, MOLTEN
UN 2448	SULPHUR, MOLTEN
UN 2576	PHOSPHORUS OXYBROMIDE, MOLTEN
UN 3176	FLAMMABLE SOLID, ORGANIC, MOLTEN, N.O.S.,

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otherwise than in tanks.”.

7. At the end of regulation 8, add the following paragraphs—

“(5) No operator of any large container shall cause or permit to be carried therein any dangerous goods unless before that container is loaded it is checked to ensure that—

- (a) it is free from any residue of a previous load; and
- (b) the interior floor and walls are free from protrusions.

(6) No operator of any large container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

- (a) if the container is fitted with top corner fittings, at least 7 square metres; or
- (b) in any other case, at least 14 square metres,

shall cause or permit to be carried therein any dangerous goods unless that container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th Edition, 1996).

(7) No operator of any large container which—

- (a) is 6 or more metres long; or
- (b) is—
  - (i) 2.991 metres long, and
  - (ii) 2.438, 2.5 or 2.6 metres wide,

shall cause or permit to be carried therein any dangerous goods unless that container complies with the requirements of those International Union of Railways UIC leaflets particularised in paragraph (8).

(8) The leaflets referred to in paragraph (7) are—

- (a) 590—10th edition, 1st January 1979 (as amended on 1st July 1979, and in 1981, 1985 and 1994 and updated on 1st January 1989);
- (b) 592-2—5th edition of 1st July 1996;
- (c) 592-3—1st edition, 1st July 1977 (as amended in 1979 and 1985); and
- (d) 592-4—1st edition, 1985 (as amended in 1987, 1989, 1990, 1991, 1992 and 1995 and reprinted on 1st July 1995).

(9) No operator of any large container shall cause or permit to be carried therein any dangerous goods unless the requirements specified in Schedule 3A are complied with.

(10) No operator of any tank container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

- (a) if the container is fitted with top corner fittings, at least 7 square metres; or
- (b) in any other case, at least 14 square metres,

shall cause or permit to be carried therein any dangerous goods unless the frame of that tank container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th edition, 1996).

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(11) In this regulation, “corner fittings” means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes.”.

**8.** In paragraph (11) of regulation 9—

- (a) for the word “transport” substitute “ carry ”; and
- (b) before the word “tests” insert “ examination and ”.

**9.** In regulation 11—

- (a) at the end of paragraph (2)(a)(i), add the words “ preceded, where those goods are waste, by the word “waste”, ”;
- (b) for paragraph (2)(a)(vi) and (vii), substitute the following paragraphs—
  - “(vi) in the case of explosives in Compatibility Group C, D or G, whether the explosives are explosive articles or explosive substances,
  - (vii) the mass or volume of those goods, and
  - (viii) where those goods are being carried in salvage packagings, the words “salvage packagings”;
- (c) for paragraph (2)(b)(iii), substitute the following paragraph—
  - “(iii) the names and addresses of all consignees, if known,”;
- (d) at the end of paragraph (2)(b)(iv), insert the word “ and ”;
- (e) delete paragraph (2)(b)(v); and
- (f) at the end, add the following paragraph—
  - “(5) In this regulation, “salvage packagings” means packagings conforming to the design type for salvage packagings approved under regulation 6(1)(e) of the CDGCPL Regulations and “waste” means goods for which no direct use is envisaged but which are carried for reprocessing, dumping, elimination by incineration or other methods of disposal.”.

**10.** In regulation 12, after paragraph (1), insert the following paragraph—

“(1A) Any operator of a large container which is being used for the carriage of dangerous goods, where those goods 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 Organization [Current Edition: Volumes I to IV ISBN 92-801-1465-4].”.

**11.** In regulation 18—

- (a) in paragraph (2), before the word “container” insert “ large ”; and
- (b) for paragraph (4), substitute the following paragraphs—
  - “(4) No person shall cause or permit any food, or any fodder or feeding stuffs for animals, birds or fish, to be carried in any container, tank container, tank wagon or wagon which is—
    - (a) being used for the carriage of packages labelled as containing toxic goods, INFECTIOUS SUBSTANCES, or any of the following goods—

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UN 2212	BLUE ASBESTOS (crocidolite) or BROWN ASBESTOS (amosite or mysorite)
UN 2315	POLYCHLORINATED BIPHENYLS
UN 2590	WHITE ASBESTOS (chrysotile, actinolite, anthophyllite or tremolite)
UN 3151	POLYHALOGENATED BIPHENYLS, LIQUID or POLYHALOGENATED TERPHENYLS, LIQUID
UN 3152	POLYHALOGENATED BIPHENYLS, SOLID or POLYHALOGENATED TERPHENYLS, SOLID
UN 3245	GENETICALLY MODIFIED MICRO-ORGANISMS; or

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(b) empty, uncleaned, having been used for the carriage of any goods or substances mentioned in sub-paragraph (a) above,

unless that food, fodder or feeding stuff is effectively separated from any such substances or goods by—

- (c) complete partitions as high as the packages containing such goods;
- (d) packages containing goods other than those goods or substances mentioned in sub-paragraph (a) above; or
- (e) a space of at least 0.8m,

or is otherwise adequately protected, by additional packaging or complete coverage of those goods, from the risk of contamination by those goods.

(5) The operator of any container or wagon which has been used for the carriage of packages labelled as containing toxic goods, INFECTIOUS SUBSTANCES or any of the following goods—

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UN 2212	BLUE ASBESTOS (crocidolite) or BROWN ASBESTOS (amosite or mysorite)
UN 2315	POLYCHLORINATED BIPHENYLS
UN 2590	WHITE ASBESTOS (chrysotile, actinolite, anthophyllite or tremolite)
UN 3077	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.
UN 3082	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
UN 3151	POLYHALOGENATED BIPHENYLS, LIQUID or POLYHALOGENATED TERPHENYLS, LIQUID
UN 3152	POLYHALOGENATED BIPHENYLS, SOLID or POLYHALOGENATED TERPHENYLS, SOLID

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UN 3245

## GENETICALLY MODIFIED MICRO-ORGANISMS,

shall ensure that—

- (a) after unloading it is checked for any residue of the load; and
- (b) where those goods have leaked and been spilled in the container or wagon—
  - (i) all other goods and articles carried therein are examined for possible contamination,
  - (ii) the container or wagon concerned is not reused until after it has been thoroughly cleaned and, if necessary, decontaminated or, in the case of UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS or INFECTIOUS SUBSTANCES, disinfected, and
  - (iii) any wooden parts of the container or wagon which have come into contact with UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS or INFECTIOUS SUBSTANCES of risk group 3 or 4 are removed and burnt.”.

12. In regulation 24—

- (a) in paragraph (4), for the words “within a Compatibility Group whose Compatibility Group letter is” substitute “ in Compatibility Group ”;
- (b) for paragraph (5), substitute the following paragraph—
 

“(5) No person shall cause or permit to be carried any explosive substances in an open container or open wagon unless—

  - (a) the explosive substances form part of equipment or material belonging to Her Majesty’s Forces or under the direction of a member of Her Majesty’s Forces or a person authorised by the Secretary of State for Defence;
  - (b) the explosive substances are carried under the direction of a member of Her Majesty’s Forces or a person authorised by the Secretary of State for Defence; and
  - (c) means of initiation not having at least two effective protective devices are removed or the explosive substances are in a locked military vehicle.”;
- (c) in paragraph (6), for the words “within a Compatibility Group whose Compatibility Group letter is” substitute “ in Compatibility Group ”;
- (d) after paragraph (6), insert the following paragraph—
 

“(6A) No person shall cause or permit to be carried any explosives in Compatibility Group L other than in a load which is under sole use.”;
- (e) in paragraph (7), for the words “within a Division whose Division number is” substitute “ in Division ”;
- (f) in paragraph (9), for the words “within a Division whose Division number is” substitute “ in Division ”;
- (g) for paragraph (11) substitute the following paragraph—
 

“(11) No person shall cause or permit to be carried any explosive articles in an open container or open wagon unless—

  - (a) by reason of their packaged weight or dimension, it is not possible to carry the articles concerned in a closed container or closed wagon; or

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- (b) (i) the explosive articles form part of equipment or material belonging to Her Majesty's Forces or under the direction of a member of Her Majesty's Forces or a person authorised by the Secretary of State for Defence,
  - (ii) the explosive articles are carried under the direction of Her Majesty's Forces or a person authorised by the Secretary of State for Defence, and
  - (iii) means of initiation not having at least two effective protective devices are removed or the explosive articles are in a locked military vehicle.”; and
- (h) at the end, add the following paragraph—
- “(13) In this regulation—
- “means of initiation” means a device intended to cause the detonation of an explosive; and
- “military vehicle” means a vehicle which is owned by Her Majesty's Forces, and includes a vehicle which has been provided under any kind of agreement or arrangement under which payments are, or are to be, made for the provision of the vehicle, including a conditional-sale agreement, a credit-sale agreement, a hire-purchase agreement and a contract for sale.”.
- 13.** In regulation 25(2)(b), for the words “within a Compatibility Group whose Compatibility Group letter is” substitute “ in Compatibility Group ”.
- 14.** In regulation 28(2)—
- (a) for the number “25” substitute “ 24 ”; and
  - (b) for sub-paragraph (a) substitute the following sub-paragraph—
- “(a) “railway fog signal” means a signal, railway track, explosive in Division 1.4 and Compatibility Group S and with the UN Number 0193;”.
- 15.** After regulation 29, insert the following regulation—
- “ Prohibition on carriage of uninhibited sulphur trioxide**
- 29A.** No person shall cause or permit to be carried in a tank UN 1829 SULPHUR TRIOXIDE, at least 99.95% pure, without inhibitor.”.
- 16.** In regulation 30—
- (a) at the end of paragraph (1), insert the words “ by the Health and Safety Executive by a further certificate in writing ”; and
  - (b) in paragraph (2), for the words from “it is satisfied” to the end of the paragraph substitute “ it is satisfied that the environment, the health and safety of persons who are likely to be affected by the exemption, and, in the case of explosives, the security of those explosives, will not be prejudiced in consequence of it ”.
- 17.** In regulation 31, for paragraph (3) substitute the following—
- “(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.
- 18.** In regulation 32(2)(c), for the word “Organisation” substitute “ Organization ”.
- 19.** In paragraph 1 of Schedule 1—
- (a) at the start of sub-paragraph (1)(c), insert the words “ subject to sub-paragraph (8) below, ”;

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(b) in sub-paragraph (2), for the words “sub-paragraph (3)” substitute “ sub-paragraphs (3) and (8) ”; and

(c) at the end add the following sub-paragraphs—

“(8) Notwithstanding sub-paragraphs (1)(c) and (2) above, the train operator or the operator of a tank container or tank wagon may carry by rail uncleaned tank containers and tank wagons in respect of which the relevant certificate has expired for the sole purpose of undergoing the examination and tests with a view to renewing that certificate.

(9) In this paragraph “competent person” means a competent individual person, other than an employee, or a competent body of persons corporate or unincorporate, and accordingly any reference in the provisions referred to in this paragraph to a competent person performing a function includes a reference to his performing it through his employees.”.

**20.** In Schedule 2—

(a) for sub-paragraph (2) of paragraph 1, substitute the following sub-paragraph—

“(2) Carriage in bulk of the goods UN 3175 SOLIDS CONTAINING FLAMMABLE LIQUID, N.O.S. shall be in—

(a) sheeted, open—

(i) large containers, or

(ii) wagons,

with adequate ventilation; or

(b) moveable-roof wagons,

and suitable measures shall be taken to ensure that those goods cannot escape.”;

(b) in paragraph 2(c), for the word “other” substitute “ sheeted, open ”;

(c) in paragraph 3(1), for the list of goods, substitute the following—

“UN 1394	ALUMINIUM CARBIDE
UN 1398	ALUMINIUM SILICON POWDER, UNCOATED
UN 1402	CALCIUM CARBIDE
UN 1405	CALCIUM SILICIDE, of packing group III (other than in pieces)
UN 1435	ZINC ASHES
UN 1436	ZINC POWDER or ZINC DUST
UN 2813	WATER-REACTIVE SOLID, N.O.S.
UN 2844	CALCIUM MANGANESE SILICON (other than in pieces)
UN 2950	MAGNESIUM GRANULES, COATED
UN 2968	MANEB, STABILIZED and MANEB PREPARATION, STABILIZED
UN 3208	METALLIC SUBSTANCE, WATER- REACTIVE, N.O.S.



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UN 3209	METALLIC SUBSTANCE, WATER-REACTIVE, SELF-HEATING, N.O.S. of packing group III”;
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- (d) in paragraph 3(2), after the words “RE-MELTING BY-PRODUCTS” insert “ of packing group II ”;
- (e) at the end of paragraph 3, add the following sub-paragraphs—
- “(3) Carriage in bulk of any of the following goods—

UN 1405	CALCIUM SILICIDE, in pieces, of packing group II or III
UN 2844	CALCIUM MANGANESE SILICON, in pieces
UN 3170	ALUMINIUM SMELTING BY-PRODUCTS or ALUMINIUM RE-MELTING BY-PRODUCTS, of packing group III,

shall be in—

- (a) large containers or wagons designed and constructed so that the openings for loading and unloading can be closed hermetically; or
- (b) moveable-roof wagons, sheeted, open wagons, or sheeted, open large containers.
- (4) Carriage in bulk of UN 1408 FERROSILICON with 30% or more but less than 90% silicon by mass shall be in moveable-roof wagons, sheeted, open wagons, or sheeted, open large containers.”;
- (f) in paragraph 4(2), delete the word “incombustible” and insert “ non-combustible ”;
- (g) at the end of paragraph 4, add the following sub-paragraph—
- “(3) Carriage in bulk of OXIDIZING SUBSTANCES shall be in—
- (a) open—
- (i) wagons, or
- (ii) large containers,
- covered with an impermeable and non-combustible sheet; or
- (b) moveable-roof wagons.”;
- (h) paragraph 5 shall become sub-paragraph (1) of paragraph 5, and at the end add the words “ , for example, by the provision of a sufficiently stout inner lining ” and the following sub-paragraph—
- “(2) Carriage in bulk of solids which are TOXIC SUBSTANCES of packing group III and UN 3243 SOLIDS CONTAINING TOXIC LIQUID, N.O.S. shall be in—
- (a) sheeted open—
- (i) wagons, or
- (ii) large containers; or
- (b) moveable-roof wagons.”;
- (i) paragraph 7 shall become sub-paragraph (1) of paragraph 7, and at the end add the words “ , for example, by the provision of a sufficiently stout inner lining ” and the following sub-paragraphs—

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“(2) Carriage in bulk of solids which are CORROSIVE SUBSTANCES of packing group III, UN 1974 LEAD SULPHATE, UN 2506 AMMONIUM HYDROGEN SULPHATE, UN 2509 POTASSIUM HYDROGEN SULPHATE or UN 3244 SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S. shall be in—

- (a) sheeted, open—
  - (i) wagons, or
  - (ii) large containers; or
- (b) moveable-roof wagons.
- (3) Carriage in bulk of any of the following goods—

UN 2794	BATTERIES, WET, FILLED WITH ACID
UN 2795	BATTERIES, WET, FILLED WITH ALKALI
UN 2800	BATTERIES, WET, NON-SPILLABLE
UN 3028	BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE SOLID,

where those goods have been used, shall be in wagons or large containers—

- (a) with a load compartment or load compartments made of steel—
  - (i) exhibiting a rate of progressive reduction of 0.1mm or less per year under the effects of the corrosive substances contained in those goods, or
  - (ii) exhibiting a rate of progressive reduction of more than 0.1mm per year under the effects of the corrosive substances contained in those goods, provided that the load compartments have walls of a thickness sufficient to resist, or a plastic lining or layer resistant to, those substances;
- (b) designed to take account of any residual currents and impact from those goods;
- (c) constructed so as to prevent leakage of corrosive substances from its load compartments during carriage;
- (d) with any open load compartments covered by a cover resistant to the corrosive substances contained in those goods;
- (e) without damaged load compartments;
- (f) not loaded above the top of the walls of its load compartments; and
- (g) with outer surfaces free of the corrosive substances contained in those goods, and in this sub-paragraph “load compartments” means those parts of the wagon or large container in which goods are, or are to be, carried.”; and
- (j) for paragraph 8, substitute the following paragraph—

“8.—(1) Carriage in bulk of any of the following goods—

UN 1841	ACETALDEHYDE AMMONIA
UN 1931	ZINC DITHIONITE
UN 2969	CASTOR BEANS, MEAL, POMACE or FLAKE

UN 3077

ENVIRONMENTALLY HAZARDOUS  
SUBSTANCE, SOLID, N.O.S.,

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shall be in—

(a) sheeted, open—

(i) wagons, or

(ii) large containers; or

(b) moveable-roof wagons.

