

SCHEDULE 1

Regulation 7

APPOINTMENTS

Applications for appointment

1.—(1) An application for appointment shall be made in a form approved by the GB competent authority.

(2) Sub-paragraph (3) applies in relation to a person seeking appointment pursuant to regulation 69(2).

(3) The application shall be by reference to one or more of the following sub-paragraphs—

- (a) a testing and certifying body for the purposes of Sub-Section 6.2.1.4;
- (b) a body for the purposes of Sub-section 6.2.1.6;
- (c) an inspection body for the purposes of Sub-section 6.2.5.6;
- (d) a periodic inspection and test body for the purposes of Sub-section 6.2.5.7;
- (e) an authorized body for the purposes of Chapter 6.7;
- (f) an expert for the purposes of Chapter 6.7;
- (g) an expert for the purposes of Chapter 6.8; and
- (h) an expert for the purposes of Chapter 6.9.

(4) A person seeking appointment as a notified body or an approved body pursuant to regulation 79 shall in making the application—

- (a) state that appointment is sought in relation to all transportable pressure equipment; or
- (b) give details of the transportable pressure equipment in relation to which appointment is sought.

(5) A person seeking appointment as an inspection body pursuant to paragraph 9 of Schedule 2 shall in making the application—

- (a) state that appointment is sought in relation to all descriptions of old tank-vehicles, old tank wagons and old tank-containers; or
- (b) give details of the descriptions of the old tank-vehicles, old tank wagons and old tank-containers in relation to which appointment is sought.

(6) A person seeking appointment as an approved person or an inspection body pursuant to paragraph 10 of Schedule 3 shall in making the application—

- (a) state that appointment is sought in relation to all descriptions of old pressure receptacles; or
- (b) provide details of the descriptions of the old pressure receptacles to which the application relates.

Commencement Information

II Sch. 1 para. 1 in force at 1.7.2007, see [reg. 1](#)

Appointment by the GB competent authority

2.—(1) The GB competent authority shall make any appointment in writing.

(2) An appointment may relate to such equipment as the GB competent authority considers appropriate.

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(3) An appointment may be made subject to such conditions as the GB competent authority considers appropriate and such conditions may include conditions which apply upon or following termination of the appointment.

(4) An appointment may be for the time being or for such period as may be specified in the appointment.

(5) If for any reason an appointment is terminated, the GB competent authority may—

(a) give such directions—

(i) to the person whose appointment has been terminated; or

(ii) to another person who has been appointed pursuant to these Regulations,

for the purpose of making such arrangements for the determination of outstanding applications as it considers appropriate and the person to whom the directions are given shall comply with them; and

(b) authorise another person to take over the functions of the appointee whose appointment has been terminated in respect of such cases as it may specify.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.7.2007, see [reg. 1](#)

Fees that may be charged by appointees

3.—(1) An appointee may charge a fee in connection with the carrying out of a function for which he has been appointed.

(2) The fee is payable by the person who asks the appointee to carry out the function.

(3) The fee shall not exceed—

(a) the costs incurred or to be incurred by the appointee in performing the function; and

(b) an amount on account of profit which is reasonable in the circumstances having regard to—

(i) the character and extent of the work done or to be done by the appointee; and

(ii) the commercial rate normally charged on account of profit for that work or similar work.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.7.2007, see [reg. 1](#)

The inspection of appointees

4.—(1) An appointee is to be subject to such inspection by or on behalf of the GB competent authority as is necessary to ensure compliance with any condition specified in the appointment.

(2) The inspection referred to in sub-paragraph (1) may include the examination of premises, equipment and documents and the appointee shall provide such copies, facilities, assistance and information as are reasonably required for the purpose of the inspection.

(3) A fee which is reasonable for the work performed is to be payable by the appointee in respect of any inspection undertaken by or on behalf of the GB competent authority in accordance with sub-paragraph (1).

Commencement Information

I4 Sch. 1 para. 4 in force at 1.7.2007, see [reg. 1](#)

SCHEDULE 2

Regulation 15(4)

OLD TANKS

Interpretation

1. In this Schedule, the expressions mentioned in column 1 of the Table shall have the meanings given in column 2 of that Table and related expressions shall be construed accordingly.

Table

<i>Column 1</i>	<i>Column 2</i>
“an assembly of old pressure receptacles”	An assembly of old pressure receptacles— (a) held firmly together and interconnected by a manifold; and (b) where each receptacle has a volume not exceeding 150 litres.
“examination”	In respect of an old tank, a careful and critical scrutiny of that old tank in or out of service, as appropriate, and using suitable techniques, including testing, where appropriate, to assess— (a) its actual condition; and (b) whether, for the period up to the next examination, it will not cause danger when properly used if normal maintenance is carried out.
“inspection body”	A person appointed pursuant to paragraph 9 of this Schedule.
“old tank-vehicle”	A tank-vehicle including— (a) any demountable tank which is attached to it; and (b) an assembly of old pressure receptacles if— (i) they are mounted on a frame where the frame is permanently fixed to the vehicle; and (ii) the total volume of the assembly is at least 1,000 litres.
“old tank wagon”	A tank wagon including— (a) any demountable tank which is attached to it; and

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<i>Column 1</i>	<i>Column 2</i>
“pressure vessel”	<p>(b) an assembly of old pressure receptacles if—</p> <p>(i) they are mounted on a frame where the frame is permanently fixed to the wagon; and</p> <p>(ii) the total volume of the assembly is at least 1,000 litres.</p> <p>A tank-container or the fixed or demountable tank of an old tank-vehicle which is—</p> <p>(a) used or intended to be used for the carriage of dangerous goods—</p> <p>(i) at a pressure of 500 millibar or more above or below atmospheric pressure; or</p> <p>(ii) at a pressure of 500 millibar or less above atmospheric pressure—</p> <p>(aa) if that pressure is maintained by artificial means; and</p> <p>(bb) would rise above that pressure if such means were no longer employed; or</p> <p>(b) filled or discharged at a pressure of 500 millibar or more above or below atmospheric pressure.</p>
“tube-container”	<p>A group of old pressure receptacles connected together—</p> <p>(a) with a total capacity greater than 3 cubic metres; and</p> <p>(b) fitted into a framework suitable for lifting on and off a vehicle,</p> <p>and intended to be used for the carriage of gases.</p>
“tube trailer”	<p>A trailer which has—</p> <p>(a) more than one old pressure receptacle, structurally attached to, or forming part of, the trailer; and</p> <p>(b) which is intended to be used for the carriage of gases.</p>

Commencement Information
I5 Sch. 2 para. 1 in force at 1.7.2007, see [reg. 1](#)

Further matters relating to interpretation

- 2.—(1) For the purpose of this Schedule the operator of—
- (a) a vehicle, in relation to carriage by road, shall be—

- (i) the person who, having a place of business in Great Britain, has the management of the container or vehicle for the time being; or
 - (ii) if no person satisfies the requirements of paragraph (i), the driver of the vehicle; and
- (b) an old tank (other than the fixed old tank or demountable old tank of an old tank-vehicle), in relation to carriage by road, or of a tank-container or old tank wagon, in relation to carriage by rail, shall be—
 - (i) the person who, having a place of business in Great Britain, owns the old tank, tank-container or old tank wagon concerned;
 - (ii) if no person falls within paragraph (i), the person who, having a place of business in Great Britain, acts as agent for the owner of the old tank, tank-container or old tank wagon concerned;
 - (iii) if no person falls within paragraphs (i) or (ii) in relation to carriage by rail, then the operator of the train on which the tank-container is carried or of which the old tank wagon forms part;
 - (iv) if no person falls within paragraphs (i) or (ii) in relation to carriage in an old tank by road, the person who, having a place of business in Great Britain, has the management of that old tank; or
 - (v) if no person falls within paragraphs (i), (ii) or (iv) in relation to carriage in an old tank by road, the driver of the vehicle on which the old tank is carried.
- (2) A person is not to be regarded as the operator of a vehicle solely because—
 - (a) he has the management of it during filling or discharging; or
 - (b) the vehicle is on premises which are under his control.
- (3) For the purposes of this Schedule a person to whom an old tank (other than the fixed old tank or demountable old tank of a old tank-vehicle), tank-container or old tank wagon is leased or hired shall be deemed to own it unless—
 - (a) the lessor or the hirer has made a written agreement with the person to whom he has leased or hired it; and
 - (b) that agreement is to the effect that the lessor or hirer shall assume the responsibilities of the owner imposed by or under this Schedule.
- (4) For the purposes of this Schedule an old tank-vehicle shall be deemed to be engaged in the carriage of dangerous goods—
 - (a) from the commencement of filling it with dangerous goods for the purpose of carrying those goods by road;
 - (b) until the vehicle and, where relevant, any compartment of it, has been discharged and, where necessary, cleaned or purged so that any of the goods or their vapours which remain in it are not sufficient to create a significant risk to the health or safety of any person,whether or not the old tank-vehicle concerned is on the road at the material time.
- (5) For the purposes of this Schedule an old tank (other than the fixed old tank or demountable old tank of an old tank-vehicle) shall be deemed to be engaged in the carriage of dangerous goods—
 - (a) from the commencement of filling of the old tank with dangerous goods for the purpose of carrying those goods by road; and
 - (b) until either the old tank is removed from the relevant vehicle or the old tank and any compartment of it has been discharged and, where necessary, cleaned or purged so that any of the dangerous goods or their vapours which remain in it are not sufficient to create a significant risk to the health or safety of any person,

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whether or not the old tank concerned is on the road at the material time.

