

**2003 No. 1431**

**HEALTH AND SAFETY**

**The Carriage of Dangerous Goods and Transportable  
Pressure Vessels (Amendment) Regulations 2003**

*Made* - - - - - *3rd June 2003*

*Laid before Parliament* *4th June 2003*

*Coming into force* - - *30th June 2003*

The Secretary of State, in exercise of the powers conferred on him by section 15(1), (2), (3)(a) and (4), of, and paragraphs 1(1)(a), 1(2), 1(3), 1(4), 2(1), 3, 4(1), 6 and 16 of Schedule 3 to, the Health and Safety at Work etc. Act 1974(a) (“the 1974 Act”) 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 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Carriage of Dangerous Goods and Transportable Pressure Vessels (Amendment) Regulations 2003 and shall come into force on 30th June 2003.

**Amendment to the Dangerous Substances in Harbour Areas Regulations 1987**

2. In regulation 24(a)(i) of the Dangerous Substances in Harbour Areas Regulations 1987(b)—

- (a) in sub-paragraph (aa), for the words “1st July 2001” there are substituted the words “1st January 2005”; and
- (b) in sub-paragraph (bb), for the words “30th June 2001” there are substituted the words “31st December 2004”.

**Amendment to the Carriage of Dangerous Goods by Rail Regulations 1996**

3.—(1) The Carriage of Dangerous Goods by Rail Regulations 1996(c) shall be amended as follows.

(2) In regulation 2 (application)—

- (a) in paragraph (5), for the words “1st July 2003” substitute “1st January 2005”; and

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(a) 1974 c. 37: section 1(1)(c) was modified by the Health and Safety at Work etc. Act (Application to Environmentally Hazardous Substances) Regulations 2001 S.I. 2002/282; section 15(1) was amended by the Employment Protection Act 1975 (C. 71), Schedule 15, paragraph 6 and by S.I. 2002/794, article 5(2) and Schedule 2; section 50(1) and (3) were amended by the said Employment Protection Act, Schedule 15, paragraph 16; there are further amendments to the Act not relevant to these Regulations.

(b) S.I. 1987/37, relevant amending instruments are S.I. 1990/2487, S.I. 1994/669, S.I. 1996/2092, S.I. 1996/2095, S.I. 1997/2367 and S.I. 1998/2885.

(c) S.I. 1996/2089, relevant amending instruments are S.I. 1999/303 and S.I. 2001/1426.

(b) in paragraph (7), for the words “1st July 2003” substitute “1st January 2005”.

(3) In regulation 9(1) (examination, testing and certification of tanks), for the words “30th June 2003” substitute “31st December 2004”.

(4) In the title to Schedule 1, for the words “1st July 2003” substitute “1st January 2005”.

#### **Amendment to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996**

**4.**—(1) The Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996(a) shall be amended as follows.

(2) In regulation 3(4) (application of these regulations), for the words “1st July 2003” substitute “1st January 2005”.

(3) In the title to Schedule 8, for the words “1st July 2003” substitute “1st January 2005”.

(4) In paragraph 2(5) of Schedule 8, for the words “30th June 2003” substitute “31st December 2004”.

#### **Amendment to the Carriage of Dangerous Goods by Road Regulations 1996**

**5.**—(1) The Carriage of Dangerous Goods by Road Regulations 1996(b) shall be amended as follows.

(2) In regulation 11 (examination, testing and certification of tanks)—

(a) in paragraph (1)(a), for the words “1st July 2003” substitute “1st January 2005”; and

(b) in paragraph (1)(b), for the words “30th June 2003” substitute “31st December 2004”.

(3) In the title to Schedule 3, for the words “1st July 2003” substitute “1st January 2005”.

(4) In paragraph 11 of Schedule 10, for the words “1st July 2003” substitute “1st January 2005”.

#### **Amendment to the Transportable Pressure Vessels Regulations 2001**

**6.** In module D (production quality assurance) of Schedule 3 to the Transportable Pressure Vessels Regulations 2001(c) for each reference to the words “EC type-examination certificate” there are substituted the words “EC type-examination certificate or EC design-examination certificate”.

Signed by authority of the Secretary of State

3rd June 2003

*John Spellar*  
Minister of State,  
Department for Transport

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(a) S.I. 1996/2092, relevant amending instruments are S.I. 1999/303, S.I. 1999/2024 and S.I. 2001/1426.

(b) S.I. 1996/2095, relevant amending instruments are S.I. 1999/303 and S.I. 2001/1426.

(c) S.I. 2001/1426.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Regulation 2 amends the Dangerous Substances in Harbour Areas Regulations 1987 so that certain obligations apply in relation to tanks constructed before 1st January 2005 instead of 1st July 2001 or to those constructed after 31st December 2004 instead of 30th June 2001.

Regulations 3 to 5 amend the Carriage of Dangerous Goods by Rail Regulations 1996, the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996 and the Carriage of Dangerous Goods by Road Regulations 1996 so that certain provisions relating to tanks or transportable pressure receptacles apply or do not apply to tanks or receptacles constructed—

before 1st January 2005 instead of before 1st July 2003;

after 31st December 2004 instead of after 30th June 2003,

and make other consequential amendments.

Regulation 6 implements, as regards Great Britain, Commission Directive 2002/50/EC of 6th June 2002 (O.J. No. L149, 7 June 2002, p. 28) adapting to technical progress Council Directive 1999/36/EC on transportable pressure equipment (O.J. No. L138, 1st June 1999, p. 20). The effect of Directive 2002/50 is to insert references to EC design-examination certificates where these had been omitted in error in Annex IV to Directive 1999/36/EC and regulation 6 amends the Transportable Pressure Vessels Regulations 2001 accordingly. A copy of the transposition note for Directive 2002/50 can be obtained from the Health and Safety Executive's International Branch at Rose Court, 2 Southwark Bridge, London SE1 9HS and a copy has been placed in the library of each House of Parliament.

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