(2) Carriage in bulk of UN 2211 POLYMERIC BEADS, EXPANDABLE shall be in—

(a) sheeted, open—

(i) wagons, or

(ii) large containers; or

(b) moveable-roof wagons,

with adequate ventilation.

(3) Carriage in bulk of UN 3257 ELEVATED TEMPERATURE LIQUID N.O.S. or UN 3258 ELEVATED TEMPERATURE SOLID N.O.S. shall be in a wagon or large container which conforms to a design approved for the time being in writing by the Health and Safety Executive for the carriage of such goods.”

**21.** In Schedule 3—

(a) in paragraph 2, for the words from “the following” to “AIR” substitute “ refrigerated liquefied gases. ”;

(b) in paragraph 4(1), delete the words “provided the packages are not fragile packages”;

(c) in the list of dangerous goods in paragraph 6(2), after “UN 3170 ALUMINIUM SMELTING BY-PRODUCTS OR ALUMINIUM RE-MELTING BY-PRODUCTS” insert “ UN 3208 METALLIC SUBSTANCE, WATER-REACTIVE, N.O.S. ”;

(d) for sub-paragraph (1) of paragraph 7, substitute the following sub-paragraph—

“(1) The carriage of packages containing OXIDIZING SUBSTANCES (other than UN 1510 TETRANITROMETHANE, or UN 2015 HYDROGEN PEROXIDE, STABILIZED OR AQUEOUS SOLUTION STABILIZED) in small containers is permitted.”;

(e) in paragraph 8—

(i) delete the words “UN 3102 ORGANIC PEROXIDE TYPE B, LIQUID” and insert “ UN 3102 ORGANIC PEROXIDE TYPE B, SOLID ”, and

(ii) delete the words “provided the packages are not fragile packages”;

(f) for sub-paragraph (2) of paragraph 9, substitute the following sub-paragraph—

“(2) The carriage in bulk in small containers of solid TOXIC SUBSTANCES of packing group III is permitted provided the containers are of the closed type with complete walls.”

(g) for sub-paragraph (3) of paragraph 9, substitute the following sub-paragraph—

“(3) The carriage in bulk in small containers of UN 3243 SOLIDS CONTAINING TOXIC LIQUID, N.O.S. is permitted provided the containers are of the closed type with complete walls and are leak-proof or made leak-proof, for example by the provision of a sufficiently stout inner lining.”;

(h) delete paragraph 10(2); and

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(i) in paragraph 11—

(i) in sub-paragraph (1), delete the words from “provided” to “lining”, and

(ii) for sub-paragraph (2), substitute the following sub-paragraphs—

“(2) The carriage in bulk in small containers of any of the following goods—  
solid CORROSIVE SUBSTANCES of packing group III

UN 1794	LEAD SULPHATE with more than 3% free acid
UN 2506	AMMONIUM HYDROGEN SULPHATE
UN 2509	POTASSIUM HYDROGEN SULPHATE,

is permitted provided the containers are of the closed type with complete walls and a suitable lining.

(3) The carriage in bulk in small containers of UN 3244 SOLIDS CONTAINING CORROSIVE LIQUID, N.O.S. is permitted provided the containers are of the closed type with complete walls and are leak-proof or made leak-proof, for example by the provision of a sufficiently stout inner lining.

(4) A small container used for the carriage of the following goods in bulk—

UN 2794	BATTERIES, WET, FILLED WITH ACID
UN 2795	BATTERIES, WET, FILLED WITH ALKALI
UN 2800	BATTERIES, WET, NON-SPILLABLE
UN 3028	BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE SOLID,

where those goods have been used, shall—

(a) have load compartments made of—

(i) steel exhibiting a rate of progressive reduction of 0.1mm or less per year under the effects of the corrosive substances contained in those goods,

(ii) steel exhibiting a rate of progressive reduction of more than 0.1mm per year under the effects of the corrosive substances contained in those goods, provided that the load compartments have walls of a thickness sufficient to resist, or a plastic lining or layer resistant to, those substances, or

(iii) plastic capable when fully loaded of withstanding a drop onto its bottom surface from a height of 0.8m onto a hard surface without breakage, when both the container and its contents are at -18°C;

(b) be designed to take account of any residual currents and impact from those goods;

(c) be constructed so as to prevent leakage of corrosive substances from its load compartments during carriage;

(d) have any open load compartments covered by a cover resistant to the corrosive substances contained in those goods;

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- (e) not have damaged load compartments;
- (f) not be loaded above the top of the walls of its load compartments; and
- (g) have outer surfaces free of the corrosive substances contained in those goods,

and in this sub-paragraph "load compartments" means those parts of the small container in which goods are, or are to be, carried."

**22.** After Schedule 3, insert the following Schedule—

"SCHEDULE 3A **E+W+S**

Regulation 8(9)

SUITABILITY OF LARGE CONTAINERS

**1.** Large containers used for the carriage of dangerous goods shall be structurally serviceable and free from unacceptable deterioration in any component.

**2.** In this Schedule—

"major defects" means—

- (a) dents or bends, greater than 19mm in depth but regardless of length, in structural members;
- (b) cracks or breaks in structural members;
- (c) more than one splice or an improper splice, such as a lapped splice, in top or bottom end rails or door headers;
- (d) more than two splices in any one top or bottom side rail;
- (e) any splice in a door sill or corner post;
- (f) door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative;
- (g) non-closing gaskets and seals;
- (h) any distortion of the overall configuration sufficient to prevent proper alignment of handling equipment, mounting and securing on a chassis or wagon;

"structurally serviceable" means free from major defects in its structural components including top and bottom side rails, top and bottom end rails, door sill and header, floor cross members, corner posts and corner fittings; and

"unacceptable deterioration in any component" includes rusted metal in sidewalls or disintegrated fibreglass, regardless of the material of construction, but does not include normal wear (including oxidisation (rust), slight dents, scratches, and other damage that does not affect serviceability or weather-tightness)."

**23.** In Schedule 5—

(a) in paragraph 1—

- (i) in sub-paragraph (2)(c), for the words "10 to 11" substitute " 9 and 10 "; and
- (ii) in sub-paragraph (2)(d), for the numbers "13-14" substitute " 12 and 13 ";

(b) at the end of the heading to paragraph 5, add "**or unpackaged explosive articles**";

(c) for sub-paragraph (1) of paragraph 5, substitute the following sub-paragraphs—

"(1) Where dangerous goods (except explosives) are being carried in packages in a container or wagon and those dangerous goods are such that a danger sign or a subsidiary hazard sign is required by the CDGCPL Regulations to be displayed on

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packages containing those goods the same signs shall also be affixed or displayed to the outside of the container or wagon concerned as follows—

- (a) the danger sign on each side of the container or wagon; and
- (b) the subsidiary hazard sign, if any, adjacent to and on the same horizontal plane as each danger sign.

(1A) Where explosives in packages or unpackaged explosive articles are being carried in a container or wagon and those explosives are such that—

- (a) a label is required by regulation 6(1), (2), (3) or (4) of the 1983 Regulations to be displayed on packages containing those explosives or on unpackaged explosive articles, subject to paragraphs (2) and (3) below, a danger sign ascertained in accordance with paragraphs 9 and 10 of Schedule 5 to the CER Regulations shall be affixed or displayed to the outside of the container or wagon concerned;
- (b) a label is required by regulation 6(5), (6) or (7) of the 1983 Regulations to be displayed on packages containing those explosives or on unpackaged explosive articles, a subsidiary hazard sign ascertained in accordance with paragraphs 12 and 13 of Schedule 5 to the CER Regulations shall be affixed or displayed to the outside of the container or wagon concerned, as follows—
  - (i) the danger sign on each side of the container or wagon; and
  - (ii) the subsidiary hazard sign, if any, adjacent to and on the same horizontal plane as each danger sign.”;

(d) at the end of paragraph 5, insert the following sub-paragraph—

“(4) Nothing in paragraphs 1 to 7 shall require a danger sign for a particular classification or a subsidiary hazard sign for a particular subsidiary hazard to be displayed more than once on the side of any container, tank container, tank wagon or wagon.”;

(e) after paragraph 5 insert the following paragraph—

**“ Elevated temperature substances**

**5A.** A container, tank container, tank wagon or wagon carrying either of the following dangerous goods—

UN 3257	ELEVATED TEMPERATURE LIQUID, N.O.S.
UN 3258	ELEVATED TEMPERATURE SOLID, N.O.S.,

shall display on each side a sign conforming to figure 3, with sides of at least 250 millimetres.”;

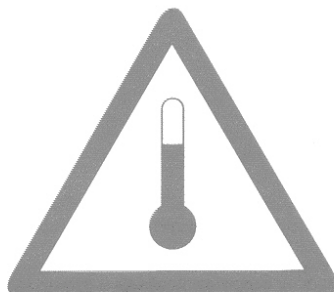
- (f) in paragraph 9, for the number “18” substitute “ 17 ”; and
- (g) at the end, add the following figure—

“Figure 3 **E+W+S**

Elevated temperature substances

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The background colour of the sign shall be white, and the colour of the border and the thermometer symbol shall be red.”

24. For paragraphs 1 and 2 of, and the Table in, Schedule 6, substitute the following paragraphs—

“1. Explosives (except those in Division 1.4 and Compatibility Group S) shall not be loaded in the same container or wagon together with any package or small container labelled as containing dangerous goods (except explosives).

2. Explosives in Division 1.4 and Compatibility Group S shall not be loaded in the same container or wagon together with any package or small container labelled as containing—

- (a) flammable solids; or
- (b) organic peroxides,

and displaying the subsidiary hazard sign “liable to explosion”.

3. Any package or small container displaying the subsidiary hazard sign “liable to explosion” shall not be loaded in the same container or wagon together with any package or small container labelled as containing any other dangerous goods.

4. In this Schedule, “labelled” means required to display a danger sign or subsidiary hazard sign in accordance with the CDGCPL Regulations.”

25. For Schedule 7, substitute the following Schedule—

“SCHEDULE 7 **E+W+S**

Regulation 18

REQUIREMENTS FOR THE LOADING, STOWAGE, UNLOADING AND CLEANING OF  
LARGE CONTAINERS AND WAGONS CARRYING CERTAIN DANGEROUS GOODS

## PART I **E+W+S**

### PACKAGES

#### General requirements

1.—(1) Unless requirements to the contrary appear in this Schedule, packages labelled as containing dangerous goods may be loaded—

- (a) in unsheeted, open large containers;
- (b) in sheeted, open large containers;

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- (c) in closed large containers;
- (d) in unsheeted, open wagons;
- (e) in sheeted, open wagons; or
- (f) in closed wagons.

(2) Packages labelled as containing dangerous goods whose packagings are made of materials sensitive to moisture shall be loaded in sheeted, open large containers, sheeted, open wagons, closed large containers or closed wagons.

(3) Packages labelled as containing dangerous goods shall be protected against damage that may be caused by other packages.

(4) Packages labelled as containing dangerous goods shall be loaded into large containers or wagons so that they cannot shift dangerously, tip over or fall.

(5) Packages labelled as containing dangerous goods shall not be thrown or subjected to impact.

(6) Packages labelled as containing dangerous goods with a classification code of 4.1 (other than SELF-REACTIVE SUBSTANCES), 4.2, 4.3, 6.2 or 9 shall be loaded in sheeted, open large containers, sheeted, open wagons, closed wagons or closed large containers.

(7) Packages labelled as containing SELF-REACTIVE SUBSTANCES or dangerous goods with a classification code of 5.2 shall be loaded in closed large containers or closed wagons with adequate ventilation.

#### **Explosives (classification code 1)**

2.—(1) Sub-paragraphs (2) to (4) of this paragraph shall only apply to large containers and wagons constructed after 31st December 1996.

(2) No metal objects shall be allowed to protrude in the interior of any large container or wagon used for the carriage of explosives, other than those metal objects which form part of the construction of the large container or wagon concerned.

(3) Explosive articles or substances in Division 1.1, 1.2, 1.3, 1.5 or 1.6, whether or not loaded in large containers, shall only be carried in wagons which have been fitted with regulation sheet steel spark-guards.

(4) The regulation sheet steel spark-guards referred to in sub-paragraph (3) shall not be fixed directly to the floor of the wagon concerned where that floor is combustible.

(5) Where packages containing—

- (a) explosive substances in Division 1.1 and Compatibility Group C, D or G;
- (b) explosive substances in Division 1.3 and Compatibility Group C or G; or
- (c) fireworks in Division 1.1, 1.2 or 1.3 and Compatibility Group G,

are being carried in a wagon or large container, the floor of the wagon or large container concerned shall have a non-metallic surface or covering.

#### **Gases: compressed, liquefied or dissolved under pressure (classification code 2)**

3.—(1) Receptacles labelled as containing GASES: COMPRESSED, LIQUEFIED OR DISSOLVED UNDER PRESSURE shall be stowed in large containers or wagons in compliance with the following requirements—

- (a) cylinders with a capacity not exceeding 150 litres shall be laid parallel to or at right angles to the longitudinal axis of the large container or wagon, except that those situated near the end walls shall be laid at right angles to the said axis;



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- (b) short cylinders of diameter 30 centimetres or over may be stowed longitudinally with their valve protective devices directed towards the middle of the large container or wagon;
- (c) cylinders which are sufficiently stable or which are carried in suitable devices which prevent them from overturning may be placed upright;
- (d) cylinders which are laid flat shall be so wedged, made fast or otherwise suitably and securely fixed that they cannot shift;
- (e) receptacles labelled as containing refrigerated liquefied gases shall always be placed in the position for which they were designed and protected against any possibility of being damaged by other packages; and
- (f) receptacles designed to be rolled shall be laid with their longitudinal axis parallel to that of the large container or wagon and shall be secured against any lateral movement.

(2) Where pallets loaded with—

- (a) UN 1590 AEROSOLS, made of metal; or
- (b) UN 2037 RECEPTACLES, SMALL, CONTAINING GAS (GAS CARTRIDGES),

(grouped together in units on trays and sealed with a suitable plastic wrapping) are stacked, each tier of pallets shall be evenly distributed over the lower tier, if necessary by the interposition of a material of adequate strength.

#### **Flammable solids (classification code 4.1)**

4.—(1) Packages labelled as containing any of the following goods shall be loaded in large containers or wagons which are closely and adequately ventilated—

UN 3221	SELF-REACTIVE LIQUID TYPE B
UN 3222	SELF-REACTIVE SOLID TYPE B
UN 3223	SELF-REACTIVE LIQUID TYPE C
UN 3224	SELF-REACTIVE SOLID TYPE C
UN 3225	SELF-REACTIVE LIQUID TYPE D
UN 3226	SELF-REACTIVE SOLID TYPE D
UN 3227	SELF-REACTIVE LIQUID TYPE E
UN 3228	SELF-REACTIVE SOLID TYPE E
UN 3229	SELF-REACTIVE LIQUID TYPE F
UN 3230	SELF-REACTIVE SOLID TYPE F.

(2) Large containers and wagons shall be thoroughly cleaned before they are loaded with packages labelled as containing FLAMMABLE SOLIDS.

(3) Packages labelled as containing FLAMMABLE SOLIDS, other than those listed in sub-paragraph (1) shall be loaded in—

- (a) sheeted, open large containers;
- (b) sheeted, open wagons;
- (c) closed large containers; or

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(d) closed wagons.

(4) Packages labelled as containing FLAMMABLE SOLIDS and displaying the subsidiary hazard sign “liable to explosion” shall be loaded so that a free circulation of air within the loading space provides a uniform temperature for the load.

(5) Where the contents of a large container or wagon exceed 5000 kg of packages labelled as containing FLAMMABLE SOLIDS and the packages display the subsidiary hazard sign “liable to explosion”, the load shall be divided into stacks of not more than 5000 kg separated by air spaces of at least 0.05m.

(6) The following sub-paragraphs of this paragraph shall only apply to wagons constructed after 31st December 1996.

(7) Packages labelled as containing FLAMMABLE SOLIDS and displaying the subsidiary hazard sign “liable to explosion”, whether or not loaded in large containers, shall only be carried in wagons which have been fitted with regulation sheet steel spark-guards.

(8) The regulation sheet steel spark-guards referred to in sub-paragraph (7) shall not be fixed directly to the floor of the wagon concerned where that floor is combustible.

#### **Substances which, in contact with water, emit flammable gases (classification code 4.3)**

5. Where packages, labelled as containing substances which, in contact with water, emit flammable gases, are being carried in a large container or wagon, measures shall be taken to ensure that those packages do not come into contact with water.

#### **Oxidizing substances (classification code 5.1)**

6.—(1) Large containers and wagons shall be thoroughly cleaned and in particular be free of any combustible debris before they are loaded with packages labelled as containing OXIDIZING SUBSTANCES.