Commencement Information

I6 Sch. 2 para. 2 in force at 1.7.2007, see [reg. 1](#)

Construction of tanks of old tank-vehicles, tank-containers and old tank wagons for carriage by road or rail

3.—(1) An operator of an old tank-vehicle, old tank wagon or tank-container shall ensure that it is not used for the carriage of dangerous goods unless the fixed or demountable old tank of the tank-vehicle, tank wagon or of the tank-container—

- (a) is properly designed, of adequate strength and well constructed from sound and suitable material;
- (b) is suitable for the purpose for which it is being used, having regard to—
 - (i) the nature and circumstances of the journey being undertaken; and
 - (ii) the properties and quantity of the dangerous goods and of any other goods being carried with the dangerous goods;
- (c) is designed, constructed and maintained to prevent any of its contents escaping, except that this does not prevent the fitting of a suitable safety device; and
- (d) is made of materials which are not liable—
 - (i) to be adversely affected by the dangerous goods; and
 - (ii) in conjunction with the dangerous goods, to significantly increase the risk to the health or safety of any person,if the materials are likely to come into contact with the dangerous goods.

(2) Sub-paragraph (3) applies in relation to an old tank of an old tank-vehicle or tank-container used for the first time for the carriage of dangerous goods on or after 1st June 1992.

(3) An operator shall ensure that the old tank is not used for the carriage of dangerous goods unless he has the information in writing concerning—

- (a) the design, construction, examination, and maintenance of; and
- (b) repairs or modifications made to,

the old tank as may reasonably foreseeably be needed to enable him to comply with this Schedule.

Commencement Information

I7 Sch. 2 para. 3 in force at 1.7.2007, see [reg. 1](#)

Testing, examination and maintenance for carriage by road or rail

4.—(1) A train operator or the operator of an old tank-vehicle, tank-container or old tank wagon shall ensure that dangerous goods are not carried in it unless—

- (a) for the purpose of ensuring that it is properly maintained, the operator has prepared and carried into effect a suitable written scheme for the initial and periodic examination and the initial and, where appropriate, periodic testing by or under the control of an inspection body of the old tank of a tank-container or the fixed old tank or demountable old tank of the old tank-vehicle or old tank wagon;

- (b) before it is used for the first time for the carriage of dangerous goods, the fixed old tank or demountable old tank of the old tank-vehicle or old tank wagon or the old tank of the tank-container in question has been certified by an inspection body as suitable for its intended purposes and those purposes are set out in the certificate; and
 - (c) the operator of an old tank-vehicle, tank-container or old tank wagon has in his possession the report referred to in sub-paragraph (2).
- (2) The operator of an old tank-vehicle, tank-container or old tank wagon shall ensure that he has in his possession the report of the most recent examination and test held in accordance with the written scheme which states—
- (a) the date and the result of the examination and test;
 - (b) the date before which any further examination and, where appropriate, test, shall be carried out, the interval to which shall be—
 - (i) as specified in the written scheme; or
 - (ii) such other period as the inspection body may specify;
 - (c) that the relevant old tank of the tank-container, fixed old tank or demountable old tank of the old tank-vehicle or old tank wagon remains suitable for the purposes set out in—
 - (i) the certificate issued pursuant to sub-paragraph (1)(b); or
 - (ii) a further certificate issued under paragraph 5(6),or if it is no longer suitable for any of these purposes, then stating the purposes for which it is suitable; and
 - (d) in the case of a pressure vessel for carriage by road, the maximum working pressure to which the vessel may be subjected.
- (3) A train operator shall ensure that the operator of an old tank-vehicle, tank-container or old tank wagon has in his possession the report referred to in sub-paragraph (2).
- (4) Dangerous goods shall not be carried by road in a fixed or demountable old tank of an old tank-vehicle or in the old tank of a tank-container or by rail in a fixed or demountable old tank of an old tank wagon or in the old tank of a tank-container if—
- (a) the fixed old tank, demountable old tank or old tank or old tank wagon concerned has been damaged, modified or repaired in such a way as might affect its safety since—
 - (i) the report referred to in sub-paragraph (2) was issued; or
 - (ii) where the old tank, fixed old tank or demountable old tank or old tank wagon is specified in sub-paragraph (9), the old tank was last inspected and tested in accordance with—
 - (aa) ADR;
 - (bb) RID; or
 - (cc) the IMDG Code⁽¹⁾; or
 - (b) in the case of a pressure vessel for carriage by road, the pressure in the vessel exceeds the maximum working pressure specified in the report referred to in sub-paragraph (2).
- (5) It is sufficient compliance with sub-paragraph (1)(c) if—
- (a) the inspection body first enters his report in a computer under the operator's control and then authenticates it; or
 - (b) the report is transferred to such a computer by, or on the instructions of, the inspection body as soon as practicable after he first enters it in a computer and authenticates it.

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- (6) But the procedure in sub-paragraph (5) may only be used if the report—
- (a) can be reproduced as a hard copy at the place where documents are required to be kept pursuant to paragraph 8;
 - (b) is secure from unauthorised interference; and
 - (c) can be authenticated only by the inspection body.

(7) If the fixed old tank or demountable old tank of an old tank-vehicle, the old tank of a tank-container or old tank wagon has fallen into a state of disrepair, been damaged, modified or repaired in such a way as might affect its safety since—

- (a) the report referred to in sub-paragraph (2) was issued; or
- (b) in the case of a fixed old tank or demountable old tank of an old tank-vehicle, the old tank of a tank-container or old tank wagon specified in sub-paragraph (9), the old tank was last examined and tested in accordance with—
 - (i) ADR;
 - (ii) RID; or
 - (iii) the IMDG Code,

then the provisions of sub-paragraph (1), or, as the case may be, ADR, RID or the IMDG Code, apply in respect of any such old tank as if the old tank had not previously been used for the carriage of dangerous goods.

(8) The operator may transport uncleaned old tanks by rail or by road, in respect of which the relevant certificate has expired, for the sole purpose of undergoing the inspection and tests with a view to renewing that certificate.

- (9) Sub-paragraph (1) and paragraphs 5(2) and 5(6) do not apply to—
- (a) the fixed old tank or demountable old tank of an old tank-vehicle; or
 - (b) the old tank of a—
 - (i) tank-container; or
 - (ii) old tank wagon,
 used for the carriage of dangerous goods if the old tank has been inspected, tested, certified and marked in accordance with the requirements of ADR, RID or the IMDG Code.

Commencement Information

18 Sch. 2 para. 4 in force at 1.7.2007, see [reg. 1](#)

Testing, examination and maintenance for carriage by road

5.—(1) If, before 1st June 1992, there was in existence in respect of the fixed old tank or demountable old tank of an old tank-vehicle or a tank-container a suitable written scheme drawn up in accordance with regulation 7(2)(a) of the Dangerous Substances (Conveyance by Road in Road Tankers and Tank-containers) Regulations 1981(2), that scheme shall be deemed to be a suitable written scheme in respect of that old tank or tank-container in accordance with paragraph 4(1)(a).

(2) Every fixed old tank or demountable old tank of an old tank-vehicle and every tank-container to be used for carriage by road, shall have securely fastened to it, or to any support which is welded to that fixed old tank, demountable old tank or tank-container, in a readily accessible position, a corrosion-resistant plate on which the following information is indelibly marked—

(2) [S.I. 1981/1089](#); revoked by [S.I. 1992/743](#).

- (a) the name or identifying mark of the manufacturer of the fixed old tank, demountable old tank or tank-container;
- (b) the serial number of the fixed old tank, demountable old tank or tank-container by which it can be identified;
- (c) the date of the most recent examination and test carried out in accordance with paragraph 4(1)(a); and
- (d) in the case of a pressure vessel, the maximum working pressure to which the vessel may be subjected.

(3) But sub-paragraph (2) does not apply to any tube trailer or tube-container where the information specified in that sub-paragraph is indelibly marked on each old pressure receptacle.

