
STATUTORY INSTRUMENTS

2007 No. 1573

**The Carriage of Dangerous Goods and Use of
Transportable Pressure Equipment Regulations 2007**

PART 1

INTRODUCTORY PROVISIONS

Exceptions

Armed forces

- 10.**—(1) Parts 2 and 5 of these Regulations do not apply to, or in relation to, the carriage of—
- (a) class 6.2 goods of a type falling within subdivision I2 Infectious substances affecting animals only; or
 - (b) class 9 goods of a type falling within subdivisions—
 - (i) M6 Pollutant to the aquatic environment, liquid;
 - (ii) M7 Pollutant to the aquatic environment, solid; or
 - (iii) M8 Genetically modified micro-organisms and organisms,

if those goods are carried on a vehicle or a train which is owned by, or under the control of, the armed forces.

(2) The requirements in Chapter 5.3, Sections 5.4.0 to 5.4.2 and Sub-sections 5.4.3.4 and 8.1.2.3 do not apply to, or in relation to, the carriage of dangerous goods by road in a vehicle owned by the armed forces in the circumstances specified in paragraph (3) or (4).

- (3) The vehicle is being used in connection with training—
- (a) which has been certified to be training on a special occasion in accordance with regulation 7(1)(a) of the Road Vehicles Lighting Regulations 1989⁽¹⁾; and
 - (b) in respect of which at least 48 hours notice has been given to—
 - (i) the chief officer of police of each police area; and
 - (ii) as respects—
 - (aa) England and Wales, the fire and rescue authority; and
 - (bb) Scotland, the chief officer of the relevant authority (as defined by section 6 of the Fire (Scotland) Act 2005⁽²⁾)

for each area,

in which the place selected for training is situated.

(1) S.I. 1989/1796, to which there are amendments not relevant to these Regulations.
(2) 2005 asp 5.

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(4) The vehicle is being used in connection with manoeuvres within such limits and during such periods as may from time to time be specified by an Order in Council made under section 1 of the Manoeuvres Act 1958(3).

(5) If dangerous goods are being carried in a vehicle owned by the armed forces, any requirement in Part 9 which applies to the vehicle in question pursuant to regulation 65 shall be deemed to be satisfied to the extent that it is not reasonably practicable for the vehicle to meet the requirement in question because of design constraints made necessary by its intended operational use.

(6) If—

- (a) a vehicle is owned by, or under the control of, the armed forces;
- (b) a certificate of ADR approval of the type referred to in Sub-section 9.1.3 has been issued in relation to that vehicle pursuant to regulation 65; and
- (c) that certificate has expired,

the vehicle shall still be permitted to carry tanks where those tanks are empty but uncleaned if the conditions in paragraph (7) are satisfied.

(7) The conditions are—

- (a) the vehicle carrying the tanks is being driven—
 - (i) to a place for the purpose of—
 - (aa) submitting the vehicle to an annual technical inspection of the type referred to in Sub-section 9.1.2.3 that is required to be undertaken in relation to that vehicle by virtue of regulation 65;
 - (bb) cleaning the tanks and the place to which the vehicle is being driven is suitable for this purpose; or
 - (cc) repairing the vehicle or tank; or
 - (ii) the vehicle carrying the tanks is being driven from a place to which it had been taken for a purpose mentioned in (i); and
- (b) it was not reasonably practicable for the vehicle to have been submitted for the annual technical inspection before the expiry of the certificate of ADR approval because—
 - (i) the vehicle was being used for operational duties; or
 - (ii) a member of the vehicle crew was based on operational duties, outside the United Kingdom.

(8) If dangerous goods are being carried in a vehicle or a train owned by, or under the control of, the armed forces, the requirements in regulation 91 do not apply.

(9) But paragraphs (1) to (8) do not apply to, or in relation to, carriage on behalf of a person who is not a member of—

- (a) Her Majesty's Forces; or
- (b) a visiting force within the meaning of Part 1 of the Visiting Forces Act 1952(4).

(10) Paragraphs (11) and (12) apply to, and in relation to, carriage in a vehicle or train owned by, or under the control of, the armed forces.

(3) 1958 c. 7; section 1(3)(a)(i) was substituted by the Water Act 1989 (c. 15), section 190 and Schedule 25, paragraph 24. In section 1(3)(a)(i) the words "Environment Agency" were substituted by the Environment Act 1995 (Consequential Amendments) Regulations 1996 (S.I. 1996/593), regulation 2 and Schedule 1. In section 1(3)(a)(iii) the words "Natural England" were substituted by the Natural Environment and Rural Communities Act 2006, Schedule 11, Part 1, paragraph 26(a).

(4) 1952 c. 67.

(11) Parts 2 and 5 of these Regulations do not apply to, or in relation to, carriage of class 7 goods which—

- (a) are, or form part of, an instrument of war;
- (b) are required for research into, or the development or production of, any such instrument or part of such instrument; or
- (c) are produced in the course of, or in connection with, such research, development or production,

if that carriage is undertaken on behalf of a Department of the Government of the United Kingdom or if the carriage is undertaken in connection with the execution of a contract with any such Department.

(12) Parts 2 and 5 of these Regulations do not apply to, or in relation to, the carriage of class 7 goods which are, or form part of, an instrument of war if that carriage is undertaken on behalf of a visiting force within the meaning of Part 1 of the Visiting Forces Act 1952 or if the carriage is undertaken in connection with the execution of a contract with such a visiting force.

(13) The Secretary of State for Defence may, in the interests of national security, authorise in writing the exemption of any—

- (a) military explosive or any vehicle or train intended for the carriage of such explosives from all or any of the requirements or prohibitions imposed by these Regulations; or
- (b) person from all or any of the requirements or prohibitions imposed by these Regulations, to the extent that they relate to the carriage of any dangerous goods in or on any vehicle or train owned by, or under the control of, the armed forces.

(14) An authorisation issued pursuant to paragraph (13) may be—

- (a) made subject to conditions;
- (b) limited in time; and
- (c) withdrawn at any time by the provision of a notice in writing to that effect to the person authorised and such a notice may provide that the withdrawal of the authorisation shall have effect from a date specified in that notice.

(15) An exemption granted pursuant to regulation 36(9) of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004⁽⁵⁾ that was in force immediately before the coming into force of these Regulations shall be deemed to be an authorisation issued pursuant to paragraph (13) of this regulation and be subject to the same conditions as were in force immediately before the coming into force of these Regulations.

(16) In this regulation—

- (a) “I2 Infectious substances affecting animals only” shall be construed in accordance with Sub-section 2.2.62.1.2; and
- (b) “M6 Pollutant to the aquatic environment, liquid”, “M7 Pollutant to the aquatic environment, solid” and “M8 Genetically modified micro-organisms and organisms” shall be construed in accordance with Sub-section 2.2.9.1.2.

Commencement Information

II Reg. 10 in force at 1.7.2007, see [reg. 1](#)

(5) [S.I. 2004/568](#); amended by [S.I. 2005/ 1082](#), [2005/1732](#), [2005/2929](#), [2006/557](#) and [S.S.I 2005/344](#).

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2009/1348 reg. 33](#)