(2) The use of straw or any other readily combustible material for stowing packages labelled as containing OXIDIZING SUBSTANCES is prohibited.

(3) Where flexible intermediate bulk containers are used for the carriage of any of the following goods—

UN 1442	AMMONIUM PERCHLORATE
UN 1450	BROMATES, INORGANIC, N.O.S. of packing group II
UN 1452	CALCIUM CHLORATE
UN 1455	CALCIUM PERCHLORATE
UN 1458	CHLORATE AND BORATE MIXTURES
UN 1459	CHLORATE AND MAGNESIUM CHLORIDE MIXTURE
UN 1461	CHLORATES, INORGANIC, N.O.S.
UN 1473	MAGNESIUM BROMATE
UN 1475	MAGNESIUM PERCHLORATE
UN 1481	PERCHLORATES, INORGANIC, N.O.S.

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UN 1484	POTASSIUM BROMATE
UN 1485	POTASSIUM CHLORATE
UN 1489	POTASSIUM PERCHLORATE
UN 1494	SODIUM BROMATE
UN 1495	SODIUM CHLORATE
UN 1502	SODIUM PERCHLORATE
UN 1506	STRONTIUM CHLORATE
UN 1508	STRONTIUM PERCHLORATE
UN 1513	ZINC CHLORATE
UN 2427	POTASSIUM CHLORATE, AQUEOUS SOLUTION
UN 2428	SODIUM CHLORATE, AQUEOUS SOLUTION
UN 2429	CALCIUM CHLORATE, AQUEOUS SOLUTION
UN 2721	COPPER CHLORATE
UN 2723	MAGNESIUM CHLORATE
UN 3210	CHLORATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.
UN 3211	PERCHLORATES, INORGANIC, AQUEOUS SOLUTION, N.O.S.
UN 3213	BROMATES, INORGANIC, AQUEOUS SOLUTION, N.O.S. of packing group II,

- 
- (a) (3) they shall be carried in—
- (i) a closed large container,
  - (ii) an open large container covered with an impermeable and non-combustible sheet,
  - (iii) a closed wagon,
  - (iv) a moveable-roof wagon, or
  - (v) an open wagon covered with an impermeable and non-combustible sheet; and
- (b) measures shall be taken to ensure that the goods cannot, in the event of a leak, come into contact with wood or any other combustible material.
- (4) Composite intermediate bulk containers containing any of the following goods, where those goods are in solid form, shall be carried in a closed wagon or a closed large container—

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UN 1479	OXIDIZING SOLID, N.O.S. of packing group I
UN 1491	POTASSIUM PEROXIDE

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UN 1504	SODIUM PEROXIDE
UN 2466	POTASSIUM SUPEROXIDE
UN 2547	SODIUM SUPEROXIDE.

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### Organic peroxides (classification code 5.2)

7.—(1) Large containers and wagons shall be thoroughly cleaned before they are loaded with packages labelled as containing ORGANIC PEROXIDES.

(2) Packages labelled as containing ORGANIC PEROXIDES shall be so loaded that a free circulation of air within the loading space ensures the uniform temperature of the load.

(3) Where the contents of a large container or wagon exceed 5000 kg of packages labelled as containing ORGANIC PEROXIDES, the load shall be divided into stacks of not more than 5000 kg separated by air spaces of at least 0.05m.

(4) The use of readily combustible material for stowing packages labelled as containing ORGANIC PEROXIDES in wagons or large containers is prohibited.

(5) The following sub-paragraphs of this paragraph shall only apply to wagons constructed after 31st December 1996.

(6) Packages labelled as containing ORGANIC PEROXIDES and displaying the subsidiary hazard sign "liable to explosion", whether or not loaded in large containers, shall only be carried in wagons which have been fitted with regulation sheet steel spark-guards.

(7) The regulation sheet steel spark-guards referred to in sub-paragraph (6) shall not be fixed directly to the floor of the wagon concerned where that floor is combustible.

### Toxic substances (classification code 6.1)

8.—(1) Composite or wooden intermediate bulk containers containing any of the following goods, where those goods are in solid form and of packing group I, shall be carried in a closed wagon or a closed large container—

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UN 1544	ALKALOIDS, SOLID, N.O.S., or ALKALOID SALTS, SOLID, N.O.S.
UN 1557	ARSENIC COMPOUND, SOLID, N.O.S.
UN 1570	BRUCINE
UN 1601	DISINFECTANT, SOLID, TOXIC, N.O.S.
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1693	TEAR GAS SUBSTANCE, SOLID, N.O.S.
UN 1699	DIPHENYLCHLOROARSINE
UN 2025	MERCURY COMPOUND, SOLID, N.O.S.
UN 2026	PHENYLMERCURIC COMPOUND, N.O.S.
UN 2570	CADMIUM COMPOUND
UN 2630	SELENATES or SELENITES

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UN 2811	TOXIC SOLID, ORGANIC, N.O.S.
UN 3143	DYE, SOLID, TOXIC, N.O.S.
UN 3146	ORGANOTIN COMPOUND, SOLID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3276	NITRILES, TOXIC, N.O.S.
UN 3278	ORGANOPHOSPHORUS COMPOUND, TOXIC, N.O.S.
UN 3280	ORGANIC ARSENIC COMPOUND, N.O.S.
UN 3281	METAL CARBONYLS, N.O.S.
UN 3282	ORGANOMETALLIC COMPOUND, TOXIC, N.O.S.
UN 3283	SELENIUM COMPOUND, N.O.S.
UN 3288	TOXIC SOLID, INORGANIC, N.O.S.

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Halogenated substances, with a flashpoint above 61°C, with the exception of UN 1694 BROMOBENZYL CYANIDES

Inorganic cyanides

Pesticides, solid, toxic.

(2) Composite intermediate bulk containers containing the goods UN 2930 TOXIC SOLID, FLAMMABLE, ORGANIC, N.O.S. of packing group I shall be carried in a closed wagon or a closed large container.

#### **Infectious substances (classification code 6.2)**

9. Packages labelled as containing INFECTIOUS SUBSTANCES shall be stowed in such a way as to be easily accessible.

#### **Corrosive substances (classification code 8)**

10.—(1) Large containers and wagons shall be thoroughly cleaned and in particular be free of all combustible debris before they are loaded with packages labelled as containing any of the following goods—

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UN 1796	NITRATING ACID MIXTURE with more than 50% nitric acid
UN 1802	PERCHLORIC ACID
UN 1826	NITRATING ACID MIXTURE, SPENT with more than 50% nitric acid
UN 2032	NITRIC ACID, RED FUMING
UN 3084	CORROSIVE SOLID, OXIDIZING, N.O.S.
UN 3093	CORROSIVE LIQUID, OXIDIZING, N.O.S.

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(2) The use of combustible materials for stowing packages labelled as containing any of the goods listed in sub-paragraph (1) is prohibited.

(3) Composite or wooden intermediate bulk containers containing any of the following goods, where those goods are in solid form and of packing group I, shall be carried in a closed wagon or a closed large container—

UN 1759	CORROSIVE SOLID, N.O.S.
UN 1905	SELENIC ACID
UN 2430	ALKYLPHENOLS, SOLID, N.O.S.
UN 2923	CORROSIVE SOLID, TOXIC, N.O.S.
UN 3259	AMINES, SOLID, CORROSIVE, N.O.S. or POLYAMINES, SOLID, CORROSIVE, N.O.S.
UN 3260	CORROSIVE SOLID, ACIDIC, INORGANIC, N.O.S.
UN 3261	CORROSIVE SOLID, ACIDIC, ORGANIC, N.O.S.
UN 3262	CORROSIVE SOLID, BASIC, INORGANIC, N.O.S.
UN 3263	CORROSIVE SOLID, BASIC, ORGANIC, N.O.S.

(4) Composite intermediate bulk containers containing the goods UN 2921 CORROSIVE SOLIDS, FLAMMABLE, N.O.S. of packing group I shall be carried in a closed wagon or a closed large container.

#### Miscellaneous dangerous substances and articles (classification code 9)

**11.** Packages labelled as containing the goods UN 3245 GENETICALLY MODIFIED MICRO-ORGANISMS shall be stowed in such a way as to be readily accessible.

## PART II **E+W+S**

### EMPTY, UNCLEANNED PACKAGINGS

#### Flammable solids (classification code 4.1)

**12.**—(1) Empty, uncleaned packagings (including intermediate bulk containers), which contain the residues of any of the following goods shall not be accepted for carriage unless those residues are so packed that the content of water or other phlegmatizers added to render them inert cannot diminish—

UN 0154	TRINITROPHENOL (PICRIC ACID), wetted with not less than 10% (mass) water
UN 0155	TRINITROCHLOROBENZENE (PICRYL CHLORIDE), wetted with not less than 10% (mass) water

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UN 0209	TRINITROTOLUENE (TNT), wetted with not less than 10% (mass) water
UN 0214	TRINITROBENZENE, wetted with not less than 10% (mass) water
UN 0215	TRINITROBENZOIC ACID, wetted with not less than 30% (mass) water
UN 0220	UREA NITRATE, wetted with not less than 10% (mass) water
UN 0234	SODIUM DINITRO-o-CRESOLATE, wetted with not less than 10% (mass) water
UN 1310	AMMONIUM PICRATE, WETTED with not less than 10% (mass) water
UN 1320	DINITROPHENOL, WETTED with not less than 15% (mass) water
UN 1321	DINITROPHENOLATES, WETTED with not less than 15% (mass) water
UN 1322	DINITRORESORCINOL, WETTED with not less than 15% (mass) water
UN 1326	HAFNIUM POWDER, WETTED with not less than 25% (mass) water
UN 1336	NITROGUANIDINE (PICRITE) WETTED with not less than 20% (mass) water
UN 1337	NITROSTARCH, WETTED with not less than 20% (mass) water
UN 1344	TRINITROPHENOL, WETTED with not less than 30% (mass) water
UN 1347	SILVER PICRATE, WETTED with not less than 30% (mass) water
UN 1348	SODIUM DINITRO-o-CRESOLATE, WETTED with not less than 15% (mass) water
UN 1349	SODIUM PICRAMATE, WETTED with not less than 20% (mass) water
UN 1352	TITANIUM POWDER, WETTED with not less than 25% (mass) water
UN 1354	TRINITROBENZENE, WETTED with not less than 30% (mass) water
UN 1355	TRINITROBENZOIC ACID, WETTED with not less than 30% (mass) water
UN 1356	TRINITROTOLUENE, WETTED with not less than 30% (mass) water
UN 1357	UREA NITRATE, WETTED with not less than 20% (mass) water

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UN 1358	ZIRCONIUM POWDER, WETTED with not less than 25% (mass) water (a visible excess of water must be present) (a) mechanically produced, particle size less than 53 microns; (b) chemically produced, particle size less than 840 microns
UN 1517	ZIRCONIUM PICRAMATE, WETTED with not less than 20% (mass) water
UN 1571	BARIUM AZIDE, WETTED with not less than 50% (mass) water
UN 2555	NITROCELLULOSE WITH WATER with not less than 25% (mass) water
UN 2556	NITROCELLULOSE WITH ALCOHOL, with not less than 25% (mass) alcohol and not more than 12.6% nitrogen by dry mass
UN 2557	NITROCELLULOSE, with not more than 12.6% nitrogen by dry mass, MIXTURE WITH or WITHOUT PLASTICIZER, WITH or WITHOUT PIGMENT
UN 2852	DIPICRYL SULPHIDE, WETTED with not less than 10% (mass) water
UN 2907	ISOSORBIDE DINITRATE MIXTURE, with not less than 60% lactose, mannose, starch or calcium hydrogen phosphate or with other phlegmatizers, provided that such phlegmatizers have inerting properties which are at least as effective.
UN 3317	2-AMINO-4,6-DINITROPHENOL, WETTED with not less than 20% (mass) water.

(2) Empty, uncleaned packagings which contain the residues of any of the following goods shall not be accepted for carriage unless steps have been taken to prevent their dangerous decomposition—

UN 3221	SELF-REACTIVE LIQUID TYPE B
UN 3222	SELF-REACTIVE SOLID TYPE B
UN 3223	SELF-REACTIVE LIQUID TYPE C
UN 3224	SELF-REACTIVE SOLID TYPE C
UN 3225	SELF-REACTIVE LIQUID TYPE D
UN 3226	SELF-REACTIVE SOLID TYPE D
UN 3227	SELF-REACTIVE LIQUID TYPE E
UN 3228	SELF-REACTIVE SOLID TYPE E
UN 3229	SELF-REACTIVE LIQUID TYPE F



UN 3230

SELF-REACTIVE SOLID TYPE F.

### **Toxic substances (classification code 6.1)**

13. Empty, uncleaned packagings (comprising bags or flexible intermediate bulk containers), which contain the residues of any TOXIC SUBSTANCES shall be placed in boxes or waterproof bags to prevent any leakage of those residues during carriage.

### **Miscellaneous dangerous substances and articles (classification code 9)**

14. Empty, uncleaned packagings (comprising bags) which contain the residues of any MISCELLANEOUS DANGEROUS SUBSTANCES or ARTICLES shall be placed in boxes or waterproof bags to prevent any leakage of those residues during carriage.

### **Interpretation**

15. In this Schedule, "labelled", in relation to packages or receptacles, means required to display a danger sign or subsidiary hazard sign in accordance with the CDGCPL Regulations."

### **26. In Schedule 9—**

- (a) for the words "within a Compatibility Group whose Compatibility Group Letter is" substitute (in each place where it occurs) "in Compatibility Group"; and
- (b) at the end, add the following paragraph—
  - “(e) explosive articles in Compatibility Group B may be carried with explosives in Compatibility Group D provided—
    - (i) the explosive articles in Compatibility Group B are carried in a separate container or compartment to the explosives in Compatibility Group D, and
    - (ii) the explosives are carried in a container or compartment which conforms to a design approved for the time being in writing by the Health and Safety Executive or, in the case of military explosives, by the Secretary of State for Defence.”.

SCHEDULE 5 **E+W+S**

Regulation 6

### **AMENDMENTS TO THE PACKAGING, LABELLING AND CARRIAGE OF RADIOACTIVE MATERIAL BY RAIL REGULATIONS 1996**

1. In regulation 1(6)(b), delete the words "other than in a tank".
2. In regulation 2—
  - (a) in paragraph (1), for the words "paragraphs (2) and (3)" substitute "the following paragraphs";
  - (b) at the end, add the following paragraphs—
    - “(5) These Regulations shall not apply to, or in relation to, the carriage of radioactive material—
      - (a) by, or under the supervision of, the emergency services;

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- (b) as a result of an emergency, with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely.
- (6) These Regulations do not apply to, or in relation to—
  - (a) the carriage of luminous devices worn by a person or luminous devices as part of the railway vehicle;
  - (b) the carriage in any one railway vehicle of no more than 500 smoke detectors for domestic use with an individual activity not exceeding 40 kBq; or
  - (c) the carriage of gaseous tritium light devices with an individual activity not exceeding 10 GBq when no more than five such devices are carried in the railway vehicle.
- (7) These Regulations shall not apply to, or in relation to, the carriage of radioactive material in packages where—
  - (a) the carriage is by any person whose main activity is not the carriage of dangerous goods;
  - (b) the carriage is for the purpose of—
    - (i) survey, repair or maintenance activities, or
    - (ii) deliveries to building or civil engineering sites; and
  - (c) each such package is an excepted package.”.
- 3. At the end of regulation 3, add the following paragraph—
 

“(3) Where the Health and Safety Commission approves a revision referred to in paragraph (2), during the period between the publication by the Commission of a notice specifying that revision and the date on which that revision takes effect a person may comply with the requirements of these Regulations as if any reference to the Approved Document were a reference to—

  - (a) Approved Document prior to that revision; or
  - (b) the Approved Document as revised.”.
- 4. In regulation 9(3), for the number “9” substitute “ 8 ”.
- 5. At the end of regulation 18, add the following paragraphs—
 

“(3) No operator of any large freight container shall cause or permit to be carried therein any radioactive material in packages unless before that container is loaded it is checked to ensure that—

  - (a) it is free from any residue of a previous load, and
  - (b) the interior floor and walls are free from protrusions.

(4) No operator of any large freight container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

  - (a) if the container is fitted with top corner fittings, at least 7 square metres; or
  - (b) in any other case, at least 14 square metres,

shall cause or permit to be carried therein any radioactive material in packages unless that container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th edition, 1996).

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(5) No operator of any large container which—

(a) is 6 or more metres long; or

(b) is—

(i) 2.991 metres long, and

(ii) 2.438, 2.5 or 2.6 metres wide,

shall cause or permit to be carried therein any radioactive material in packages unless that container complies with the requirements of those International Union of Railways UIC leaflets particularised in paragraph (6).