(4) If compliance with sub-paragraph (2)(c) is impossible because there is no more room on a corrosion-resistant plate, the date concerned shall be indelibly marked on an additional corrosion-resistant plate which shall be—

- (a) securely fastened to the relevant fixed old tank, demountable old tank or tank-container, or to any support welded to it; and
- (b) in a readily accessible position,

and that additional plate shall also be marked in accordance with sub-paragraphs (2)(a) and (b) and, where appropriate, (2)(d).

(5) If a corrosion-resistant plate referred to in sub-paragraph (2) or (4) is covered by an insulating layer and that layer surrounds the fixed old tank, demountable old tank or tank-container to which the plate is fastened—

- (a) a duplicate corrosion-resistant plate shall be securely fastened to the exterior of the insulating layer; and
- (b) that duplicate plate shall be indelibly marked with the same information as is marked on the covered plate.

(6) If the inspection body is satisfied that the fixed tank or demountable tank of an old tank-vehicle or a tank-container is suitable for purposes other than those specified in the certificate referred to in paragraph 4(1)(b) he may endorse the certificate to that effect or issue a further certificate specifying those purposes.

Commencement Information

19 Sch. 2 para. 5 in force at 1.7.2007, see [reg. 1](#)

Testing, examination and maintenance for carriage by rail

6.—(1) A train operator may carry dangerous goods by rail in a tank-container or old tank wagon where the old tank of the tank-container or old tank wagon concerned is in a state of disrepair, for the sole purpose of transporting such an old tank to a place for repair, providing that it is safe to do so.

(2) An operator of a tank-container or old tank wagon shall not cause or permit dangerous goods to be carried in a tank-container or an old tank wagon by rail unless he certifies to the operator of the train—

- (a) on which the tank-container is to be carried; or
- (b) of which the old tank wagon is to form a part,

that he has complied with paragraph 4 in respect of the old tank of the tank-container or old tank wagon concerned.

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Commencement Information

I10 Sch. 2 para. 6 in force at 1.7.2007, see [reg. 1](#)

Use of old tank-vehicles, old tank wagons or tank-containers for carriage by road or rail

7.—(1) The operator of an old tank-vehicle, old tank wagon or tank-container engaged in the carriage of dangerous goods by road or by rail shall take such steps as it is reasonable for him to take to ensure that nothing in the manner in which the old tank of the tank-vehicle, old tank wagon or tank-container in question is used is liable to create a significant risk or significantly increase any existing risk to the health or safety of any person.

(2) The operator of an old tank-vehicle, old tank wagon or tank-container engaged in the carriage of dangerous goods by road or by rail shall ensure that the old tank in question is not filled with dangerous goods beyond a safe level.

Commencement Information

I11 Sch. 2 para. 7 in force at 1.7.2007, see [reg. 1](#)

Keeping of documents

8.—(1) The documents referred to in paragraphs 3 to 6 shall be capable of being reproduced as a hard copy by the operator of any—

- (a) tank-container or old tank wagon, at the address within Great Britain from which the deployment of that tank-container or old tank wagon is controlled; and
- (b) old tank-vehicle, at the premises from which the old tank-vehicle operates or at the operator's principal place of business in Great Britain.

(2) But if the operator of a tank-container or old tank wagon does not own it, he need only comply with sub-paragraph (1)(a) if—

- (a) certified photocopies of the documents concerned are kept at the operator's place of business; or
- (b) the documents concerned are readily available from the owner of the tank-container or old tank wagon.

(3) If the operator of an old tank-vehicle, tank-container or old tank wagon changes, the previous operator shall, to the extent he is required to keep any document at an address in Great Britain in accordance with sub-paragraph (1), give any such document to the new operator.

(4) If either of the procedures referred to in paragraph 4(5) has been used—

- (a) the operator shall be regarded as complying with sub-paragraph (1) in respect of the report referred to in paragraph 4(2) if the report is accessible from a computer kept by the operator at the place specified in sub-paragraph (1); and
- (b) if the operator has changed and the report is accessible from the previous operator's computer, then the previous operator shall provide the new operator with the information contained in that report.

Commencement Information

I12 Sch. 2 para. 8 in force at 1.7.2007, see [reg. 1](#)

Appointment of inspection bodies by the GB competent authority

9.—(1) The GB competent authority may appoint such persons as it thinks fit to be inspection bodies for the purpose of this Schedule.

(2) A person appointed as an inspection body pursuant to paragraph 8 of Schedule 1 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004⁽³⁾ whose appointment is in force immediately before the coming into force of these Regulations shall be deemed to have been appointed as an inspection body pursuant to sub-paragraph (1) on the same terms as applied to the appointment under paragraph 8.

Commencement Information

I13 Sch. 2 para. 9 in force at 1.7.2007, see [reg. 1](#)

SCHEDULE 3

Regulation 16(3)

OLD PRESSURE RECEPTACLES

Interpretation

1. In this Schedule, the expressions mentioned in column 1 of the Table shall have the meanings given in column 2 of that Table and related expressions shall be construed accordingly.

Table

<i>Column 1</i>	<i>Column 2</i>
“approved person”	A person approved pursuant to paragraph 10 of this Schedule for the purposes of carrying out the tasks of an approved person under paragraphs 4 and 8 of this Schedule.
“design standard”	A standard for the design of more than one type of old pressure receptacle.
“examination”	In respect of an old pressure receptacle, a careful and critical scrutiny of that receptacle in or out of service, as appropriate, using suitable techniques, including testing where appropriate, to assess its actual condition and whether, for the period up to the next examination, it will not cause danger when properly used if normal maintenance is carried out.
“filling ratio”	The ratio of the volume of the liquid gas in the old pressure receptacle to the total volume of the old pressure receptacle.
“inspection body”	A person approved pursuant to paragraph 10 of this Schedule for the purposes of carrying

(3) 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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<i>Column 1</i>	<i>Column 2</i>
	out the tasks under paragraphs 5 and 6 of this Schedule.
“major repair”	Any repair involving hot work or welding on the body of an old pressure receptacle and, except in relation to paragraph 8(1)(a)(ii), does not include any repair involving heat treatment applied for the purpose of restoring the metallurgical properties of the old pressure receptacle.
“normal maintenance”	Such maintenance as is reasonable to expect the owner of an old pressure receptacle to ensure is carried out independently of any advice from the inspection body making the examination.
“re-rating”	Reassessing the capability of an old pressure receptacle to contain compressed gas safely with a view to improving its capacity by means of an increase in— (a) the charging pressure; or (b) in the case of liquefied gas, the filling ratio, from that originally assessed and marked on the old pressure receptacle at the time of manufacture.

Commencement Information
 I14 Sch. 3 para. 1 in force at 1.7.2007, see [reg. 1](#)

Further matters relating to interpretation

- 2.—(1) For the purposes of this Schedule—
- (a) dangerous goods shall be deemed to be carried from the time when they are placed on a vehicle or on a wagon for the purpose of carrying them by road or by rail until either—
 - (i) they are removed from the vehicle or wagon; or
 - (ii) any old pressure receptacle containing the goods which is on the vehicle or wagon has been cleaned or purged so that any of the goods or their vapour which remain in the old pressure receptacle is not sufficient to create a significant risk to the health or safety of any person,
 and in either case whether or not the vehicle or wagon is on the road or railway at the material time; and
 - (b) the carriage of dangerous goods and the consignment of dangerous goods in old pressure receptacles shall be deemed to include the carriage or consignment of uncleaned, empty old pressure receptacles which have contained dangerous goods where those old pressure receptacles still contain sufficient of those dangerous goods, or vapours from them, to create a significant risk to the health or safety of any person.

(2) Any requirement or prohibition imposed in this Schedule on a person who designs an old pressure receptacle or any article which is intended to be a component part of that receptacle, shall extend only to—

- (a) such old pressure receptacle or article designed in the course of a trade, business or some other undertaking carried on by him (whether for profit or not); and
- (b) matters within his control.

(3) This Schedule applies to a self-employed person as it applies to an employer and an employee as if that self-employed person were both an employer and an employee.

Commencement Information

I15 Sch. 3 para. 2 in force at 1.7.2007, see [reg. 1](#)

Duties on those designing, manufacturing, importing, supplying, modifying or repairing old pressure receptacles

3.—(1) Any person who designs, manufactures, imports or supplies any old pressure receptacle or any component part of an old pressure receptacle shall ensure that he complies with subparagraph (2).

- (2) The old pressure receptacle or component part shall be—
- (a) properly designed and constructed from suitable material, so as to prevent danger;
 - (b) designed and constructed so that all necessary examinations for preventing danger can be carried out; and
 - (c) provided with such protective devices as may be necessary for preventing danger and any such device which is designed to release contents shall do so safely to the extent that it is reasonably practicable to do so.

