

## SCHEDULE 1

Regulation 3(1)

### DISAPPLICATIONS TO THESE REGULATIONS

1. These Regulations shall not apply to—
  - (a) gas cylinders used as a component part of breathing appliances;
  - (b) UN 2857 REFRIGERATING MACHINES containing non-flammable, non-toxic, liquefied gas or ammonia solutions (UN 2672) or UN 3358 REFRIGERATING MACHINES containing flammable, non-toxic, liquefied gas, provided those machines—
    - (i) contain less than 12 kg of gas, and
    - (ii) are protected and stowed so as to prevent damage to the refrigeration system;
  - (c) UN 1044 FIRE EXTINGUISHERS with compressed or liquefied gas, provided—
    - (i) those extinguishers are packaged in strong outer packagings, and
    - (ii) have protection against inadvertent discharge; or
  - (d) UN 3164 ARTICLES, PRESSURIZED, PNEUMATIC OR HYDRAULIC (containing non-flammable gas), designed and manufactured to withstand stresses greater than the internal gas pressure by virtue of transmission of force, intrinsic strength or construction provided those articles—
    - (i) are packaged in strong outer packagings, and
    - (ii) in the case of articles intended to function as shock absorbers, comply with Special Provision 283 of Appendix 1 to the Approved Carriage List.
2. These Regulations shall not apply to any transportable pressure vessel which is used exclusively for the transport of a gas, UN 1051 STABILISED HYDROGEN CYANIDE, UN 1052 ANHYDROUS HYDROGEN FLUORIDE or UN 1790 HYDROFLUORIC ACID, solution, with more than 85% hydrofluoric acid, between the European Community and third-countries provided that—
  - (a) the goods are being carried in connection with the transport of those goods by sea and the goods are classified, packaged and labelled in accordance with the appropriate provisions of the International Maritime Dangerous Goods Code issued by the International Maritime Organization <sup>M1</sup>, as revised or re-issued from time to time;
  - (b) the goods are being carried in connection with the transport of those goods by air and the goods are classified, packaged and labelled in accordance with the appropriate provisions of the Technical Instructions for the Safe Transport of Dangerous Goods by Air issued by the International Civil Aviation Organization <sup>M2</sup>, as revised or re-issued from time to time;
  - (c) the transport forms part of an international transport operation within the meaning of article 1(c) of ADR and conforms with the provisions of that agreement; or
  - (d) the transport forms part of an international transport operation within the meaning of COTIF and conforms with the provisions of RID.

#### Marginal Citations

**M1** Current edition: Volumes I to IV ISBN 92 801 5090 1; Supplement ISBN 92 801 5093 6.

**M2** Current edition and supplement (2001-2002): Doc 9284-AN/905.

3. These Regulations shall not apply to transportable pressure vessels—
  - (a) where the maximum quantity per vessel (or, in the case of a gas, the maximum vessel volume) does not exceed that stated in column 3 of Schedule 3 to the CDGCPL Regulations

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for the appropriate classification of the goods it contains and provided that the total gross mass of any package containing such vessels does not exceed 30 kg;

- (b) containing non-flammable, non-toxic gases the pressure of which in the vessel, referred to a temperature of 15°C, does not exceed 200 kPa (2 bar) and which are completely in the gaseous state during transport;
- (c) containing gases of UN 1013 CARBON DIOXIDE or UN 1070 NITROUS OXIDE, in the gaseous state containing not more than 0.5% air, in metal capsules with not more than 25g of the gas and not more than 0.75g/cm<sup>3</sup> of capacity of both gases;
- (d) containing goods which are intended for use solely in connection with the operation of the vehicle in which those goods are being carried;
- (e) containing—
  - (i) UN 1913 NEON, REFRIGERATED LIQUID,
  - (ii) UN 1951 ARGON, REFRIGERATED LIQUID,
  - (iii) UN 1963 HELIUM, REFRIGERATED LIQUID,
  - (iv) UN 1970 KRYPTON, REFRIGERATED LIQUID,
  - (v) UN 1977 NITROGEN, REFRIGERATED LIQUID,
  - (vi) UN 2187 CARBON DIOXIDE, REFRIGERATED LIQUID,
  - (vii) UN 2591 XENON, REFRIGERATED LIQUID,
  - (viii) UN 3136 TRIFLUOROMETHANE, REFRIGERATED LIQUID, or
  - (ix) UN 3158 GAS, REFRIGERATED LIQUID N.O.S.,
 used for the cooling of medical or biological specimens provided they are contained in double-walled, vacuum-jacketed glass vessels surrounded by an absorbent insulating material, protected by iron wire baskets and placed in metal cases;
- (f) transporting gases which are contained in foodstuffs or beverages;
- (g) which are being carried by a vehicle not being used for, or in connection with, work;
- (h) which are not named individually in the Approved Carriage List and which contain goods in their internal or operational equipment;
- (i) which are being transported in an emergency with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such transport is carried out safely;
- (j) where those vessels or the vehicle transporting them have been damaged as a result of an accident, or where that vehicle has broken down, and the vessels are taken to a safe place for repair, cleaning or purging;
- (k) transported in a vehicle which is being used to transfer those vessels—
  - (i) between private premises and another vehicle situated in the immediate vicinity of those premises, or
  - (ii) 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;
- (l) transported in a road construction vehicle engaged in the repair or construction of a road; and in this sub-paragraph—
  - (i) “road construction vehicle” means a vehicle constructed or adapted for the transport of built-in road construction machinery and not constructed or adapted for the transport of any other load, except articles and materials used for the purposes of that machinery,

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- (ii) “built-in road construction machinery” means road construction machinery built in as part of a road construction vehicle or permanently attached to it, and
- (iii) “road construction machinery” means a machine or contrivance suitable for the repair and construction of roads.

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2004/568 Sch. 14](#)