(6) The leaflets referred to in paragraph (5) are—

(a) 590—10th edition, 1st January 1979 (as amended on 1st July 1979, and in 1981, 1985 and 1994 and updated on 1st January 1989);

(b) 592-2—5th edition of 1st July 1996;

(c) 592-3—1st edition, 1st July 1977 (as amended in 1979 and 1985); and

(d) 592-4—1st edition, 1985 (as amended in 1987, 1989, 1990, 1991, 1992 and 1995 and reprinted on 1st July 1995).

(7) No operator of any large freight container shall cause or permit to be carried therein any radioactive material in packages unless the requirements specified in Schedule 10A are complied with.

(8) No operator of any tank container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

(a) if the container is fitted with top corner fittings, at least 7 square metres; or

(b) in any other case, at least 14 square metres,

shall cause or permit to be carried therein any radioactive material in packages unless the frame of that tank container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th edition, 1996).

(9) In this regulation, “corner fittings” means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes.”.

6. In regulation 21—

(a) in paragraph (a), for the words “combustible solids, liquids or gases” substitute “ liquids, gases or combustible solids ”;

(b) at the end of paragraph (b), add the words “ in industrial packages or unpackaged ”.

7. At the end of regulation 24, add the words “ or to the packaging requirements of excepted packages of the type referred to in sub-paragraph (a) of the definition in regulation 1(2) of excepted package ”.

8. In paragraphs (2)(b) and (3)(a) of regulation 27, after the words “ensure that” insert “ under conditions likely to be encountered in routine carriage ”.

9. In regulation 38(2), for the first word “The” substitute “ Any ” and for the word “their” substitute “ his ”.

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10. In paragraph (2) of regulation 41, for the words from “it is satisfied” to the end of the paragraph substitute “it is satisfied that neither the health and safety of persons who are likely to be affected by the exemption nor the environment will be prejudiced in consequence of it”.

11. In regulation 42, for paragraph (3) substitute the following—

“(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.

12. In regulation 43(2)(c), for the word “Organisation” substitute “Organization”.

13. After Schedule 10, insert the following Schedule—

“SCHEDULE  
10A **E+W+S**

Regulation 18(7)

#### SUITABILITY OF LARGE CONTAINERS

1. Large containers used for the carriage of radioactive material in packages shall be structurally serviceable and free from unacceptable deterioration in any component.

2. In this Schedule—

“major defects” means—

- (a) dents or bends, greater than 19mm in depth regardless of length, in structural members;
- (b) cracks or breaks in structural members;
- (c) more than one splice or an improper splice, such as a lapped splice, in top or bottom end rails or door headers;
- (d) more than two splices in any one top or bottom side rail;
- (e) any splice in a door sill or corner post;
- (f) door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative;
- (g) non-closing gaskets and seals;
- (h) any distortion of the overall configuration sufficient to prevent proper alignment of handling equipment, mounting and securing on a chassis or wagon;

“structurally serviceable” means free from major defects in its structural components including top and bottom side rails, top and bottom end rails, door sill and header, floor cross members, corner posts and corner fittings; and

“unacceptable deterioration in any component” includes rusted metal in sidewalls or disintegrated fibreglass, regardless of the material or construction, but does not include normal wear (including oxidization (rust), slight dents, scratches, and other damage that does not affect serviceability or weather-tightness).”.

14. In Part II of Schedule 13—

(a) for paragraph 13, substitute the following paragraph—

“13.—(1) Danger signs conforming to figure 2, 3 or 4 in Part III of this Schedule, according to the appropriate category, shall be displayed on each freight container, tank container and tank wagon which is being used for the carriage of radioactive material, other than in the form of excepted packages.

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- (2) The danger signs referred to in sub-paragraph (1) shall—
  - (a) be affixed to—
    - (i) each side, and at the rear and front of the freight container or tank container, or
    - (ii) each side of the tank wagon;
  - (b) be affixed in a vertical plane; and
  - (c) be clearly visible.”;
- (b) after paragraph 13, insert the following paragraph—

“**13A.**—(1) Danger signs conforming to figure 5 in Part III of this Schedule shall be displayed on each wagon which is being used for the carriage of radioactive material, other than in the form of excepted packages.

  - (2) The danger signs referred to in sub-paragraph (1) shall—
    - (a) be affixed to each side of the wagon;
    - (b) be affixed in a vertical plane; and
    - (c) be clearly visible.”;
- (c) in paragraph 14(5)—
  - (i) for the words “freight container, tank container, tank wagon or wagon” (in the first place in which they occur) substitute “ freight container, tank container or tank wagon ”, and
  - (ii) for the words “the freight container, tank container, tank wagon or wagon concerned” substitute “ a freight container ”;
- (d) in paragraph 15—
  - (i) in sub-paragraph (1), for the words “,tank wagon or wagon” substitute “ or tank wagon ”, and
  - (ii) for sub-paragraph (2), substitute the following sub-paragraph—

“(2) The danger signs referred to in sub-paragraph (1) shall—

    - (a) be affixed to—
      - (i) each side, and at the rear and front of the freight container or tank container, or
      - (ii) each side of the tank wagon;
    - (b) be affixed in a vertical plane; and
    - (c) be clearly visible.”;
- (e) in paragraph 16, for the words “paragraph 15” substitute “ paragraph 13A or 15 ”;
- (f) in paragraph 17, for the words “,tank wagon or wagon” substitute “ or tank wagon ”; and
- (g) in paragraph 18—
  - (i) in sub-paragraph (a), for the words “paragraph 15” substitute “ paragraph 13A or 15 ”,
  - (ii) in sub-paragraph (b)(i), for the words “paragraph 13” substitute “ paragraph 13 or 13A ”, and
  - (iii) in sub-paragraph (b)(ii), delete the words “and perpendicular to the longitudinal axis of the freight container, tank container, tank wagon or wagon”.

**15.** In Part III of Schedule 13, delete figures 2 to 5 and substitute the following figures—

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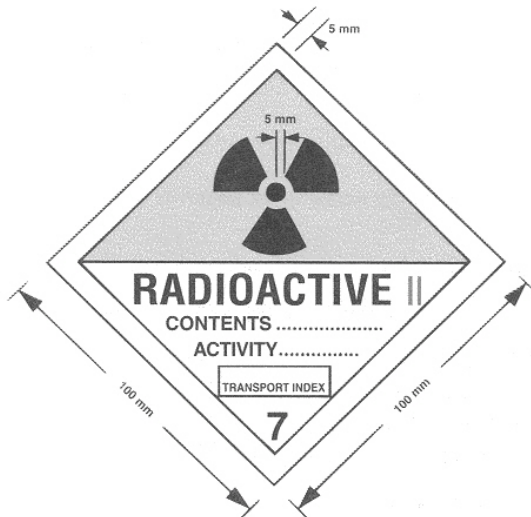
**“Fig. 2. Category I-WHITE label**

Fig. 2. Category I-WHITE label



The background colour of the label shall be white, the colour of the trefoil and the printing shall be black, and the colour of the category bar shall be red.

Fig. 3. Category II-YELLOW label

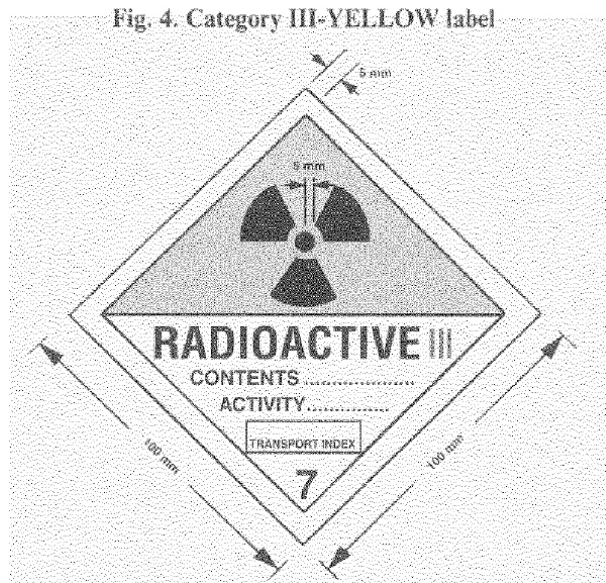


**Fig. 3. Category II-YELLOW label**

The background colour of the upper half of the label shall be yellow and of the lower half white, the colour of the trefoil and the printing shall be black, and the colour of the category bars shall be red.

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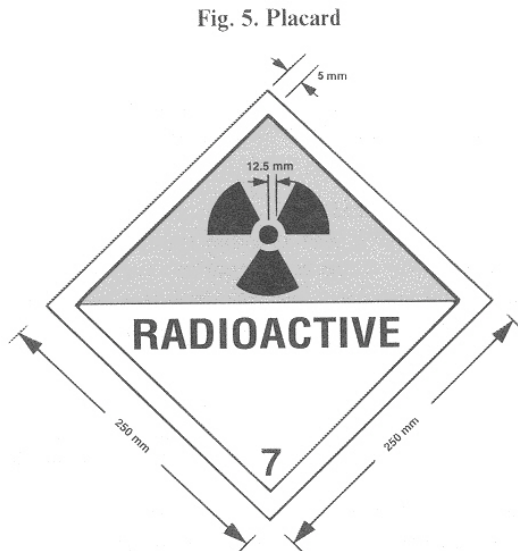


**Fig. 4. Category III-YELLOW label**

The background colour of the upper half of the label shall be yellow and of the lower half white, the colour of the trefoil and the printing shall be black, and the colour of the category bars shall be red.

**Fig. 5. Placard**

Fig. 5. Placard



Minimum dimensions are given: when larger dimensions are used the relative proportions must be maintained. The figure “7” shall not be less than 25mm high. The background colour of the upper half of the placard shall be yellow and the lower half white, the colour of the trefoil and the printing shall be black. The use of the word “RADIOACTIVE” in the bottom half is optional to allow the alternative use of this placard to display the appropriate United Nations number for the consignment.”.

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16. At the end of paragraph 2 of Schedule 14, add the word “ and ” and the following sub-paragraphs—

- “(c) the name and address of the consignor; and
- (d) the name and address of the consignee.”.

SCHEDULE 6 **E+W+S**

Regulation 7

AMENDMENTS TO THE CARRIAGE OF DANGEROUS GOODS  
(CLASSIFICATION, PACKAGING AND LABELLING) AND USE OF  
TRANSPORTABLE PRESSURE RECEPTACLES REGULATIONS 1996

1. In regulation 2(1)—

- (a) for the definition of “goods named individually” substitute the following—  
““goods named individually” in relation to the Approved Carriage List means those goods which are articles or substances specifically listed by name”; and
- (b) in the definition of “tank container” delete the words “(or 1000 litres in the case of tanks used for the carriage of a gas)”.

2. In regulation 3—

- (a) for sub-paragraph (g) of paragraph (1), substitute the following sub-paragraph—  
“(g) the goods are being carried in machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment;”;
- (b) after paragraph (1)(j), insert the following sub-paragraph—  
“(jj) as a result of an emergency, the goods are being carried with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely;”;
- (c) after paragraph (7), insert the following paragraph—  
“(7A) These Regulations shall not apply to or in relation to the carriage of any of the following dangerous goods—

(a)UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2603	CYCLOHEPTATRIENE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

of packing group II;

(b)UN 1228	MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.
UN 1986	ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.
UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.



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UN 1988	ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.
UN 2310	PENTANE-2,4-DIONE
UN 2478	ISOCYANATES, FLAMMABLE, TOXIC, N.O.S. or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.
UN 2841	DI-n-AMYLAMINE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,
of packing group III; and	
(c)UN 1544	ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.
UN 1570	BRUCINE
UN 1654	NICOTINE
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.
UN 1656	NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION
UN 1657	NICOTINE SALICYLATE
UN 1658	NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION
UN 1659	NICOTINE TARTRATE
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1851	MEDICINE, LIQUID, TOXIC, N.O.S.
UN 3140	ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.
UN 3144	NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3249	MEDICINE, SOLID, TOXIC, N.O.S.,

where those goods are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this paragraph, "pharmaceutical products" include medicines, drugs and cosmetics."

**3.** At the end of regulation 4, add the following paragraph—

"(3) Where the Health and Safety Commission approves a revision referred to in paragraph (2), during the period between the publication by the Commission of a notice specifying that revision and the date on which that revision takes effect a person may

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comply with the requirements of these Regulations as if any reference to any of the approved documents were a reference to—

- (a) the approved document prior to that revision; or
- (b) the approved document as revised.”.

4. In regulation 5(3)(b)(i), for the word “packaging” substitute “ packing ”.

5. In regulation 8—

(a) for paragraph (2), substitute the following paragraph—

“(2) The particulars required under paragraph (1)(a) shall be the following particulars ascertained in accordance with regulation 5 namely—

- (a) the designation of the goods;
- (b) the UN number (in all cases preceded by the letters “UN”);
- (c) the danger sign;
- (d) any subsidiary hazard signs; and
- (e) where those goods are being carried in salvage packagings, the word “salvage”, and in this paragraph “salvage packagings” means packagings conforming to the design type for salvage packagings approved under regulation 6(1)(e).”; and

(b) in paragraph (4)(b), for the words “sub-paragraph (a)” substitute “ sub-paragraph (b) ”.

6. In regulation 13(b)(i), for the words “type or cylinder” substitute “ type of cylinder ”.

7. In paragraph (2) of regulation 18, for the words from “it is satisfied” to the end of the paragraph substitute “ it is satisfied that neither the health and safety of persons who are likely to be affected by the exemption nor the environment will be prejudiced in consequence of it. ”.

8. In regulation 19, for paragraph (3) substitute the following—

“(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.

9. In column (2) of Schedule 1—

- (a) in paragraph (b) of the entry corresponding to the classification “Flammable gas”, for the words “is packed in an aerosol dispenser where that dispenser contains either” substitute “ is packed in an aerosol, or is a gas packed in a small receptacle, where that aerosol or receptacle contains either ”; and
- (b) in paragraph (a) of the entry corresponding to the classification “Flammable liquid”, after the word “temperature” insert “ at or ”.

10. In Schedule 3, for the table, substitute the following—

<b>(1)</b> <b>Goods/Classification</b>	<b>(2)</b> <b>Packing group</b>	<b>(3)</b> <b>Maximum quantity per receptacle (or maximum receptacle volume, in the case of a gas)</b>
Non-flammable, non-toxic, gas, except one with a fire intensifying subsidiary hazard		120ml (or 1 litre in aerosols)

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Flammable gas or a non-flammable, non-toxic gas with a fire intensifying subsidiary hazard		1 litre in aerosols
Toxic gas		120ml in aerosols
Flammable liquid,	II	1 litre
	III	5 litres

except for the following—

UN 1162 DIMETHYLDICHLOROSILANE

UN 1196 ETHYLTRICHLOROSILANE

UN 2198 TRIMETHYLCHLOROSILANE

UN 2985 CHLOROSILANES, FLAMMABLE, CORROSIVE, N.O.S.

UN 3064 NITROGLYCERIN, SOLUTION IN ALCOHOL

Flammable solid,	II	500g
	III	3kg

except for the following—

UN 2034 NAPHTHALENE, MOLTEN

UN 2448 SULPHUR, MOLTEN

UN 2555 NITROCELLULOSE WITH WATER

UN 2556 NITROCELLULOSE WITH ALCOHOL

UN 2557 NITROCELLULOSE MIXTURE WITH or WITHOUT PLASTICIZER, WITH OR WITHOUT PIGMENT

UN 2907 ISOSORBIDE DINITRATE MIXTURE

UN 3176 FLAMMABLE SOLID, ORGANIC, MOLTEN, N.O.S.