(3) The employer of a person who modifies or repairs an old pressure receptacle at work⁽⁴⁾ shall ensure that nothing about the way in which it is modified or repaired—

- (a) gives rise to any danger; or
- (b) in any other way impairs the operation of any protective device or inspection facility.

Commencement Information

I16 Sch. 3 para. 3 in force at 1.7.2007, see [reg. 1](#)

Conformity to approved design standard or specification

- 4.—**(1) No person is to—
- (a) supply or import; or
 - (b) to the extent it is reasonably practicable, fill,

an old pressure receptacle unless the old pressure receptacle has been verified, either by a certificate in writing or by means of stamping on the old pressure receptacle in accordance with subparagraph (2), as conforming to a design standard or design specification approved by the GB competent authority.

- (2) An old pressure receptacle shall be verified—

⁽⁴⁾ See section 52 of the Health and Safety at Work etc Act 1974 (c. 37).

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- (a) by an approved person; or
- (b) in accordance with a quality assurance scheme approved by the GB competent authority.

Commencement Information

I17 Sch. 3 para. 4 in force at 1.7.2007, see [reg. 1](#)

Examination of old pressure receptacles

5.—(1) The owner of an old pressure receptacle shall ensure, for the purpose of determining whether it is safe, that the old pressure receptacle is examined by or under the control of an inspection body, at the intervals specified in Tables 1 to 3 of Packaging Instruction P200 and Packing Instruction P203 in Section 4.1.4.

(2) If an examination of an old pressure receptacle has not taken place by the end of the interval determined in accordance with sub-paragraph (1), that old pressure receptacle shall not be filled.

(3) If an examination of an old pressure receptacle has not taken place by the end of the interval determined in accordance with sub-paragraph (1), that old pressure receptacle shall only be carried—

- (a) if it is being carried to the place of examination in order to be examined;
- (b) if it is being carried to a place where it will be stored for onward carriage to the place of examination in order to be examined;
- (c) for the purpose of carrying out that examination; or
- (d) for the purpose of disposing of the old pressure receptacle.

(4) Where an inspection body undertakes a proper examination for the purposes of sub-paragraph (1) then that inspection body shall, if satisfied that the old pressure receptacle is safe on completing that examination, ensure that marks are affixed to it showing the date of the examination and the identity of the inspection body that carried out the examination.

(5) No person other than—

- (a) an inspection body; or
- (b) a body under the control of an inspection body,

is to affix to an old pressure receptacle the mark referred to in sub-paragraph (4).

(6) The mark referred to in sub-paragraph (4) showing the date of the examination shall indicate the date by using two or four digits representing the year followed by two digits representing the month, separated by a forward slash (“/”).

Commencement Information

I18 Sch. 3 para. 5 in force at 1.7.2007, see [reg. 1](#)

Filling of old pressure receptacles

6.—(1) The employer of a person who is to fill an old pressure receptacle at work, shall ensure that the old pressure receptacle is not filled unless the marks on the old pressure receptacle indicate that it—

- (a) has been examined in accordance with paragraph 5(1); and
- (b) is suitable for containing the goods,

and all other appropriate safety checks have been made.

- (2) The employer of a person who fills an old pressure receptacle at work shall ensure that—
- (a) that person checks that—
 - (i) after filling, it is within its safe operating limits; and
 - (ii) any valves do not leak;
 - (b) in the event of overfilling, any excess dangerous goods are removed in a safe manner; and
 - (c) any old pressure receptacle that leaks after filling is not offered for carriage.
- (3) An employer shall ensure that no person employed by him refills at work a non-refillable old pressure receptacle with dangerous goods.

Commencement Information

I19 Sch. 3 para. 6 in force at 1.7.2007, see [reg. 1](#)

Approved design specification

7.—(1) The manufacturer, or if he does not have a place of business in Great Britain, his agent in Great Britain, or if he has no agent, the importer of an old pressure receptacle which is made to an approved design specification, shall keep a copy of—

- (a) the design specification to which the old pressure receptacle was manufactured; and
- (b) any certificate of conformity issued under paragraph 4(1).

(2) The manufacturer, or if he does not have a place of business in Great Britain, his agent in Great Britain, or if he has no agent, the importer of an old pressure receptacle which is—

- (a) refillable;
- (b) used solely for containing liquefied petroleum gas; and
- (c) has a water capacity no greater than 6.5 litres,

shall keep a copy of the design specification to which the old pressure receptacle was manufactured.

(3) The owner of an old pressure receptacle used or intended to be used for acetylene shall keep records of the—

- (a) tare weight of the old pressure receptacle, including the porous substance and, where relevant, acetone or other solvent;
- (b) nature of the solvent; and
- (c) maximum pressure allowed in the old pressure receptacle.

Commencement Information

I20 Sch. 3 para. 7 in force at 1.7.2007, see [reg. 1](#)

Modification, repair and re-rating of old pressure receptacles

8.—(1) Every employer shall ensure that no person employed by him modifies at work the body of—

- (a) an old pressure receptacle, which is used or intended to be used for carriage by road or by rail, and which—
 - (i) is of seamless construction; or
 - (ii) has contained acetylene; and

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(b) any type of old pressure receptacle not referred to in paragraph (a), if that modification would put it outside the scope of the design standard or design specification to which it was originally constructed.

(2) No person is to supply any modified old pressure receptacle for use unless following such modification an approved person has marked or certified it as being fit for use.

(3) But sub-paragraphs (1) and (2) do not apply in relation to any modification constituting the remaking of a thread if that modification is carried out in accordance with a standard approved by the GB competent authority.

(4) Every employer shall ensure that no person employed by him carries out at work any major repair on the body of an old pressure receptacle—

- (a) of seamless construction; or
- (b) which has contained acetylene.

(5) Every employer shall ensure that no person employed by him carries out at work any major repair on the body of any old pressure receptacle not referred to in sub-paragraph (4) unless he is competent to do so.

(6) No person is to supply an old pressure receptacle which has undergone a major repair unless following such work an approved person has marked or certified it as being fit for use.

(7) Every employer shall ensure that no person employed by him re-rates an old pressure receptacle at work unless he is competent to do so and does so in accordance with suitable written procedures drawn up by the owner of the old pressure receptacle.

(8) No person is to supply an old pressure receptacle which has been re-rated unless, following the re-rating, an approved person has certified it as being safe for use.

Commencement Information

I21 Sch. 3 para. 8 in force at 1.7.2007, see [reg. 1](#)

Additional requirements for old pressure receptacles containing certain dangerous goods not classified as class 2 goods

9.—(1) If an old pressure receptacle is used for the carriage of a substance listed in Table 3 of Packaging Instruction P200 in Section 4.1.4, the requirements of that Table are to apply in addition to the requirements of this Schedule.

(2) For the purposes of this paragraph, special packing provision 10(k) of Table 3 of Packaging Instruction P200 in Section 4.1.4 does not apply to the extent that it limits the capacity of cylinders to a capacity of not more than 85 litres.

Commencement Information

I22 Sch. 3 para. 9 in force at 1.7.2007, see [reg. 1](#)

Appointment of approved persons or inspection bodies by the GB competent authority

10.—(1) The GB competent authority may appoint such persons as it thinks fit to be—

- (a) an approved person; or
- (b) an inspection body,

for the purpose of this Schedule.

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- (2) A person approved as—
- (a) an approved person pursuant to paragraph 2(4)(a) of Schedule 8 to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996(5); or
 - (b)
 - (i) an approved person pursuant to paragraph 3(2); or
 - (ii) an inspection body pursuant to paragraph 9(1),of Schedule 2 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004,

whose approval is in force immediately before the coming into force of these Regulations shall be deemed to have been appointed as an approved person or inspection body on the same terms as applied to the appointment under paragraph 2(4)(a), 3(2) or 9(1).

Commencement Information

I23 Sch. 3 para. 10 in force at 1.7.2007, see [reg. 1](#)

SCHEDULE 4

Regulations 30(5), 33(3) and 86(2)

Certain class 1 goods

Commencement Information

I24 Sch. 4 in force at 1.7.2007, see [reg. 1](#)

Table 1

<i>Goods</i>	<i>UN number</i>
Cable cutters	0070
Cap primers	0044
Cartridge cases	0055
Cartridges	0012, 0014, 0323, 0405
Fireworks	0337
Flares	0404
Fuse	0105
Fuse lighters	0131
Igniters	0454
Pyrotechnic articles	0432
Signals	0193, 0373

(5) [S.I. 1996/2092](#); revoked by [S.I. 2004/568](#), Schedule 14.