UN 3221 SELF-REACTIVE LIQUID TYPE B

UN 3222 SELF-REACTIVE SOLID TYPE B

UN 3223 SELF-REACTIVE LIQUID TYPE C

UN 3224 SELF-REACTIVE SOLID TYPE C

UN 3225 SELF-REACTIVE LIQUID TYPE D

UN 3226 SELF-REACTIVE SOLID TYPE D

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- UN 3227 SELF-REACTIVE LIQUID TYPE E
- UN 3228 SELF-REACTIVE SOLID TYPE E
- UN 3229 SELF-REACTIVE LIQUID TYPE F
- UN 3230 SELF-REACTIVE SOLID TYPE F
- UN 3231 SELF-REACTIVE LIQUID TYPE B, TEMPERATURE CONTROLLED
- UN 3232 SELF-REACTIVE SOLID TYPE B, TEMPERATURE CONTROLLED
- UN 3233 SELF-REACTIVE LIQUID TYPE C, TEMPERATURE CONTROLLED
- UN 3234 SELF-REACTIVE SOLID TYPE C, TEMPERATURE CONTROLLED
- UN 3235 SELF-REACTIVE LIQUID TYPE D, TEMPERATURE CONTROLLED
- UN 3236 SELF-REACTIVE SOLID TYPE D, TEMPERATURE CONTROLLED
- UN 3237 SELF-REACTIVE LIQUID TYPE E, TEMPERATURE CONTROLLED
- UN 3238 SELF-REACTIVE SOLID TYPE E, TEMPERATURE CONTROLLED
- UN 3239 SELF-REACTIVE LIQUID TYPE F, TEMPERATURE CONTROLLED
- UN 3240 SELF-REACTIVE SOLID TYPE F, TEMPERATURE CONTROLLED
- UN 3256 ELEVATED TEMPERATURE LIQUID, FLAMMABLE, N.O.S. with flash point above 60.5°C, at or above its flash point
- UN 3270 NITROCELLULOSE MEMBRANE FILTERS
- UN 3319 NITROGLYCERIN MIXTURE, DESENSITIZED, SOLID, N.O.S.
- UN 3344 PENTAERYTHRITE TETRANITRATE MIXTURE, DESENSITIZED, SOLID, N.O.S.
- |  |     |      |
|--|-----|------|
| Substance (liquid or solid)<br>which in contact with water<br>emits flammable gas, | II  | 500g |
|  | III | 1kg  |
- except for the following—
- UN 1418 MAGNESIUM POWDER or MAGNESIUM ALLOYS POWDER
- UN 1436 ZINC POWDER or ZINC DUST
- UN 3135 WATER-REACTIVE SOLID, SELF-HEATING, N.O.S.
- UN 3209 METALLIC SUBSTANCE, WATER-REACTIVE, SELF-HEATING, N.O.S.

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## UN 3292 BATTERIES, CONTAINING SODIUM, or CELLS, CONTAINING SODIUM

Oxidizing substance (liquid or solid),	II	500g
	III	1kg
except for UN 2426 AMMONIUM NITRATE, LIQUID (hot concentrated solution)		
Organic peroxide (solid, of Type B or C as defined in the appropriate approved method, and not requiring temperature control)		100g
Organic peroxide (liquid, of Type B or C as defined in the appropriate approved method, and not requiring temperature control)		25ml
Organic peroxide (solid, of Type D, E or F as defined in the appropriate approved method, and not requiring temperature control)		500g
Organic peroxide (liquid, of Type D, E or F as defined in the appropriate approved method, and not requiring temperature control)		125ml
Toxic substance,	II	500g (solid)
		100ml (liquid)
	III	3kg (solid)
		1 litre (liquid)

except for the following—

UN 1569 BROMOACETONE

UN 1600 DINITROTOLUENES, MOLTEN

UN 1693 TEAR GAS SUBSTANCE, LIQUID OR SOLID, N.O.S.

UN 1697 CHLOROACETOPHENONE

UN 1700 TEAR GAS CANDLES

UN 1701 XYLYL BROMIDE

UN 1737 BENZYL BROMIDE

UN 1738 BENZYL CHLORIDE

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UN 2016 AMMUNITION, TOXIC, NON-EXPLOSIVE

UN 2017 AMMUNITION, TEAR-PRODUCING, NON-EXPLOSIVE

UN 2312 PHENOL, MOLTEN

UN 3124 TOXIC SOLID, SELF-HEATING, N.O.S.

UN 3250 CHLOROACETIC ACID, MOLTEN

Corrosive substance,	II	1kg (solid)
		500ml (liquid)—if glass, porcelain or stoneware receptacles are used they must be enclosed in compatible and rigid intermediate packagings
	III	2kg (solid)
		1 litre (liquid)

except for the following—

UN 1724 ALLYLTRICHLOROSILANE, STABILIZED

UN 1728 AMYLTRICHLOROSILANE

UN 1747 BUTYLTRICHLOROSILANE

UN 1753 CHLOROPHENYLTRICHLOROSILANE

UN 1762 CYCLOHEXENYLTRICHLOROSILANE

UN 1763 CYCLOHEXYLTRICHLOROSILANE

UN 1766 DICHLOROPHENYLTRICHLOROSILANE

UN 1767 DIETHYLDICHLOROSILANE

UN 1769 DIPHENYLDICHLOROSILANE

UN 1771 DODECYLTRICHLOROSILANE

UN 1781 HEXADECYLTRICHLOROSILANE

UN 1784 HEXYLTRICHLOROSILANE

UN 1799 NONYLTRICHLOROSILANE

UN 1800 OCTADECYLTRICHLOROSILANE

UN 1801 OCTYLTRICHLOROSILANE

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UN 1804 PHENYLTRICHLOROSILANE		
UN 1810 PHOSPHORUS OXYCHLORIDE		
UN 1816 PROPYLTRICHLOROSILANE		
UN 1838 TITANIUM TETRACHLORIDE		
UN 2028 BOMBS, SMOKE, NON-EXPLOSIVE		
UN 2401 PIPERIDINE		
UN 2434 DIBENZYLDICHLOROSILANE		
UN 2435 ETHYLPHENYLDICHLOROSILANE		
UN 2437 METHYLPHENYLDICHLOROSILANE		
UN 2442 TRICHLOROACETYL CHLORIDE		
UN 2576 PHOSPHORUS OXYBROMIDE, MOLTEN		
UN 2826 ETHYL CHLOROTHIOFORMATE		
UN 2986 CHLOROSILANES, CORROSIVE, FLAMMABLE, N.O.S.		
UN 2987 CHLOROSILANES, CORROSIVE N.O.S.		
UN 3301 CORROSIVE LIQUID, SELF-HEATING, N.O.S.		
UN 1941 DIBROMODIFLUOROMETHANE	III	5 litres
UN 1990 BENZALDEHYDE	III	5 litres
UN 3077 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.	III	5 kg
UN 3082 ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.	III	5 litres

**11.** In paragraph 3 of Schedule 9, for the words “Paragraphs 3, 4, 5(1)(a) and 10(1) of Schedule 8” substitute “ Paragraphs 3, 4, 5(1)(a), (2)(a) and 10(1) of Schedule 8 ”.

## AMENDMENTS TO THE CARRIAGE OF EXPLOSIVES BY ROAD REGULATIONS 1996

**1.** In regulation 2—

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- (a) in paragraph (1)—
- (i) for the definition of “classified” substitute the following—
- ““classified” means, in relation to explosives, classified under the 1983 Regulations and, in relation to dangerous goods other than radioactive material, classified under the 1996 Regulations, and “classification” and “unclassified” shall be construed accordingly;”,
- (ii) at the end of the definition of “permissible maximum weight”, insert the following definition—
- ““radioactive material” has the meaning assigned to it in section 1(1) of the Radioactive Material (Road Transport) Act 1991 [1991 c.27]”, and
- (iii) for the definition of “the United Nations Recommendations” substitute the following—
- ““the United Nations Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods (based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Council at its twenty-third session (Resolution 645 G (XXIII) of 26th April 1957)) [Current Edition (1997): ISBN 92-1-139057 5], as revised or reissued from time to time and any reference in these Regulations to the United Nations Recommendations shall, for a period of 6 months after any revision or reissue, be a reference to either the document as it was immediately before that revision or reissue took effect or the document as revised or reissued;” and
- (b) in paragraph (6), delete the words “or large container” (in both places in which they occur).
2. In regulation 3—
- (a) for paragraph (3)(b) substitute the following paragraph—
- “(b) the vehicle carrying the explosives is one which is used—
- (i) for delivering goods between private premises and a vehicle in the immediate vicinity of those premises, or
- (ii) in passing between one part of private premises and another part of those premises situated in the immediate vicinity of that first part where both parts are occupied by the same person, notwithstanding that those parts may be separated by a road.”; and
- (b) at the end, add the following paragraph—
- “(7) These Regulations shall not apply to or in relation to the carriage of explosives as a result of an emergency where that carriage is intended to save human life or protect the environment, provided that all measures are taken to ensure that such carriage is carried out safely.”.
3. For paragraphs (2) and (3) of regulation 7, substitute the following paragraphs—
- “(2) No person shall carry in a vehicle explosives which are unclassified or which have been allocated on classification the UN Number 0190 except—
- (a) provided those explosives are not initiating explosives, as a commercial sample or as a sample for one or more of the following purposes, namely research and development, quality control, their testing or in connection with an application for their classification; and



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- (b) in accordance with such conditions as are approved in writing for the time being by the Health and Safety Executive or, in the case of military explosives, by the Secretary of State for Defence, for the purposes of this regulation,  
and in this paragraph, “initiating explosives” means explosives intended solely to cause the detonation of other explosives.
- (3) No person shall carry explosives in Compatibility Group L in a vehicle other than in a load which is under sole use.”.
4. At the end of paragraph (2) of regulation 11, insert the following paragraph—
- “(2A) Where the Health and Safety Commission approves a revision referred to in paragraph (2), during the period between the publication by the Commission of a notice specifying that revision and the date on which that revision takes effect a person may comply with the requirements of these Regulations as if any reference to the approved document were a reference to—
- (a) the approved document prior to that revision; or
- (b) the approved document as revised.”.
5. In regulation 14(1)(b), for the words “in the same Compatibility Group” substitute “ in Compatibility Group G ”.
6. In regulation 15(3) and (4), after the word “together,” insert “ Part I of ”.
7. At the end of paragraph (2) of regulation 17, add the following paragraph—
- “(2A) The emergency information referred to in paragraph 1(d), and specified in paragraphs 2 and 3, of Part II of Schedule 6 shall be in the form set out in Part III of that Schedule.”.
8. For sub-paragraph (b) of regulation 20(3), substitute the following sub-paragraph—
- “(b) (i) the vehicle is parked on a site,
- (ii) the vehicle is being used for delivering goods between private premises and a vehicle in the immediate vicinity of those premises, or
- (iii) the vehicle is being used in passing between one part of private premises and another part of those premises situated in the immediate vicinity of that first part where both parts are occupied by the same person, notwithstanding that those parts may be separated by a road,
- and some or all of the explosives are to be used that day; and.”.
9. In regulation 21(4), for the words “are those specified in Part I and II of Schedule 1” substitute “comply with the exceptions specified in paragraph 15 of Schedule 5 ”.
10. At the end of regulation 22, add the following regulation—
- “ Training for persons engaged in the carriage of explosives**
- 22A.—**(1) The operator, consignor and any other person involved in the carriage of explosives by road shall ensure that he and those of his employees whose responsibilities are concerned with such carriage receive training so as to enable them to discharge those responsibilities.
- (2) Each employer shall keep a record for a minimum of 5 years of any training provided by him in accordance with paragraph (1) and shall make available a copy of that record to the employee concerned.”.

**Status:** Point in time view as at 05/03/1999.

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**11.** In regulation 25(3), for the words “in Division 1.4 and Compatibility Group S” substitute “those explosives specified in paragraph 15(a), or sub-paragraphs (a) to (c) of paragraph 16, of Schedule 5”.

**12.** In paragraph (2) of regulation 29, for the words from “it is satisfied” to the end of the paragraph substitute “it is satisfied that the environment, the security of the explosives and the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it”.

**13.** In regulation 31, for paragraph (3) substitute the following—

“(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.

**14.** In Schedule 1—

- (a) in the side heading, delete the figures “, 21(4)”;
- (b) in Part II, for the words “paragraph 15(c)(i)” substitute “ paragraph 15(a)(iii)(aa) ”; and
- (c) in Part III, delete the entry—

“POTASSIUM SALTS OF AROMATIC NITRO-DERIVATIVES, explosive 0158.”

**15.** In paragraph 3 of Schedule 2, delete the words “vehicle or” (in both places in which they occur) and the word “respectively”.

**16.** At the end of Schedule 3, add the following paragraph—

“7. Where the explosives are being carried in containers as part of a multi-modal journey, it shall be sufficient compliance with regulation 13(1)(a) if a vehicle of Type II is used instead of a vehicle of Type III, and in this paragraph “multi-modal journey” means a journey in which more than one mode of carriage is used.”.

**17.** In Schedule 4—

- (a) in paragraph 2, delete the words “and Schedule 5”;
- (b) in paragraphs 3, 4 and 5, for the words “Schedules 3 and 5” substitute “ Schedule 3 and Part I of Schedule 5 ”;
- (c) for sub-paragraphs (b) to (d) of paragraph 6, substitute the following sub-paragraphs—
  - “(b) explosives in Compatibility Group C, D, N or S and explosive articles in Compatibility Group E may be carried together or in any combination of them;
  - (c) explosives in Compatibility Group F may be carried with explosive articles in Compatibility Group C, D or E or explosives in Compatibility Group S;
  - (d) explosive articles in Compatibility Group G may be carried with explosive articles in Compatibility Group C, D or E;”;
- (d) after sub-paragraph (e) of paragraph 6, insert the following sub-paragraph—
  - “(f) explosive articles in Compatibility Group B may be carried with explosives in Compatibility Group D, provided that—
    - (i) the explosive articles in Compatibility Group B are carried in a separate container or compartment to the explosives in Compatibility Group D, and
    - (ii) the explosives are carried in a container or compartment which conforms to a design approved for the time being in writing by the Health and Safety Executive, or, in the case of military explosives, by the Secretary of State for Defence;”;

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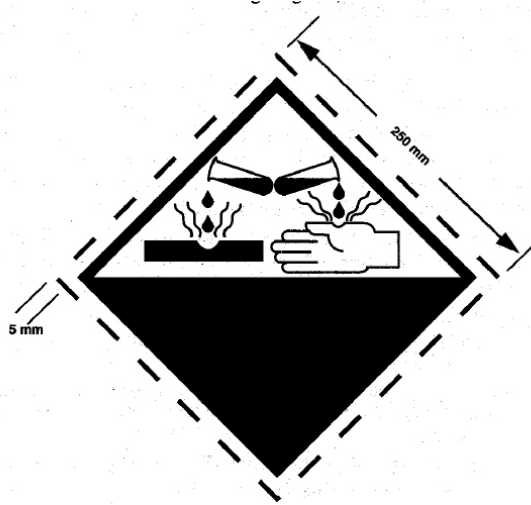
- (e) in paragraph 7(b); for the words from “explosives” to “0191” substitute “ any explosives the carriage of which is not prohibited by these Regulations ”;
- (f) in paragraph 7(c), for the numbers “0030, 0042, 0065, 0081, 0082, 0241, 0255, 0360 or 0361” substitute “ 0029, 0030, 0042, 0065, 0081, 0082, 0104, 0241, 0255, 0267, 0283, 0289, 0290, 0331, 0332, 0360, 0361, 0455 or 0500 ”;
- (g) for sub-paragraph (d) of paragraph 7, substitute the following sub-paragraph—
  - “(d) explosives allocated on classification the UN Number 0191, 0197, 0336, 0403, 0431 or 0453 may be carried with dangerous goods (except flammable gases, infectious substances and toxic substances) in transport category 2 or dangerous goods in transport category 3, or any combination of them, provided the total mass or volume of dangerous goods in transport category 2 does not exceed 500 and the total net mass of such explosives does not exceed 500 kilograms; and”
- (h) for sub-paragraph (e) of paragraph 7, substitute the following sub-paragraph—
  - “(e) explosives in Compatibility Group S and Division 1.4 may be carried with dangerous goods except—
    - (i) flammable solids, or
    - (ii) organic peroxides,which bear the sign shown in column 2 of Part I of Schedule 2 to the 1996 Regulations for the subsidiary hazard “Liable to explosion” shown in column 1 of Part I of that Schedule;”.

**18.** In Part I of Schedule 5—

- (a) in paragraph 1(c), after the words “affixed to” insert “ each side, and at the rear and front of ”;
- (b) at the end of sub-paragraph (c) of paragraph 1, add the following sub-paragraph—
  - “(d) where more than one container is carried on that vehicle, each such container shall individually comply with the requirements of this Part of this Schedule.”;
- (c) in paragraph 8, before the word “Regulations” insert “ by Road ”;
- (d) in paragraph 11, for the words from “solely” to “classification” substitute “ and are unclassified and carried as a sample for one or more of the purposes set out in regulation 7(2)(a) or as a commercial sample ”;
- (e) in paragraph 12, delete the numbers “0020, 0021,”; and
- (f) for paragraph 13, substitute the following paragraph—
  - “**13.** Where explosives allocated on classification the UN number—
    - (a) 0015, 0016 or 0303, provided that those explosives contain at least one substance which, if classified in accordance with regulation 5 of the 1996 Regulations (whether or not it is required to be so classified), would be classified as corrosive; or
    - (b) 0018, 0019 or 0301,are carried in a vehicle or container, there shall be displayed in accordance with paragraph 1, subsidiary hazard signs which—
    - (c) are in the form of the following diagram; and

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- (d) comply with the measurements in the diagram except that larger measurements may be used in which case the measurements shall be increased proportionally.”.