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Table 2

<i>Goods</i>	<i>UN number</i>
Cartridge cases	0379
Cartridges	0327, 0328, 0338, 0339
Fireworks	0333, 0334, 0335, 0336
Signals	0191, 0195

Table 3

<i>Goods</i>	<i>UN number</i>
Cartridge cases	0446, 0447
Cartridges	0054, 0275, 0276, 0277, 0278, 0312, 0381
Flares	0092, 0093, 0403
Flash powder	0094, 0305
Fuse	0101
Igniter cord and igniters	0066, 0121, 0314, 0315, 0325
Primers	0377, 0378
Pyrotechnic articles	0428, 0429, 0430, 0431
Rockets	0238, 0240, 0453
Signals	0192, 0194, 0196, 0197
5-mercaptotetrazole-1-acetic acid	0448
Dinitrosobenzene	0406
Sodium dinitro-o-cresolate	0234
Sodium picramate	0235
Tetrazol-1-acetic acid	0407
Zirconium picramate	0236

Table 4

<i>Goods</i>	<i>UN number</i>
Black powder	0027, 0028
Smokeless powder	0160, 0161

SCHEDULE 5

Regulation 42(5)

Radiological Emergencies

Interpretation

1. In this Schedule, the expressions mentioned in column 1 of the Table shall have the meanings given in column 2 of that Table and related expressions shall be construed accordingly—

Table

<i>Column 1</i>	<i>Column 2</i>
“assist in the intervention”	The taking of such steps, as it is reasonable and practicable in the prevailing circumstances to take, in order to prevent or decrease exposure. The circumstances to be taken into account include— <ul style="list-style-type: none"> (a) the weather conditions; (b) the time of the occurrence of the emergency; (c) the distribution of the local population; (d) the nature and content of the package involved; (e) the stability of the class 7 goods involved; (f) the nature of the local geography and ecology; (g) any other prevailing hazards; and (h) the relative importance of the emergency in relation to other calls that are being made upon the emergency services.
“intervention”	A human activity that prevents or decreases the exposure of persons to radiation from a radiation emergency or from an event which could lead to a radiation emergency, by acting on the sources of radiation, the paths by which such radiation may be transmitted to persons and on persons themselves.

Commencement Information

125 Sch. 5 para. 1 in force at 1.7.2007, see [reg. 1](#)

Information to the public about health protection measures

2.—(1) Every consignor, carrier and consignee carrying out the transport of a consignment shall—

- (a) ensure that any members of the public who are in an area in which, in the opinion of the GB competent authority, they are likely to be affected by a radiological emergency arising from the undertaking of that carrier, consignor or consignee are supplied, in the appropriate

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manner approved by the GB competent authority and without their having to request it, with at least the information set out in sub-paragraph (2); and

- (b) make that information publicly available, which includes endeavouring to enter into an agreement or arrangement with the local authority in the area referred to in sub-paragraph (a) for the dissemination by that authority of the information required to be supplied to members of the public in accordance with that sub-paragraph.

(2) The following is the information that is to be supplied and made available under this regulation—

- (a) the basic facts about the radioactivity and its effects on persons and on the environment;
- (b) the various types of radiological emergency possible and their consequences for the general public and the environment;
- (c) the emergency measures envisaged to alert, protect and assist the general public in the event of the occurrence of a radiological emergency;
- (d) appropriate information on action to be taken by the general public in the event of the occurrence of a radiological emergency; and
- (e) the appropriate local authority responsible for implementing the emergency measures and action referred to in (c) and (d) above.

(3) In preparing the information to be supplied and made available under this paragraph, the carrier, consignor or consignee shall—

- (a) consult the GB competent authority, but shall remain responsible for the accuracy, completeness and form of the information supplied; and
- (b) endeavour to enter into an agreement or arrangement with the local authority in whose area his undertaking is situated with respect to the dissemination by that authority of the information to members of the public.

(4) The information supplied and made available under this paragraph shall be updated—

- (a) at regular intervals;
- (b) whenever significant changes to any of the matters mentioned in sub-paragraph (2) take place; and
- (c) in any event, at least every 3 years.

(5) When information is updated in accordance with sub-paragraph (4) it shall be supplied again in accordance with paragraph (2) and made publicly available.

Commencement Information

I26 Sch. 5 para. 2 in force at 1.7.2007, see [reg. 1](#)

Duties with respect to the monitoring of particular persons

3.—(1) Any—

- (a) employee or agent of a consignor, carrier or consignee, or
- (b) any person of whose services a consignor, carrier or consignee makes use in the carriage of dangerous goods,

who assists in an intervention and is liable to be subjected to emergency exposure shall be treated as being a person classified pursuant to regulation 20 of the Ionising Radiations Regulations 1999⁽⁶⁾

(6) [S.I. 1999/3232](#).

(“the 1999 Regulations”) and, accordingly, the consignor, carrier or consignee (as the case may be) shall have the same duties with regard to the monitoring of such persons as are imposed upon an “employer” by regulations 21 to 26 of the 1999 Regulations.

(2) To the extent it is necessary in order to save human lives, an emergency exposure is permitted as a result of which the dose limit specified in paragraph 1, 2, 6, 7 or 8 of Schedule 4 (Dose Limits) to the 1999 Regulations will be exceeded, provided that the person who it is proposed is subjected to a dose in excess of the limit provided for in the relevant paragraph is a volunteer and has been informed of the risks involved in the intervention.

(3) In this paragraph, “emergency exposure” means an exposure of a person engaged in an activity of, or associated with, the response to a radiation emergency or potential emergency in order to bring help to endangered persons, prevent exposure of a large number of persons or save a valuable installation or goods where one of the individual dose limits referred to in paragraphs 1 or 2 of Part 1 of Schedule 4 to the 1999 Regulations could be exceeded.

Commencement Information

I27 Sch. 5 para. 3 in force at 1.7.2007, see [reg. 1](#)

Duties of consignor and carrier with regard to the preparation of emergency arrangements

4.—(1) Before the carriage of a package begins, the consignor of that package shall ensure that there is a plan in writing which sets out the emergency arrangements for that package.

(2) The plan shall set out such emergency arrangements as are appropriate for the carriage of the package.

(3) The plan shall be prepared having regard to—

- (a) the principle that intervention is to be undertaken only if the damage due to the radiation resulting from the radiation emergency is sufficient to justify the potential harm and the potential cost (including the social cost) of that intervention;
- (b) the principle that the form, scale and duration of the intervention should ensure that the benefit to health will be greater than any harm that might be associated with the intervention itself;
- (c) the dose limits provided for in Schedule 4 of the Ionising Radiations Regulations 1999; and
- (d)
 - (i) if the Health Protection Agency has specified levels of radiation dose applicable in an emergency pursuant to its functions under section 3 of the Health Protection Agency Act 2004(7), those levels; or
 - (ii) otherwise, the Emergency Reference Levels specified by the former National Radiological Protection Board pursuant to a direction under section 1(7) of the Radiological Protection Act 1970(8).

(4) To the extent that the plan is used in relation to carriage on more than one occasion, the consignor shall review and, whenever necessary, revise his emergency arrangements and shall ensure that at suitable intervals they are tested.

(7) [2004 c. 17](#).

(8) [1970 c. 46](#). By section 3(2) of the Health Protection Agency Act 2004 and article 2(1)(c) of the Health Protection Agency Act 2004 (Commencement) Order 2005 ([S.I. 2005/121](#)), those functions of the National Radiological Protection Board that were exercisable on direction on 31st January 2005 became exercisable by the Health Protection Agency on that date. By Schedule 3 to the 2004 Act and article 2(2) of the Order, the 1970 Act under which the Board was established, ceased to have effect on 1st April 2005.

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Commencement Information

I28 Sch. 5 para. 4 in force at 1.7.2007, see [reg. 1](#)

Duties of drivers, carriers and consignors in the event of the occurrence of a radiological emergency

5.—(1) The driver of a vehicle or train carrying class 7 goods who discovers, or has reason to believe, that a notifiable event has occurred in relation to the transport unit or train he is driving shall—

- (a) immediately notify—
 - (i) the police
 - (ii) (where appropriate), as respects England and Wales, the fire and rescue authority and, as respects Scotland, the chief officer of the relevant authority (as defined by section 6 of the Fire (Scotland) Act 2005⁽⁹⁾); and
 - (iii) the consignor,
 of that event;
- (b) initiate the emergency arrangements in respect of any radiological emergency; and
- (c) assist in the intervention that is made in connection with that radiological emergency.

(2) A carrier of class 7 goods who becomes aware of the occurrence of a notifiable event in relation to the material he is carrying shall—

- (a) immediately notify—
 - (i) the police (unless the driver of the transport unit or train has already done so); and
 - (ii) the GB competent authority,
 of that event;
- (b) assist in the intervention that is made in connection with any radiological emergency; and
- (c) as soon as is reasonably practicable, arrange for the examination of the load that is carried in or on the vehicle so as to determine whether contamination has arisen and, if it has, to arrange for the safe disposal of any part of the load that has been contaminated and for the decontamination of the transport unit or train.

(3) A consignor of class 7 goods who becomes aware of the occurrence of a notifiable event in relation to his consignment shall—

- (a) immediately notify—
 - (i) the police; and
 - (ii) the GB competent authority,
 of that event (unless either the driver or the carrier has already done so);
- (b) assist in the intervention that is made in connection with any radiological emergency; and
- (c) provide the GB competent authority with details of the incident that gave rise to that emergency.

(4) Whenever a consignor becomes aware that emergency arrangements have been initiated in relation to his consignment he shall notify the GB competent authority of the initiation of those arrangements even if, in the event, no intervention was made pursuant to those arrangements.

⁽⁹⁾ 2005 asp 5.

(5) If a notifiable event occurs the carrier shall ensure that a report is made forthwith to the GB competent authority.

(6) The report required under paragraph (5) shall be in a form which has been approved by the GB competent authority and shall contain all relevant information which the GB competent authority has communicated to the carrier that it considers necessary.

(7) In this paragraph—

(a) “notifiable event” means

(i) a radiological emergency,

(ii) the theft or losing of the class 7 goods being carried; or

(iii) an occurrence subject to report as construed in accordance with Sub-section 1.8.5.3; and

(b) “initiate the emergency arrangements” means the taking of such steps as it is reasonable and practicable to take in order to put into effect the actions that have been planned for in the emergency arrangements.

Commencement Information

I29 Sch. 5 para. 5 in force at 1.7.2007, see [reg. 1](#)

Packages involved in a radiological emergency

6. A package that has been involved in a radiological emergency shall not be carried or caused to be carried unless the consignor or his agent has examined it and the consignor is satisfied that it complies with the requirements of these Regulations and he issues a certificate to that effect.

Commencement Information

I30 Sch. 5 para. 6 in force at 1.7.2007, see [reg. 1](#)

Power of the competent authority to require documents and require testing, rehearsal and revision of the emergency arrangements

7.—(1) The consignor and carrier shall provide to the GB competent authority, within such reasonable period as the GB competent authority may specify, such documents relating to the emergency arrangements as may have been requested by the GB competent authority.

(2) To the extent required by a notice in writing served on the consignor or carrier by the GB competent authority, the consignor or carrier shall test, rehearse and revise the emergency arrangements.

Commencement Information

I31 Sch. 5 para. 7 in force at 1.7.2007, see [reg. 1](#)

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SCHEDULE 6

Regulation 70(4)(b)

CERTAIN ADR FUNCTIONS DEEMED PERFORMED PURSUANT TO REGULATION 66(1)

Commencement Information

I32 Sch. 6 in force at 1.7.2007, see [reg. 1](#)

Table

<i>Certificate issued under regulation 62 of the Radioactive Material (Road Transport) Regulations 2002(10)</i>	<i>Regulation in the Radioactive Material (Road Transport) Regulations 2002</i>	<i>Function</i>	<i>ADR Sub-section in which the function that is to be deemed to have been performed is set out</i>
A special form radioactive material approval certificate	62(a)	Unilateral approval	6.4.22.5
A low dispersible radioactive material approval certificate	62(b)	Unilateral or Multilateral approval as appropriate	6.4.22.2
		Multilateral approval	6.4.22.3
		Multilateral approval	6.4.22.5
A special arrangement approval certificate	62(c)	Multilateral approval	1.7.4.2
		Special arrangement approval	5.1.5.2.3
A shipment approval certificate	62(d)	Multilateral approval	5.1.5.2.2
A package design approval certificate	62(e)	Unilateral approval	5.1.5.1.2(d)
		Multilateral approval	5.1.5.2.2
		Multilateral approval	6.4.21.5
		Unilateral or Multilateral approval as appropriate	6.4.22.1
		Unilateral or Multilateral approval as appropriate	6.4.22.2
		Multilateral approval	6.4.22.3
		Multilateral approval	6.4.22.4
Unilateral approval	6.4.22.6		

(10) [S.I. 2002/1093](#); amended by [S.I. 2003/1867](#).

<i>Certificate issued under regulation 62 of the Radioactive Material (Road Transport) Regulations 2002(10)</i>	<i>Regulation in the Radioactive Material (Road Transport) Regulations 2002</i>	<i>Function</i>	<i>ADR Sub-section in which the function that is to be deemed to have been performed is set out</i>
A basic radionuclide values certificate	62(f)	Multilateral approval	2.2.7.7.2.2

SCHEDULE 7

Regulation 91(3)

PLACARDS, MARKS AND PLATE MARKINGS
FOR CARRIAGE WITHIN GREAT BRITAIN

PART 1

CARRIAGE OF GOODS BY ROAD

Hazard Identification Numbers to be replaced by Emergency Action Codes (road)

1. If orange-coloured plates bearing a hazard identification number are required to be displayed pursuant to the requirement in regulation 53(4) to comply with Sub-sections 5.3.2.1.2 and 5.3.2.1.4, then the hazard identification number shall be replaced by the appropriate emergency action code for the substance in question.

Commencement Information

I33 Sch. 7 para. 1 in force at 1.7.2007, see [reg. 1](#)

Display of the orange coloured-plate if one type of dangerous good is being carried (road)

2. If one type of dangerous good is being carried in a battery-vehicle, tank-vehicle or transport unit or in a container in bulk—

- (a) the orange-coloured plate referred to in paragraph 1, shall be displayed in accordance with the provisions of Sub-sections 5.3.2.1.2 and 5.3.2.1.4 which are applicable to the goods, battery-vehicle, tank-vehicle, transport unit or container in question; and
- (b) an identical orange-coloured plate shall be affixed to the rear of the transport unit, in place of the orange-coloured plate to be affixed to the rear of the transport unit pursuant to Sub-section 5.3.2.1.1.

Commencement Information

I34 Sch. 7 para. 2 in force at 1.7.2007, see [reg. 1](#)

(10) [S.I. 2002/1093](#); amended by [S.I. 2003/1867](#).

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Display of the orange-coloured plate if more than one type of dangerous good is being carried (road)

3.—(1) If more than one type of dangerous good is being carried in a tank or in bulk in a transport-unit or a battery-vehicle or a tank-vehicle with more than one tank, element or container—

- (a) the orange-coloured plates referred to in paragraph 1, shall be displayed in accordance with the provisions of Sub-sections 5.3.2.1.2 and 5.3.2.1.4 which are applicable to the goods, transport unit, battery-vehicle, tank-vehicle or container in question except that—
 - (i) only one on each side of the transport unit, tank, tank compartment, element of a battery-vehicle, or container in question, parallel to the longitudinal axis, shall bear the emergency action code; and
 - (ii) the remaining plates shall bear only the UN number and shall be 150mm in height; and
- (b) an orange-coloured plate shall be affixed to the rear of the battery-vehicle, tank-vehicle or transport unit in question which shall be identical to the plates referred to in paragraph (a), except that it shall display the emergency action code only in the top half of the plate.

(2) But if more than one type of dangerous good is being carried in a transport unit or a tank-vehicle with more than one tank and those goods are—

- (a) UN 1202 DIESEL FUEL or GAS OIL or HEATING OIL, LIGHT;
- (b) UN 1203 PETROL or MOTOR SPIRIT or GASOLINE; or
- (c) UN 1223 KEROSENE,

then the requirements of paragraph 2 shall be met, except that the orange-coloured plates need only bear the emergency action code and UN number for the most hazardous of the dangerous goods being carried.

Commencement Information

I35 Sch. 7 para. 3 in force at 1.7.2007, see [reg. 1](#)

Telephone number to be used to obtain specialist advice to be displayed (road)

4.—(1) If dangerous goods are being carried in tanks a telephone number where specialist advice concerning the dangerous goods in question can be obtained in English at any time during carriage shall be displayed—

- (a) at the rear of the transport unit;
- (b) on both sides of—
 - (i) any tank;
 - (ii) the frame of any tank; or
 - (iii) the transport unit; and
- (c) in the immediate vicinity of the orange-coloured plates displaying the emergency action codes,

and shall be in black digits of not less than 30mm in height against an orange-coloured background.

(2) The phrase “consult local depot” or “contact local depot” may be substituted for the telephone number if—

- (a) the name of the carrier is clearly identifiable from the marking on any tank or the transport unit;

- (b) as regards England and Wales, the fire and rescue authority or, as regards Scotland, the chief officer of the relevant authority (as defined by section 6 of the Fire (Scotland) Act 2005⁽¹¹⁾) of each area through which the transport unit will carry the dangerous goods has been notified in writing of the address and telephone number of the relevant local depot; and
- (c) each fire and rescue authority or chief officer, as referred to in paragraph (b), has indicated in writing that it or he is satisfied with the arrangements.