19. For paragraph 15 of Part II of Schedule 5, substitute the following paragraph—

“15. Paragraphs 1 to 7 and 9 to 14 shall not apply where—

- (a) (i) the explosives carried are explosive substances in Compatibility Group G and Division 1.1 or 1.3 not exceeding 20 kilograms in quantity,  
(ii) the explosives carried are explosive articles in Compatibility Group B and Division 1.1 or 1.2 not exceeding 20 kilograms in quantity,  
(iii) the explosives carried are—  
(aa) explosives of a type marked with an asterisk in Part II of Schedule 1, or  
(bb) smokeless powder in Division 1.3 (being the explosive substance allocated on classification the UN Number 0161),  
and the total quantity of all such explosives carried in the vehicle does not exceed 100 kilograms,  
(iv) the explosives carried are in Division 1.4 and are—  
(aa) articles in Compatibility Group B or substances in Compatibility Group G not exceeding (in either case) 300 kilograms in quantity,  
(bb) articles in Compatibility Group C, D, E, F or G or substances in Compatibility Group C or D not exceeding (in either case) 500 kilograms in quantity, or  
(cc) in Compatibility Group S in which case no upper limit applies, or  
(v) the explosives carried are in a quantity not exceeding 50 kilograms and are of a type other than any of those specified in any of the sub-paragraphs above; and  
(b) a mixed load of explosives is carried in a single vehicle in accordance with regulation 14, and the sum of the figures calculated by references to paragraphs (i) to (v) does not exceed 1,000—  
(i) the quantity of explosives as referred to in sub-paragraph (a)(i) and (ii) multiplied by 50,  
(ii) the quantity of explosives as referred to in sub-paragraph (a)(iii) multiplied by 10,

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- (iii) the quantity of explosives as referred to in sub-paragraph (a)(iv)(aa) multiplied by 3,
- (iv) the quantity of explosives as referred to in sub-paragraph (a)(iv)(bb) multiplied by 2, and
- (v) the quantity of explosives as referred to in sub-paragraph (a)(v) multiplied by 20.”.

**20.** In Part I of Schedule 6—

- (a) for sub-paragraph (iii) of paragraph (b), substitute the following sub-paragraph—  
“(iii) the names and addresses of all consignees,”; and
- (b) in paragraph (b)(iv) for the words “regulation 17(1)” substitute “ regulation 17(2) ”.

**21.** In Part II of Schedule 6—

- (a) at the end of paragraph 1, add the following sub-paragraphs—
  - “(f) where the explosives being carried are in a large container and intended for carriage by sea, a container packing certificate comprising the information set out in paragraph 12.3.7 of the International Maritime Dangerous Goods Code, as revised or re-issued from time to time by the International Maritime Organization [Current Edition: Volumes I to IV ISBN 92-801-1465-4];
  - (g) the current ADR Certificate for Type II and Type III explosives vehicles, together with the current ADR Certificate for any associated trailer, constructed on or after 1 January 1997,  
and in this sub-paragraph “ADR Certificate” means a special certificate of approval issued by the Secretary of State for the Environment, Transport and the Regions for a vehicle following inspection of the vehicle in pursuance of marginal 10 282 of Annex B to ADR.”;

- (b) for paragraph 2, substitute the following paragraph—

“**2.** The emergency information referred to in paragraph 1(d) shall comprise details of the measures to be taken by the driver in the event of an accident or an emergency and other safety information concerning the explosives being carried and shall include—

- (a) details of—
  - (i) subject to paragraph 3, the proper shipping name of the explosives, that they are of Class 1 and also their UN number,
  - (ii) the nature of the danger inherent in the explosives and the safety measures to be taken to avert any such danger including the use of personal protective equipment by the driver,
  - (iii) the general actions to be taken including warning other road users and pedestrians of the danger and calling the police and fire brigade,
  - (iv) the additional actions needed to deal with and prevent escalation of minor leakage or spillage, provided this can be achieved without personal risk, and
  - (v) the necessary equipment for any action required by this paragraph, and
- (b) any further information specified in Part III of this Schedule.”; and

- (c) at the end of paragraph 2, add the following paragraph—

“(3) Notwithstanding paragraph 2(a), where mixed loads of packaged explosives are carried, emergency information may be provided for each group of explosives which present the same dangers in which case neither the proper shipping name

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of the individual explosives nor their UN number need be mentioned in the emergency information.”.

22. At the end of Schedule 6, insert the following Part—

### “PART III **E+W+S**

#### FORM OF EMERGENCY INFORMATION

##### **Load**

1. Include—
  - (a) the proper shipping name of the explosives;
  - (b) that the explosives are of Class 1; and
  - (c) the UN number of the explosives.
2. Include a description of the explosives limited to—
  - (a) the physical state including colour; and
  - (b) any odour, to assist in the identification of leakage and spillage.

##### **Nature of the danger**

3. Include a short description of the expected dangers—
  - (a) the main danger;
  - (b) any additional dangers including possible delayed effects and dangers to the environment;
  - (c) the behaviour of the explosives when exposed to fire or heat including decomposition, explosion and the development of toxic fumes; and
  - (d) where applicable, that the explosives react dangerously with water.

##### **Personal Protection**

4. Include details of any personal protective equipment provided for the driver.

##### **General actions to be taken by the driver**

5. Include the following instructions—
  - (a) stop the engine of the vehicle;
  - (b) subject to paragraph 8, extinguish any open flames;
  - (c) no smoking;
  - (d) warn other road users and pedestrians—
    - (i) of the danger; and
    - (ii) to keep upwind; and
  - (e) notify the police and fire brigade as soon as possible.

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### **Additional actions to be taken by the driver**

6. Include the instructions, and list the equipment, necessary for the driver to perform any additional actions required for the explosives being carried.

7. Provide the instructions necessary for the driver to be able to deal with and prevent the escalation of any minor spillage or leakage, so far as this can be achieved without personal risk.

### **Fire**

8. Provide the instructions required by the driver in case of fire, including how to deal with minor vehicle fires and a direction not to attempt to deal with any fire involving the load.

### **First Aid**

9. Include first aid instructions for the driver in the event of contact with the explosives.

### **Additional information**

10. Include, where applicable, any additional information which would be of assistance in an emergency.”.

23. In Schedule 8—

(a) for sub-paragraphs (a) and (b) of paragraph 1, substitute the following sub-paragraphs—

“(a) at least one portable fire extinguisher with—

(i) a minimum capacity of 2 kilograms of dry powder, or

(ii) other suitable extinguishant and an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996,

suitable for fighting a fire in the engine or cab of the vehicle, and such that, if it is used to fight a fire involving the load, it does not aggravate the fire and, if possible, controls it; and

(b) at least one portable fire extinguisher with—

(i) a minimum capacity of 6 kilograms of dry powder, or

(ii) other suitable extinguishant and an equivalent test fire rating of at least 21A and 183B as defined in British Standard BSEN 3-1:1996,

suitable for fighting a tyre or brake fire or a fire involving the load, and such that, if it is used to fight a fire in the engine or cab of the vehicle, it does not aggravate the fire.”;

(b) for paragraph 3, substitute the following paragraph—

“3. Where a vehicle which is being used for the carriage of explosives comprises a trailer and that laden trailer is uncoupled and left on the road at a distance from the motor vehicle, paragraph 1 shall not apply.”; and

(c) at the end, add the following paragraph—

“8. The operator shall ensure that the driver of the vehicle, and any attendants, know how to use the fire extinguishers provided in accordance with this Schedule.”.

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SCHEDULE 8 **E+W+S**

Regulation 9

AMENDMENTS TO THE CARRIAGE OF DANGEROUS  
GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996

1. In regulation 2—

(a) in paragraph (1)(a)(ii)—

(i) in paragraph (ee) for the words “none of the goods are in transport category 0” substitute “the goods are in transport category 1”;

(ii) in paragraph (ff) for the words “none of the goods are in transport category 0 or 1” substitute “the goods are in transport category 2”;

(iii) in paragraph (gg) for the words “none of the goods are in transport category 0, 1 or 2” substitute “the goods are in transport category 3”;

(b) after paragraph (5), insert the following paragraph—

“(5A) These Regulations shall not apply to or in relation to the carriage of any of the following dangerous goods—

(a)UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2603	CYCLOHEPTATRIENE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

of packing group II;

(b)UN 1228	MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.
UN 1986	ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.
UN 1988	ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.
UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2310	PENTANE-2,4-DIONE
UN 2478	ISOCYANATES, FLAMMABLE, TOXIC, N.O.S. or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.
UN 2841	DI-n-AMYLAMINE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

of packing group III; and

(c)UN 1544	ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.
UN 1570	BRUCINE



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UN 1654	NICOTINE
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.
UN 1656	NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION
UN 1657	NICOTINE SALICYLATE
UN 1658	NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION
UN 1659	NICOTINE TARTRATE
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1851	MEDICINE, LIQUID, TOXIC, N.O.S.
UN 3140	ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.
UN 3144	NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3249	MEDICINE, SOLID, TOXIC, N.O.S.,

where those goods are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this paragraph, “pharmaceutical products” include medicines, drugs and cosmetics.”; and

(c) at the end of paragraph (6)(a), add the words “ and shall be construed in accordance with regulation 2(5) of those Regulations ”.

2. In regulation 3(1)(a)(ii), after the word “under” insert “ sections 3, 7 and 8 of ”.

3. In regulation 4—

(a) at the end of paragraph (2), insert the following sub-paragraphs—

“(c) in regulation 2(1)(b), the vocational training certificate shall be appropriate to the carriage of explosives; and

(d) in regulation 2(1)(c), the vocational training certificate shall be appropriate to the carriage of radioactive material.”;

(b) at the end of paragraph (5) (but before the full stop), insert the words “ ,except that in the case of the subject specified in paragraph 3(c) of Schedule 3, the training need not be accompanied by practical exercises ”;

(c) in paragraph (6)—

(i) for the words “for periods of up to 5 years by the Secretary of State” substitute “ by the Secretary of State for periods of up to 5 years from the date of expiry of the original certificate or of any extension of it granted in accordance with this paragraph, ”, and

(ii) for sub-paragraph (b), substitute the following sub-paragraph—

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- “(b) passed an examination (the syllabus of which shall cover the course referred to in sub-paragraph (a) of this paragraph) which has been approved by the Secretary of State.”; and
- (d) after paragraph (6), insert the following paragraph—

“(6A) The course referred to in paragraph (6)(a) shall be given in the form of a theoretical course accompanied by practical exercises and shall cover new technical, legal and substance-related developments in at least the subjects specified in—

- (a) paragraph 1 of Schedule 3;
- (b) in the case of a vocational training certificate referred to in paragraph (2)(a), paragraph 3 of Schedule 3;
- (c) in the case of a vocational training certificate referred to in paragraph (2)(b), paragraph 2 of Schedule 3;
- (d) in the case of a vocational training certificate referred to in paragraph (2)(c), paragraph 4 of Schedule 3; and
- (e) in the case of a vocational training certificate referred to in paragraph (2)(d), paragraph 5 of Schedule 3,

except that in the case of the subject specified in paragraph 3(c) of Schedule 3, the training need not be accompanied by practical exercises.”.

4. In paragraph (2) of regulation 9, for the words from “it is satisfied” to the end of the paragraph substitute “ it is satisfied that neither the health and safety of persons who are likely to be affected by the exemption nor the environment will be prejudiced in consequence of it. ”.

5. In regulation 10, for paragraph (3) substitute the following—

“(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.

6. In Schedule 1—

(a) after paragraph (c), insert the following paragraph—

“(cc) the goods concerned are being carried in machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment.”; and

(b) at the end, insert the following paragraph—

“(k) as a result of an emergency the vehicle concerned is being driven with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely.”.

7. In Part II of Schedule 2, for paragraph (d) substitute the following—

“(d) for the purposes of regulation 4(1) only, in compliance with the requirements of paragraph 15 of Part II of Schedule 5 to the Carriage of Explosives by Road Regulations 1996.”.

8. In Schedule 3—

(a) in paragraph 1—

- (i) after the word “training” insert “ or refresher course ”, and
- (ii) after the words “regulation 4(3)(a)” insert “ or 4(6)(a) ”;

(b) in paragraph 2, after the word “training” insert “ or refresher course ”; and

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- (c) for paragraph 3, substitute the following paragraphs—
- “3. For drivers of road tankers or vehicles carrying dangerous goods in tank containers, the training or refresher course required to be approved must also cover—
- (a) the behaviour of such vehicles on roads, including the movement of the loads they are carrying;
  - (b) specific requirements of the vehicles;
  - (c) general theoretical knowledge of the various loading and discharge systems; and
  - (d) specific additional provisions applicable to the use of the vehicles (including certificates of approval, approval marking, marking and labelling).
4. For drivers of vehicles carrying explosives, the training or refresher course required to be approved must also cover—
- (a) specific hazards related to explosive and pyrotechnic substances and articles; and
  - (b) specific requirements concerning mixed loading of explosives.
5. For drivers of vehicles carrying radioactive material, the training or refresher course required to be approved must also cover—
- (a) specific hazards relating to ionizing radiation;
  - (b) specific requirements concerning packing, handling, mixed loading and stowage of radioactive material; and
  - (c) specific measures to be taken in the event of an accident involving radioactive material.”.

9. Delete Schedule 4.

SCHEDULE 9 **E+W+S**

Regulation 10

AMENDMENTS TO THE CARRIAGE OF  
DANGEROUS GOODS BY ROAD REGULATIONS 1996

1. In regulation 2(1), delete the definition of “the Directive”.
2. In regulation 2(4), for sub-paragraph (b)(vi), substitute the following sub-paragraph—

“(vi) the nominal capacity of any tank containing compressed gases (other than those dissolved in a solvent) or liquids or both.”.
3. At the end of regulation 5, add the following paragraph—

“(3) Where the Health and Safety Commission approves a revision referred to in paragraph (2), during the period between the publication by the Commission of a notice specifying that revision and the date on which that revision takes effect a person may comply with the requirements of these Regulations as if any reference to any of the approved documents were a reference to—

  - (a) the approved document prior to that revision; or
  - (b) the approved document as revised.”.
  - 4. For paragraph (1) of regulation 8, substitute the following paragraph—

“(1) No operator of a container or vehicle shall cause or permit to be carried therein any dangerous goods in bulk unless—

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- (a) the word Yes appears in column 8 of the Approved Carriage List in relation to those goods; and
  - (b) suitable measures have been taken to ensure that none of the contents escape.”.
5. In regulation 9(1), for the words “the letter Y” substitute “ the word Yes ”.
6. In regulation 10—
- (a) in paragraph (2)(c), before the words “Schedule 7” insert “ Part I of ”;
  - (b) for paragraph (4) substitute the following paragraphs—
    - “(4) The operator of a large container which is being used for the carriage of dangerous goods shall ensure that—
      - (a) any requirements specified in Part I of Schedule 7 relating to those goods are complied with, as if the large container were a vehicle;
      - (b) the requirements specified in Part II of Schedule 7 are complied with; and
      - (c) before the container is loaded it is checked to ensure that—
        - (i) it is free from any residue of a previous load, and
        - (ii) the interior floor and walls are free from protrusions.
    - (4A) The operator of a large container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—
      - (a) if the container is fitted with top corner fittings, at least 7 square metres; or
      - (b) in any other case, at least 14 square metres,
 and which is being used for the carriage of dangerous goods, shall ensure that that container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th edition, 1996).
    - (4B) The operator of a large container which—
      - (a) is 6 or more metres long; or
      - (b) is—
        - (i) 2.991 metres long, and
        - (ii) 2.438, 2.5 or 2.6 metres wide,
 and which is being used for the carriage of dangerous goods, shall ensure that that container complies with the requirements of those International Union of Railways UIC leaflets particularised in paragraph (4C).
    - (4C) The leaflets referred to in paragraph (4B) are—
      - (a) 590—10th edition, 1st January 1979 (as amended on 1st July 1979, and in 1981, 1985, and 1994 and updated on 1st January 1989);
      - (b) 592-2—5th edition, 1st July 1996;
      - (c) 592-3—1st edition, 1st July 1977 (as amended in 1979 and 1985); and
      - (d) 592-4—1st edition, 1985 (as amended in 1987, 1989, 1990, 1991, 1992 and 1995 and reprinted on 1st July 1995).”;
  - (c) in paragraph (5), for the words “goods is bulk” substitute “ goods in bulk ”; and
  - (d) after paragraph (5) add the following paragraphs—

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“(6) The operator of a tank container which has corner fittings for the purpose of securing or handling it and which is of a size such that the area enclosed by the outer bottom corners is either—

- (a) if the container is fitted with top corner fittings, at least 7 square metres; or
- (b) in any other case, at least 14 square metres,

and which is being used for the carriage of dangerous goods shall ensure that the frame of that container complies with the requirements of the International Convention for Safe Containers 1972 signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978 (published by the International Maritime Organization, 4th edition, 1996).