Commencement Information

I36 Sch. 7 para. 4 in force at 1.7.2007, see [reg. 1](#)

Use of hazard warning panels (road)

5.—(1) The information required to be displayed on placards and orange-coloured plates pursuant to Section 5.3.1 and paragraphs 1 to 3 and the information required to be displayed pursuant to paragraph 4 may all be shown on hazard warning panels provided that any such panel meets the conditions set out in sub-paragraph (2) and, if relevant, sub-paragraph (3).

(2) The conditions referred to in sub-paragraph (1) for a hazard warning panel are that—

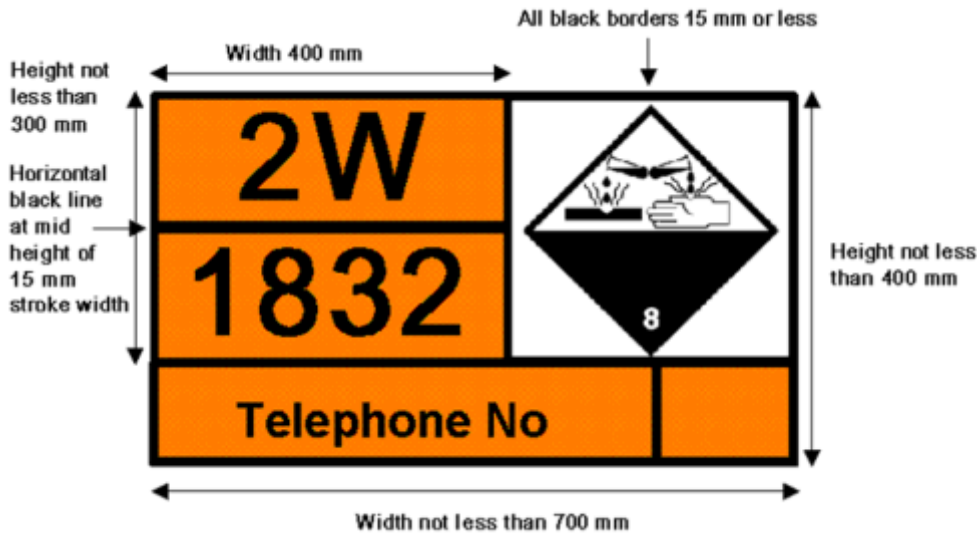
- (a) it shall be displayed in accordance with paragraphs 1 to 4 as if it were an orange-coloured plate;
- (b) it shall be orange-coloured, except the part incorporating the placard which shall be white;
- (c) the placard shall be not less than 200mm by 200mm, with a line of the same colour as the relevant symbol not more than 12.5mm inside the edge and running parallel to it;
- (d) if more than one placard is to be incorporated in the panel, those placards shall be adjacent in the same horizontal plane;
- (e) it shall conform to the figure in sub-paragraph (4); and
- (f) it shall be clearly visible.

(3) If dangerous goods are carried in a tank which was constructed on or after 1st January 2005, the orange-coloured plate shall be indelible and remain legible after it has been engulfed in fire for 15 minutes.

(4) The figure is—

(11) 2005 asp 5.

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Commencement Information

I37 Sch. 7 para. 5 in force at 1.7.2007, see [reg. 1](#)

PART 2

CARRIAGE OF GOODS BY RAIL

Hazard Identification Numbers to be replaced by Emergency Action Codes (rail)

6. If orange-coloured plates bearing a hazard identification number are required to be displayed pursuant to the requirement in regulation 53(4) to comply with Section 5.3.2, then the hazard identification number shall be replaced by the appropriate emergency action code for the substance in question.

Commencement Information

I38 Sch. 7 para. 6 in force at 1.7.2007, see [reg. 1](#)

Telephone number to be used to obtain specialist advice to be displayed (rail)

7. If dangerous goods are being carried in tanks, a telephone number where specialist advice concerning the dangerous goods in question may be obtained in English at any time during carriage shall be displayed—

- (a) in the immediate vicinity of each orange-coloured plate; and
- (b) against an orange-coloured background in black digits of not less than 30mm in height.

Commencement Information

I39 Sch. 7 para. 7 in force at 1.7.2007, see [reg. 1](#)

Use of hazard warning panels (rail)

8.—(1) The information required to be displayed on placards and orange-coloured plates in accordance with Section 5.3.1 and paragraph 6 and the telephone number required to be displayed pursuant to paragraph 7 may all be shown on hazard warning panels provided that the panel meets the conditions set out in sub-paragraph (2).

(2) The conditions referred to in sub-paragraph (1) for a hazard warning panel are that it shall—

- (a) be displayed in accordance with paragraph 7 as if it were an orange-coloured plate; and
- (b) comply with the requirements of paragraphs 5(2)(b) to (f).

Commencement Information

I40 Sch. 7 para. 8 in force at 1.7.2007, see [reg. 1](#)

SCHEDULE 8

Regulation 94

AMENDMENTS

Commencement Information

I41 Sch. 8 in force at 1.7.2007, see [reg. 1](#)

<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
Petroleum (Consolidation) Act 1928(12)	Section 18(4)(b)	For “2004” substitute “2007”
Compressed Acetylene (Importation) Regulations 1978(13)	Regulation 1A	For “2004” substitute “2007(14)”
Classification and Labelling of Explosives Regulations 1983(15)	Regulation 2(1), definition (a) of “classified”	For “regulation 15” substitute “regulation 47” and for “2004” substitute “2007(16)”
Dangerous Substances in Harbour Areas Regulations 1987(17)	Regulation 2(1), definition of “the Carriage Regulations”	For ““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment

(12) 1928, c. 32; section 18 was amended by S.I. 1974/1942, Schedule 2, paragraph 8, by S.I. 1986/1951, Schedule 4, Part 2, paragraph 1, by S.I. 2002/2776, Schedule 6, Part 1, paragraph 2(4) and by S.I. 2004/568, Schedule 13, paragraph 1; section 18 was repealed in relation to the carriage of petroleum mixtures and liquid methane in a road tanker or tank-container by S.I. 1992/743, regulation 30(1); there are other amendments to the Act not relevant to these Regulations.

(13) S.I. 1978/1723; amended by S.I. 2001/1426 and 2004/568 and to which there are other amendments not relevant to these Regulations.

(14) S.I. 2007/1573.

(15) S.I. 1983/1140, amended by S.I. 1987/605, 1996/2093, 1999/303 and 2004/568.

(16) S.I. 2007/1573.

(17) S.I. 1987/37; amended by S.I. 1996/2092, 1996/2095, 1997/2367, 2003/1431 and 2004/568 and to which there are other amendments not relevant to these Regulations.

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		Regulations 2004” substitute ““CDG 2007” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (18) ”
	Regulation 2(1), paragraph (a) (ii) of the definition of “classification”	For “the Carriage Regulations 2004” substitute “CDG 2007”
	Regulation 2(1), paragraph (b) of the definition of “portable tank”	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 3(2)(b)	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 6(4)(a)	For “Part II of the Radioactive Substances (Carriage by Road) (Great Britain) Regulations 1974 by virtue of regulation 20 of those Regulations” substitute “CDG 2007”
	Regulation 24(a)	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 25(1)(b)(ii)	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 25(2)	For “the Carriage Regulations” substitute “CDG 2007” and omit “(d) the Radioactive Material (Road Transport) Regulations 2002;”
Dangerous Substances (Notification and Marking of Sites) Regulations 1990 (19)	Regulation 2(1), definition of “the Carriage Regulations”	For ““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004” substitute ““CDG 2007” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (20) ”
	Regulation 2(1), definition of “classification”	For “regulation 15 of the Carriage Regulations”

(18) S.I. 2007/1573.

(19) S.I. 1990/304, amended by S.I. 1993/1746, 1994/669, 1996/2092 and 2004/568 and to which there are other amendments not relevant to these Regulations.

(20) S.I. 2007/1573.

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		substitute “regulation 47 of CDG 2007”
	Regulation 2(1), definition of “dangerous substance”	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 2(1A)	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 1(c)(i) of Schedule 1	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 1(d) of Schedule 1	For “the Carriage Regulations” substitute “CDG 2007”
Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993(21)	Regulation 5(10)	For “2004” substitute “2007(22)”
Notification of New Substances Regulations 1993(23)	Part A of Schedule 2 (7.3(g))	For “2004” substitute “2007(24)”
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995(25)	Regulation 2(1), definition of “the Carriage Regulations”	For “the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004” substitute ““CDG 2007” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations(26)”
	Paragraph 17A in Part 1 of Schedule 2	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 59(2) in Part 4 of Schedule 2	For “the Carriage Regulations” substitute “CDG 2007”
Health and Safety (Safety Signs and Signals) Regulations 1996(27)	Regulation 2(1), definition of “dangerous goods”	For “2004” substitute “2007(28)”

(21) [S.I. 1993/208](#), as amended by [S.I. 1996/2093](#) and [2004/568](#) and to which there are other amendments not relevant to these Regulations.

(22) [S.I. 2007/1573](#).

(23) [S.I. 1993/3050](#), amended by [S.I. 2002/2176](#) and [2004/568](#) and to which there are other amendments not relevant to these Regulations.

(24) [S.I. 2007/1573](#).

(25) [S.I. 1995/3163](#), amended by [S.I. 1996/2089](#), [1996/2092](#) and [2004/568](#) and to which there are other amendments not relevant to these Regulations.

(26) [S.I. 2007/1573](#).

(27) [S.I. 1996/341](#), amended by [S.I. 1996/2092](#) and [2004/568](#) and to which there are other amendments not relevant to these Regulations.

(28) [S.I. 2007/1573](#).

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
Pressure Systems Safety Regulations 2000 (29)	Regulation 2(1), definition of “the Carriage Regulations”	For ““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004” substitute ““CDG 2007” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (30) ”
	Regulation 2(1), definition of “old pressure receptacle”	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 2(1), definition of “pressure receptacle”	For “the Carriage Regulations” substitute “CDG 2007”
	Regulation 2(1), definition of “transportable pressure equipment”	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 9 in Part 1 of Schedule 1	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 13(b) in Part 1 of Schedule 1	For “the Carriage Regulations” substitute “CDG 2007”
	Paragraph 3(a) in Part 2 of Schedule 1	For “the Carriage Regulations” substitute “CDG 2007” and for “4(1)” substitute “35”
Radiation (Emergency Preparedness and Public Information) Regulations 2001 (31)	Regulation 2(1), definitions of “the Carriage Regulations”, “consignor” and “vehicle”	Omit “the Carriage Regulations”, “consignor” and “vehicle” and the definitions of those words
	Regulation 2(1), definition of “transport”	Omit definition (a)
	Regulation 2(1), definition of “work with ionising radiation”	Omit “, transport by rail”
	Regulation 2(2)(a) and the “and” which follows regulation 2(2)(a)	Omit
	Regulation 3(1)(b)	Omit
Regulation 3(1)(c)	For “of a quantity or mass referred to in sub-paragraph (b) above” substitute “containing	

(29) S.I. 2000/128, amended by S.I. 2001/1426 and 2004/568.

(30) S.I. 2007/1573.

(31) S.I. 2001/2975, amended by S.I. 2002/2099 and 2004/568 and to which there are other amendments not relevant to these Regulations.

<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		more than the quantity of radionuclides specified in Schedule 4 or, in the case of fissile material, more than the mass of that material specified in Schedule 3”
	Regulation 3(3)	For “paragraph (1)(b)” substitute “paragraph (1)(c)”
	Regulation 3(4)(c)	For the sub-paragraph substitute— <ul style="list-style-type: none"> “(c) any radioactive substance conforming to the specifications for special form radioactive material set out in sub-section 2.7.2.3.3 of the UN Model Regulations— <ul style="list-style-type: none"> (i) which has received unilateral or multilateral approval pursuant to the law of any State implementing section 6.4.23 of the UN Model Regulations; or (ii) where the transport in question forms part of an international transport operation;”
	Regulation 3(4)(d)	For the sub-paragraph substitute— <ul style="list-style-type: none"> “(d) any radioactive substance contained in a package which complies in every

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		<p>respect as to its design with the requirements for—</p> <p>(i) a Type B(U) package, a Type B(M) package or a Type C package as set out in subsections 6.4.8, 6.4.9 or 6.4.10 of the UN Model Regulations respectively; or</p> <p>(ii) a consignment carried under special arrangement within the meaning of sections 1.5.4 and 6.4.23 of the UN Model Regulations which provides an equivalent level of safety to a type B(U) package, Type B(M) package or a Type C package complying with the requirements referred to in Paragraph (i), and, in each case, the package has received unilateral or multilateral approval pursuant to the law of any</p>

<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		State implementing section 6.4.23 of the UN Model Regulations or the transport in question forms part of an international transport operation;”
	Regulation 3(4)(e)	For the sub-paragraph substitute— “(e) the transport of any radioactive substance in the form of a low specific activity material conforming to the specifications for LSA-I, LSA-II or LSA-III set out in 2.7.2.3.1 of the UN Model Regulations including cases where the transport forms part of an international transport operation;”
	Regulation 3(4)(f)	For the sub-paragraph substitute— “(f) the transport of any radioactive substance in the form of a surface contaminated object conforming to the specifications for SCO-I or SCO-II set out in subsection 2.7.2.3.2 of the UN Model Regulations including cases where the transport forms part of an international transport operation;”

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
	Regulation 3(6)	For the paragraph substitute— “(6) In paragraph (4)(c) to (f)— (a) “UN Model Regulations” means the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, as revised or reissued from time to time ⁽³²⁾ ; and (b) “international transport operation” means the carriage of radioactive substances, including carriage by more than one mode of transport, where that carriage takes place in more than one country.”
	Regulation 8(4)	Omit
	Regulation 8(7)(a)	Omit “, (where not also the carrier) the consignor”
	Regulation 13(3)(a)(ii)	Omit “the consignor,”
	Paragraph (h) of Schedule 5	Omit “, the type of vehicle and the means of securing the load within or on the vehicle”
Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 ⁽³³⁾	Regulation 7(3)(a)	For “2004” substitute “2007 ⁽³⁴⁾ ”
	Regulation 8A(4)	For “2004” substitute “2007”
Control of Lead at Work Regulations 2002 ⁽³⁵⁾	The list in Schedule 2	Omit “The Radioactive Material (Road Transport) Regulations 2002 (SI 2002/1093);” and for “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (SI

⁽³²⁾ Current edition (2005): ISBN 9211391067.

⁽³⁴⁾ S.I. 2007/1573.

⁽³³⁾ S.I. 2002/1689; amended by S.I. 2004/568.

⁽³⁵⁾ S.I. 2002/2676; amended by S.I. 2004/568, there are other amendments not relevant to these Regulations.

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
		2004/568)” substitute “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (SI 2007/1573)”
Control of Substances Hazardous to Health Regulations 2002(36)	The list in Schedule 7	Omit “The Radioactive Material (Road Transport) Regulations 2002 (SI 2002/1093);” and for “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (SI 2004/568)” substitute “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (SI 2007/1573)”
Dangerous Substances and Explosive Atmospheres Regulations 2002(37)	The list in Schedule 5	Omit “The Radioactive Material (Road Transport) Regulations 2002 (SI 2002/1093);” and for “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (SI 2004/568)” substitute “The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2007 (SI 2007/1573)”
Manufacture and Storage of Explosives Regulations 2005(38)	Regulation 2(6)	For “2004” substitute “2007(39)”
	Regulation 3(2)(b)	For “2004” substitute “2007”
Railways (Accident Investigation and Reporting) Regulations 2005(40)	Regulation 2(1), definition of “dangerous goods”	For “2004” substitute “2007(41)”
	Paragraph 12 of Schedule 5	For “2004” substitute “2007”

(36) [S.I. 2002/2677](#); amended by [S.I. 2004/568](#) and to which there are amendments not relevant to these Regulations.

(37) [S.I. 2002/2776](#); amended by [S.I. 2004/568](#).

(39) [S.I. 2007/1573](#).

(38) [S.I. 2005/1082](#).

(41) [S.I. 2007/1573](#).

(40) [S.I. 2005/1992](#); to which there are amendments not relevant to these Regulations.

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<i>Enactments to be amended</i>	<i>Section, Regulations and Schedules to be amended</i>	<i>Amendments to be made</i>
Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006(42)	Regulation 3(5)	For “58(5)” substitute “93(4)” and for “2004” substitute “2007(43)”
Control of Asbestos Regulations 2006(44)	Regulation 24(3)(a)	For “2004” substitute “2007(45)”
	Paragraph 1(1)(a) of Schedule 2	(46)For “2004” substitute “2007”

SCHEDULE 9

Regulation 95

REVOCATIONS

Commencement Information

I42 Sch. 9 in force at 1.7.2007, see [reg. 1](#)

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of Revocation</i>
The Radioactive Material (Road Transport) Regulations 2002	S.I. 2002/1093	The whole Regulations
The Radioactive Material (Road Transport) (Amendment) Regulations 2003	S.I. 2003/1867	The whole Regulations
The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004	S.I. 2004/568	The whole Regulations
The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2005	S.I. 2005/1732	The whole Regulations

(43) [S.I. 2007/1573](#).

(42) [S.I. 2006/557](#); to which there are amendments not relevant to these Regulations.

(44) [S.I. 2006/2739](#).

(45) [S.I. 2007/1573](#).

(46) [S.I. 2007/1573](#).

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Changes and effects yet to be applied to :

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