(7) In this regulation, “corner fittings” means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes.”.

7. For paragraph (7) of regulation 12, substitute the following paragraph—

“(7) The driver and the operator of a vehicle which is—

- (a) being used for the carriage of infectious substances, toxic goods or any of the following goods—

UN 2212	BLUE ASBESTOS (crocidolite) or BROWN ASBESTOS (amosite, mysorite)
UN 2315	POLYCHLORINATED BIPHENYLS
UN 2590	WHITE ASBESTOS (chrysotile, actinolite, anthophyllite or tremolite)
UN 3151	POLYHALOGENATED BIPHENYLS, LIQUID or POLYHALOGENATED TERPHENYLS, LIQUID
UN 3152	POLYHALOGENATED BIPHENYLS, SOLID or POLYHALOGENATED TERPHENYLS, SOLID
UN 3245	GENETICALLY MODIFIED MICRO- ORGANISMS; or

(b) empty, uncleaned, having been used for the carriage of any such goods, shall ensure that no food and no fodder or feeding stuffs for animals, birds or fish is carried in that vehicle unless that food, fodder or feeding stuff is effectively separated from any such goods by

- (c) complete partitions as high as the packages containing such goods;
- (d) packages containing goods other than those mentioned in sub-paragraph (a); or
- (e) a space of at least 0.8m,

or is otherwise adequately protected, by additional packaging or complete coverage of those goods, from the risk of contamination by those goods.”.

8. In regulation 13—

- (a) at the end of paragraph (2)(a)(i), add the words “ preceded, where those goods are waste, by the word “waste”, ”;
- (b) at the end of paragraph (2)(a), insert the following paragraphs—

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“(vi) where any of the following goods—

UN 1202	DIESEL FUEL or GAS OIL or HEATING OIL, LIGHT
UN 1203	PETROL or MOTOR SPIRIT or GASOLINE
UN 1223	KEROSENE

are being carried in a multi-compartment road tanker, the particular tank compartment in which each of those goods is being carried, and

(vii) where those goods are being carried in salvage packagings, the words “salvage packagings”;

- (c) in paragraph (2)(b)(i)(aa) and (bb), for the word “packages” substitute “ receptacles ” in each place where it occurs;
- (d) for sub-paragraph (iv) of paragraph (2)(b), substitute the following sub-paragraph—
- “(iv) the names and addresses of all consignees, if known,”; and
- (e) at the end, add the following paragraph—

“(5) In this regulation, “salvage packagings” means packagings conforming to the design type for salvage packagings approved under regulation 6(1)(e) of the CDGCPL Regulations and “waste” means goods for which no direct use is envisaged but which are carried for reprocessing, dumping, elimination by incineration or other methods of disposal.”.

**9.** In regulation 14—

- (a) at the end of paragraph (3), add the following sub-paragraph—
- “(f) where the goods being carried are in a large container and intended for carriage by sea, a container packing certificate comprising the information set out in paragraph 12.3.7 of the International Maritime Dangerous Goods Code, as revised or re-issued from time to time by the International Maritime Organization [Current Edition: Volumes I to IV ISBN 92-801-1465-4].”;
- (b) for paragraphs (i) to (v) of paragraph (4)(a) substitute the following paragraphs—
- “(i) subject to paragraph (4A), the proper shipping name of the goods, their classification code and also their UN number,
- (ii) the nature of the danger inherent in the goods and the safety measures to be taken to avert any such danger including the use of personal protective equipment by the driver,
- (iii) the general actions to be taken including warning other road users and pedestrians of the danger and calling the fire brigade,
- (iv) the additional actions needed to deal with and prevent escalation of minor leakage or spillage, provided this can be achieved without personal risk, and
- (v) the necessary equipment for any action required by this paragraph; and;”
- (c) for paragraph (4)(b), substitute the following paragraph—
- “(b) any further information specified in Schedule 9 or Schedule 9A relating to the dangerous goods being carried.”;
- (d) at the end of paragraph (4), add the following paragraphs—

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“(4A) Notwithstanding paragraph (4)(a)(i), where mixed loads of packaged goods are carried, emergency information may be provided for each group of dangerous goods which present the same dangers in which case neither the proper shipping name of the individual goods nor their UN number need be mentioned in the emergency information.

(4B) The emergency information referred to in paragraph (3)(e) and specified in paragraphs (4) and (4A) shall be in the form set out in Schedule 9A.”; and

(e) at the end, add the following paragraph—

“(6) The operator of any vehicle which is to be used for the carriage of dangerous goods shall ensure that the driver of that vehicle understands the emergency information specified in paragraphs (4) to (4B) and Schedule 9A and is capable of properly carrying out any instructions contained therein.”.

**10.** In regulation 17(6), for the words “the mass or volume of dangerous goods carried in packages” substitute “ the total mass or volume of packaged dangerous goods ”.

**11.** In regulation 18(1), for the words “or tank vehicle” substitute “ tank or vehicle ”.

**12.** In regulation 23—

(a) for sub-paragraphs (a) and (b) of regulation 23(2) substitute the following sub-paragraphs—

“(a) at least one portable fire extinguisher with—

(i) a minimum capacity of 2kg of dry powder, or

(ii) other suitable extinguishant and an equivalent test fire rating of at least 5A and 34B as defined in British Standard BSEN 3-1:1996,

suitable for fighting a fire in the engine or cab of the vehicle, and such that, if it is used to fight a fire involving the load, it does not aggravate the fire and, if possible, controls it; and

(b) at least one portable fire extinguisher with—

(i) a minimum capacity of 6kg of dry powder, or

(ii) other suitable extinguishant and an equivalent test fire rating of at least 21A and 183B as defined in British Standard BSEN 3-1:1996,

suitable for fighting a tyre or brake fire or a fire involving the load, and such that, if it is used to fight a fire in the engine or cab of the vehicle, it does not aggravate the fire.”;

(b) in regulation 23(3)(c), for the words “or other suitable extinguishant with” substitute “ or by a fire extinguisher with other suitable extinguishant and ”; and

(c) in paragraph (6), delete the letter “(a)”.

**13.** In regulation 24(1)—

(a) in sub-paragraph (b), delete the words “in an isolated position”; and

(b) in sub-paragraph (b)(i), delete the words “in the open”.

**14.** In regulation 25—

(a) at the end of paragraph (1), insert the words “ by the Health and Safety Executive by a further certificate in writing ”; and

(b) in paragraph (2), for the words from “it is satisfied” to the end of the paragraph substitute “ it is satisfied that neither the health and safety of persons who are likely to be affected by the exemption nor the environment will be prejudiced in consequence of it. ”.

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15. At the end of regulation 25, add the following regulation—

**“ Training for persons engaged in the carriage of dangerous goods**

**25A.—**(1) The operator, consignor and any other person involved in the carriage of dangerous goods by road shall ensure that he and those of his employees whose responsibilities are concerned with such carriage receive training so as to enable them to discharge those responsibilities.

(2) Each employer shall keep a record for a minimum of 5 years of any training provided by him in accordance with paragraph (1) and shall make available a copy of that record to the employee concerned.”.

16. In regulation 26, for paragraph (3) substitute the following—

“(3) Where a contravention of any of the provisions of these Regulations by any person is due to the act or default of some other person, that other person shall be guilty of the offence which would, but for any defence under this regulation available to the first-mentioned person, be constituted by the act or default.”.

17. In regulation 27(2)(c), for the word “Organisation” substitute “ Organization ”.

18. In column 1 of Table 1 of Schedule 1, for the entry—

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“UN 1994 MATCHES, SAFETY”

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**E+W+S**

substitute the entry—

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“UN 1944 MATCHES, SAFETY”.

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19. In Schedule 2—

(a) at the end of paragraph 2, add the following sub-paragraph—

“(g) (i)UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S.
UN 2603	CYCLOHEPTATRIENE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.

of packing group II,

(ii)UN 1228	MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.
UN 1986	ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.
UN 1988	ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.
UN 1992	FLAMMABLE LIQUID, TOXIC, N.O.S
UN 2310	PENTANE-2,4-DIONE



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UN 2478	ISOCYANATES, FLAMMABLE, TOXIC, N.O.S or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.
UN 2841	DI-n-AMYLAMINE
UN 3248	MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,
of packing group III, and	
(iii)UN 1544	ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.
UN 1570	BRUCINE
UN 1654	NICOTINE
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.
UN 1656	NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION
UN 1657	NICOTINE SALICYLATE
UN 1658	NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION
UN 1659	NICOTINE TARTRATE
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1851	MEDICINE, LIQUID, TOXIC, N.O.S.
UN 3140	ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.
UN 3144	NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3249	MEDICINE, SOLID, TOXIC, N.O.S.,

where those goods are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this sub-paragraph, "pharmaceutical products" include medicines, drugs and cosmetics.”;

(b) at the end of paragraph 3, for the word “and” substitute “ or ” and add the following sub-paragraph—

“(d) machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment.”; and

(c) after paragraph 3, insert the following paragraph—

“**3A.** These Regulations shall not apply to or in relation to the carriage of dangerous goods as a result of an emergency, where those goods are being carried with the intention

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of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely.”.

**20.** In Schedule 4—

- (a) following the title, insert the following words—

**“PART I E+W+S**

**RESTRICTIONS ON THE CARRIAGE OF CERTAIN HEATED,  
FLAMMABLE OR TEMPERATURE-CONTROLLED  
GOODS AND ON THE CARRIAGE OF CERTAIN  
DANGEROUS GOODS IN SMALL CONTAINERS”;**

- (b) in paragraph 3(5)—

- (i) for paragraph (c) substitute the following paragraph—

“(c) thermal insulation and single mechanical refrigeration, provided that for self-reactive substances with a flash point lower than the sum of the emergency temperature plus 5°C explosion-proof electrical fittings, Ex IIB T3, are used within the coolant compartment to prevent ignition of flammable vapours from the self-reactive substances;”, and

- (ii) for paragraph (e)(iii) substitute the following paragraph—

“(iii) for self-reactive substances with a flash point lower than the sum of the emergency temperature plus 5°C explosion-proof electrical fittings, Ex IIB T3, are used within the coolant compartment to prevent ignition of flammable vapours from the self-reactive substances;”;

- (c) after paragraph 7, insert the following paragraph—

“**7A.** Packages containing any of the following goods shall not be carried in a small container—

UN 1510	TETRANITROMETHANE
UN 2015	HYDROGEN PEROXIDE, STABILIZED or HYDROGEN PEROXIDE, AQUEOUS SOLUTION, STABILIZED.”;

- (d) in paragraph 8(5)—

- (i) for paragraph (c) substitute the following paragraph—

“(c) thermal insulation and single mechanical refrigeration, provided that for self-reactive substances with a flash point lower than the sum of the emergency temperature plus 5°C explosion-proof electrical fittings, Ex IIB T3, are used within the coolant compartment to prevent ignition of flammable vapours from the organic peroxides;”, and

- (ii) for paragraph (e)(iii) substitute the following paragraph—

“(iii) for self-reactive substances with a flash point lower than the sum of the emergency temperature plus 5°C explosion-proof electrical fittings, Ex IIB T3, are used within the coolant compartment to prevent ignition of flammable vapours from the organic peroxides;”;

- (e) at the end, add the following paragraphs—

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“11. Packages containing any of the following goods shall not be carried in a small container—

UN 3101	ORGANIC PEROXIDE TYPE B, LIQUID
UN 3102	ORGANIC PEROXIDE TYPE B, SOLID.

#### Refrigerated liquefied gases

12. Refrigerated liquefied gases shall not be carried in a small container.”; and  
(f) at the end of paragraph 12, insert the following Part—

### “PART II **E+W+S**

#### CARRIAGE OF CERTAIN GOODS IN INTERMEDIATE BULK CONTAINERS

##### Oxidizing substances

13. Composite intermediate bulk containers containing any of the following goods, where those goods are in solid form, shall be carried in a closed vehicle or a closed container—

UN 1479	OXIDIZING SOLID, N.O.S. of packing group I
UN 1491	POTASSIUM PEROXIDE
UN 1504	SODIUM PEROXIDE
UN 2466	POTASSIUM SUPEROXIDE
UN 2547	SODIUM SUPEROXIDE.

##### Toxic substances

14. Composite or wooden intermediate bulk containers containing any of the following goods, where those goods are in solid form and of packing group I, shall be carried in a closed vehicle or a closed container—

UN 1544	ALKALOIDS, SOLID, N.O.S., or ALKALOID SALTS, SOLID, N.O.S.
UN 1557	ARSENIC COMPOUND, SOLID, N.O.S.
UN 1570	BRUCINE
UN 1601	DISINFECTANT, SOLID, TOXIC, N.O.S.
UN 1655	NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.
UN 1692	STRYCHNINE or STRYCHNINE SALTS
UN 1693	TEAR GAS SUBSTANCE, SOLID, N.O.S.

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UN 1699	DIPHENYLCHLOROARSINE
UN 2025	MERCURY COMPOUND, SOLID, N.O.S.
UN 2026	PHENYLMERCURIC COMPOUND, N.O.S.
UN 2570	CADMIUM COMPOUND
UN 2630	SELENATES or SELENITES
UN 2811	TOXIC SOLID, ORGANIC, N.O.S.
UN 3143	DYE, SOLID, TOXIC, N.O.S.
UN 3146	ORGANOTIN COMPOUND, SOLID, N.O.S.
UN 3172	TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.
UN 3276	NITRILES, TOXIC, N.O.S.
UN 3278	ORGANOPHOSPHORUS COMPOUND, TOXIC, N.O.S.
UN 3280	ORGANIC ARSENIC COMPOUND, N.O.S.
UN 3281	METAL CARBONYLS, N.O.S.
UN 3282	ORGANOMETALLIC COMPOUND, TOXIC, N.O.S.
UN 3283	SELENIUM COMPOUND, N.O.S.
UN 3288	TOXIC SOLID, INORGANIC, N.O.S.

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Halogenated substances, with a flashpoint above 61°C, with the exception of UN 1694 BROMOBENZYL CYANIDES

Inorganic cyanides

Pesticides, solid, toxic.

**15.** Composite intermediate bulk containers containing the goods UN 2930 TOXIC SOLID, FLAMMABLE, ORGANIC, N.O.S. of packing group I shall be carried in a closed vehicle or a closed container.

#### Corrosive substances

**16.** Composite or wooden intermediate bulk containers containing any of the following goods, where those goods are in solid form and of packing group I, shall be carried in a closed vehicle or a closed container—

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UN 1759	CORROSIVE SOLID, N.O.S.
UN 1905	SELENIC ACID
UN 2430	ALKYLPHENOLS, SOLID, N.O.S.
UN 2923	CORROSIVE SOLID, TOXIC, N.O.S.

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UN 3259	AMINES, SOLID, CORROSIVE, N.O.S. or POLYAMINES, SOLID, CORROSIVE, N.O.S.
UN 3260	CORROSIVE SOLID, ACIDIC, INORGANIC, N.O.S
UN 3261	CORROSIVE SOLID, ACIDIC, ORGANIC, N.O.S.
UN 3262	CORROSIVE SOLID, BASIC, INORGANIC, N.O.S.
UN 3263	CORROSIVE SOLID, BASIC, ORGANIC, N.O.S.

17. Composite intermediate bulk containers containing the goods UN 2921 CORROSIVE SOLIDS, FLAMMABLE, N.O.S. of packing group I shall be carried in a closed vehicle or a closed container.”.

**21.** In Schedule 5—

- (a) delete paragraph 3(2);
- (b) for the following provisions of paragraph 7—

“UN 3170	ALUMINIUM SMELTING BY- PRODUCTS or ALUMINIUM REMELTING BY-PRODUCTS of packing group II”
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substitute the following

“UN 3170	ALUMINIUM SMELTING BY-PRODUCTS or ALUMINIUM REMELTING BY- PRODUCTS of packing group III;”
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- (c) in paragraph 10(1)—
  - (i) after the word “goods” insert “ in their solid form ”, and
  - (ii) delete the words “Solid wastes containing either of these goods.”;
- (d) in paragraph 12, delete the words “or solid wastes containing those toxic substances specified in paragraphs 10 and 11”;
- (e) delete paragraphs 13 and 15;
- (f) for paragraph 17 substitute the following paragraph—
 

“17. Only those corrosive goods which are listed in paragraphs 14, 16 and 17A may be carried in bulk in a vehicle.”;
- (g) after paragraph 17, insert the following paragraph—
 

“17A. A vehicle carrying the following goods in bulk—

UN 2794	BATTERIES, WET, FILLED WITH ACID
UN 2795	BATTERIES, WET, FILLED WITH ALKALI

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UN 2800	BATTERIES, WET, NON-SPILLABLE
UN 3028	BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE SOLID

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where those goods have been used, shall—

- (a) have a load compartment or load compartments made of steel—
  - (i) exhibiting a rate of progressive reduction of 0.1mm or less per year under the effects of the corrosive substances contained in those goods, or
  - (ii) exhibiting a rate of progressive reduction of more than 0.1mm per year under the effects of the corrosive substances contained in those goods, provided that the load compartments have walls of a thickness sufficient to resist, or a plastic lining or layer resistant to, those substances;
- (b) be designed to take account of any residual currents and impact from those goods;
- (c) be constructed so as to prevent leakage of corrosive substances from its load compartments during carriage;
- (d) have any open load compartments covered by a cover resistant to the corrosive substances contained in those goods;
- (e) not have damaged load compartments;
- (f) not be loaded above the top of the walls of its load compartments; and
- (g) have outer surfaces free of the corrosive substances contained in the goods listed in this paragraph,

and in this paragraph “load compartments” means those parts of the vehicle in which goods are, or are to be, carried.”; and

- (h) at the end, add the following paragraph—

**“ Elevated temperature substances carried in bulk**

**19.**—(1) UN 3257 ELEVATED TEMPERATURE LIQUID N.O.S. shall be carried in a vehicle which conforms to a design approved for the time being in writing by the Health and Safety Executive for the carriage of such goods.

(2) UN 3258 ELEVATED TEMPERATURE SOLID N.O.S. shall be carried in a vehicle which conforms to a design approved for the time being in writing by the Health and Safety Executive for the carriage of such goods.”.

**22.** In Schedule 6—

- (a) delete paragraph 3(2);
- (b) delete paragraphs 9 and 12;
- (c) in paragraph 13—
  - (i) delete the words “UN 1884 BARIUM OXIDE” and “UN 1564 BARIUM COMPOUNDS, TOXIC, N.O.S. of packing group III”, and
  - (ii) for the word “Waste” substitute “ Solid ”;
- (d) delete paragraph 15;
- (e) in paragraph 16(1) at the end of the list of goods insert the following entry—

“Solid corrosive substances of packing group III.”;

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- (f) delete paragraph 17; and
- (g) for paragraph 19 substitute the following paragraphs—

“19. A container carrying the following goods—

UN 2794	BATTERIES, WET, FILLED WITH ACID
UN 2795	BATTERIES, WET, FILLED WITH ALKALI
UN 2800	BATTERIES, WET, NON-SPILLABLE
UN 3028	BATTERIES, DRY, CONTAINING POTASSIUM HYDROXIDE SOLID,

where those goods have been used, shall—

- (a) have load compartments made of—
  - (i) steel exhibiting a rate of progressive reduction of 0.1mm or less per year under the effects of the corrosive substances contained in those goods,
  - (ii) steel exhibiting a rate of progressive reduction of more than 0.1mm per year under the effects of the corrosive substances contained in those goods, provided that the load compartments have walls of a thickness sufficient to resist, or a plastic lining or layer resistant to, those substances, or
  - (iii) where that container is a small container, plastic capable when fully loaded of withstanding a drop onto its bottom surface from a height of 0.8m onto a hard surface without breakage, when both the small container and its contents are at -18°C;
- (b) be designed to take account of any residual currents and impact from those goods;
- (c) be constructed so as to prevent leakage of corrosive substances from its load compartments during carriage;
- (d) have any open load compartments covered by a cover resistant to the corrosive substances contained in those goods;
- (e) not have damaged load compartments;
- (f) not be loaded above the top of the walls of its load compartments; and
- (g) have outer surfaces free of the corrosive substances contained in those goods,

and in this paragraph “load compartments” means those parts of the container in which goods are, or are to be, carried.

**Miscellaneous dangerous goods**

20. A container carrying any of the following goods—

UN 2211	POLYMERIC BEADS, EXPANDABLE
UN 3077	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.

- (a) may be open, provided it is sheeted and has adequate ventilation; or
- (b) if small, may be closed with complete walls.”.

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**23.** In Schedule 7—

- (a) insert the words “ PART I ” before the title;
- (b) in paragraph 1, for the words “flammable gases or toxic gases” substitute “ liquefied gases, refrigerated liquefied gases and UN 1001 ACETYLENE, dissolved ”; and
- (c) delete paragraph 8; and at the end, add the following Part—

**“PART II E+W+S**

**SUITABILITY OF LARGE CONTAINERS**

**14.** Large containers used for the carriage of dangerous goods shall be structurally serviceable and free from unacceptable deterioration in any component.

**15.** In this Part—

“major defects” means—

- (a) dents or bends, greater than 19mm in depth but regardless of length, in structural members;
- (b) cracks or breaks in structural members;
- (c) more than one splice or an improper splice, such as a lapped splice, in top or bottom end rails or door headers;
- (d) more than two splices in any one top or bottom side rail;
- (e) any splice in a door sill or corner post;
- (f) door hinges and hardware that are seized, twisted, broken, missing or otherwise inoperative;
- (g) non-closing gaskets and seals;
- (h) any distortion of the overall configuration sufficient to prevent proper alignment of handling equipment, mounting and securing on a chassis or vehicle;

“structural components” include top and bottom side rails, top and bottom end rails, door sill and header, floor cross members, corner posts and corner fittings;

“structurally serviceable” means free from major defects in its structural components; and

“unacceptable deterioration in any component” includes rusted metal in sidewalls or disintegrated fibreglass, regardless of the material or construction, but does not include normal wear (including oxidization (rust), slight dents, scratches, and other damage that does not affect serviceability or weather-tightness).”.

**24.** At the end of Schedule 9, insert the following Schedule—

**“SCHEDULE 9A E+W+S**

Regulation 14(4B)

**FORM OF EMERGENCY INFORMATION**

**Load**

**1.** Include—

- (a) the proper shipping name of the goods;
- (b) the classification code of the goods; and
- (c) the UN number of the goods.



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2. Include a description of the goods limited to—
  - (a) the physical state including colour; and
  - (b) any odour, to assist in the identification of leakage and spillage.

#### **Nature of the danger**

3. Include a short description of the expected dangers—
  - (a) the main danger;
  - (b) any additional dangers including possible delayed effects and dangers to the environment;
  - (c) the behaviour of the goods when exposed to fire or heat including decomposition, explosion and the development of toxic fumes; and
  - (d) where applicable, that the goods react dangerously with water.

#### **Personal Protection**

4. Include details of any personal protective equipment provided for the driver.

#### **General actions to be taken by the driver**

5. Include the following instructions—
  - (a) stop the engine of the vehicle;
  - (b) subject to paragraph 8, extinguish any open flames;
  - (c) no smoking;
  - (d) warn other road users and pedestrians—
    - (i) of the danger, and
    - (ii) to keep upwind; and
  - (e) notify the police and fire brigade as soon as possible.

#### **Additional actions to be taken by the driver**

6. Include the instructions, and list the equipment, necessary for the driver to perform any additional actions required for the goods being carried.

7. Provide the instructions necessary for the driver to be able to deal with and prevent the escalation of any minor spillage or leakage, so far as this can be achieved without personal risk.

#### **Fire**

8. Provide the instructions required by the driver in case of fire, including how to deal with minor vehicle fires and a direction not to attempt to deal with any fire involving the load.

#### **First Aid**

9. Include first aid instructions for the driver in the event of contact with the goods.

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**Additional information**

10. Include, where applicable, any additional information which would be of assistance in an emergency.”.

25. In Schedule 10—

- (a) in paragraph 17 of Part I, for the words “at least one side” substitute “ each side and at the rear and front ”;
- (b) after paragraph 24 of Part I, insert the following paragraph—

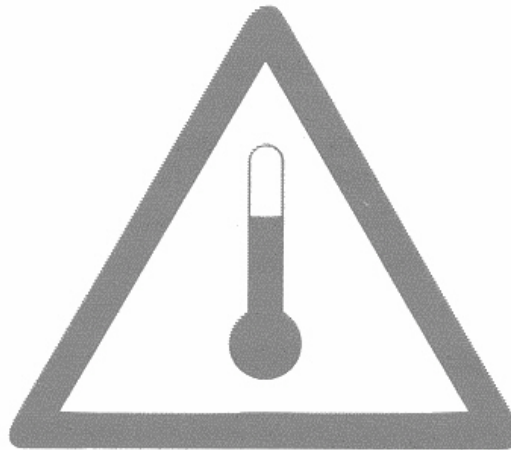
**“ Elevated temperature substances**

25. A container, tank or vehicle carrying any of the following dangerous goods—

UN 3257	ELEVATED TEMPERATURE LIQUID, N.O.S.
UN 3258	ELEVATED TEMPERATURE SOLID, N.O.S.

shall display on each side and at the rear a sign conforming in form and colour to figure 6, with sides of at least 250 mm.”; and

- (c) at the end, add the following figure—



**“Figure 6  
Elevated temperature substances**

The background colour of the sign shall be white, and the colour of the border and the thermometer symbol shall be red.”

26. In Schedule 11—

- (a) in paragraph 1(4)(e), delete the words “non-combustible, deeply”;
- (b) in paragraph 16, for the words—

“UN 3093	CORROSIVE SOLID, OXIDIZING, N.O.S.*”
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substitute the following—

“UN 3093	CORROSIVE LIQUID, OXIDIZING, N.O.S.”; and
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(c) in paragraph 18, for the words from “Where” to “Schedule,” substitute the following—  
 “Where the following dangerous goods—

UN 2212	BLUE ASBESTOS (crocidolite) or BROWN ASBESTOS (amosite, myosorite)
UN 2315	POLYCHLORINATED BIPHENYLS
UN 2590	WHITE ASBESTOS (chrysotile, actinolite, anthophyllite, tremolite)
UN 3077	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, SOLID, N.O.S.
UN 3082	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
UN 3151	POLYHALOGENATED BIPHENYLS, LIQUID or POLYHALOGENATED TERPHENYLS, LIQUID
UN 3152	POLYHALOGENATED BIPHENYLS, SOLID or POLYHALOGENATED TERPHENYLS, SOLID,”

SCHEDULE 10 **E+W+S**

Regulation 11

AMENDMENTS TO THE HEALTH AND SAFETY (FEES) REGULATIONS 1997

1. After regulation 13A insert the following regulation—

**“ Fees for applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996**

**13B.**—(1) A fee shall be payable by the applicant to the Secretary of State on each application for an original approval or a renewal of any approval of—

- (a) training under regulation 4(3)(a); or
- (b) a refresher course under regulation 4(6)(a),

of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996.

(2) The fee payable under paragraph (1) on application for such approval as is mentioned in column 1 of Part I of Schedule 14 shall be respectively that specified in the corresponding entry in column 2 or 3 of that Schedule.”

2. At the end, add the following Schedule—

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SCHEDULE 14 **E+W+S**

Regulation 13B

FEES FOR APPLICATIONS FOR APPROVAL OF TRAINING OR  
REFRESHER COURSES UNDER THE CARRIAGE OF DANGEROUS  
GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996

<i>1</i>	<i>2</i>	<i>3</i>
<i>Subject matter of approval</i>	<i>Fee for an original approval</i>	<i>Fee for renewal of approval</i>
(a) Approval of training	£1 000	£600
(b) Approval of a refresher course	£1 000	£600

### EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations implement—

**a)** Commission Directive [96/86/EC](#) (OJ No. L335, 24.12.96, p.43) adapting to technical progress Council Directive [94/55/EC](#) (OJ No. L319, 12.12.94, p.7) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road;

**b)** Commission Directive [96/87/EC](#) (OJ No. L335, 24.12.96, p.45) adapting to technical progress Council Directive [96/49/EC](#) (OJ No. L235, 17.9.96, p.25) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail;

**c)** Commission Directive [98/ /EC](#) (OJ No. L) of 5th October 1998 adapting to technical progress Council Directive [94/55/EC](#) and Commission Directive [96/86/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road; and

**d)** Commission Directive [98/ /EC](#) (OJ No. L) of 5th October 1998 adapting to technical progress Council Directive [96/49/EC](#) and Commission Directive [96/87/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail.

2. The Regulations amend—

**a)** the Classification and Labelling of Explosives Regulations 1983 (*Regulation 2 and Schedule 1*);

**b)** the Pressure Systems and Transportable Gas Containers Regulations 1989 (*Regulation 3 and Schedule 2*);

**c)** the Packaging of Explosives for Carriage Regulations 1991 (*Regulation 4 and Schedule 3*);

**d)** the Carriage of Dangerous Goods by Rail Regulations 1996 (*Regulation 5 and Schedule 4*);

**e)** the Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations 1996 (*Regulation 6 and Schedule 5*);

**f)** the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 (*Regulation 7 and Schedule 6*);

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- g)** the Carriage of Explosives by Road Regulations 1996 (*Regulation 8 and Schedule 7*);
- h)** the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*Regulation 9 and Schedule 8*);
- i)** the Carriage of Dangerous Goods by Road Regulations 1996 (*Regulation 10 and Schedule 9*); and
- j)** the Health and Safety Fees Regulations (*Regulation 11 and Schedule 10*).

**3.** The effect of the amendments is to align the Regulations in paragraph 2 with the latest versions of the ADR and RID agreements, as defined in regulation 2(1) of the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996.

**4.** Apart from minor and drafting amendments, the principal modifications are—

- a)** a general disapplication—
  - i)** where goods are carried in an emergency in order to save life or protect the environment (*Schedule 4, paragraph 2(a); Schedule 5, paragraph 2(b); Schedule 6, paragraph 2(b); Schedule 7, paragraph 2(b); Schedule 8, paragraph 6(b) and Schedule 9, paragraph 18(c)*),
  - ii)** in respect of goods, other than explosives, which are part of machinery or equipment (*Schedule 4, paragraph 2(a); Schedule 6, paragraph 2(a); Schedule 8, paragraph 6(a) and Schedule 9, paragraph 18(b)*),
  - iii)** for certain pharmaceutical products packaged for retail sale and intended for personal or domestic use (*Schedule 4, paragraph 2(a); Schedule 6, paragraph 2(c); Schedule 8, paragraph 1(b) and Schedule 9, paragraph 18(a)*), and
  - iv)** in respect of certain radioactive materials carried by rail (*Schedule 5, paragraph 2(b)*);
- b)** a new requirement for large containers to meet international standards (*Schedule 4, paragraph 7; Schedule 5, paragraph 5 and Schedule 9, paragraph 5(b)*);
- c)** the carriage in bulk of used batteries to be permitted under certain conditions (*Schedule 4, paragraphs 20(i) and 21(i) and Schedule 9, paragraph 21(g)*);
- d)** revisions to the content and format of emergency information for the carriage of dangerous goods by road (*Schedule 7, paragraphs 7, 21(b) and 22 and Schedule 9, paragraphs 8(d) and 23*);
- e)** a new training requirement for employees with responsibilities related to the carriage of dangerous goods by road (*Schedule 7, paragraph 10 and Schedule 9, paragraph 14*);
- f)** training for the drivers of road vehicles which carry dangerous goods to be in the form of a theoretical course in specified subjects accompanied by practical exercises (*Schedule 8, paragraphs 3(d) and 9*);
- g)** the introduction of additional arrangements for the carriage of certain oxidizing, toxic and corrosive substances in composite intermediate bulk containers (*Schedule 4, paragraph 25 and Schedule 9, paragraph 19(e)*);
- h)** the carriage in bulk of certain high temperature goods to be permitted in special vehicles, wagons and large containers (*Schedule 4, paragraph 20(j) and Schedule 9, paragraph 20(h)*);
- i)** greater flexibility in the carriage of mixed loads of explosives and other dangerous goods (*Schedule 4, paragraph 26(b) and Schedule 7, paragraph 17*);
- j)** the requirement for an ADR (B3) certificate for Types II and III explosive vehicles constructed after 1st January 1997 (*Schedule 7, paragraph 21(a)*);

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**k)** the introduction of transitional provisions in relation to the publication of a new edition of an Approved Document (Schedule 4, paragraph 3; Schedule 5, paragraph 3; Schedule 6, paragraph 3; Schedule 7, paragraph 4 and Schedule 9, paragraph 2); and

**l)** the substitution of fixed fees for applications for approvals of training or refresher courses under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*Schedule 10*).

**5.** Copies of relevant documents may be obtained as follows—

**a)** the current edition of the International Maritime Dangerous Goods Code volumes I to IV and Supplement (ISBN 92-801-1465-4) and the International Convention for Safe Containers, 1972 (1996 edition, ISBN 92-801-1411-5) from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR; and

**b)** International Union of Railways UIC leaflets 590, 592-2, 592-3 and 592-4 from Railtrack Freight Commercial, Room 279, Derwent House, RTC Business Park, London Road, Derby DE24 8UP.

**6.** A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the Library of each House of Parliament.

**Status:**

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