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STATUTORY INSTRUMENTS

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**2009 No. 1348**

**HEALTH AND SAFETY**

**The Carriage of Dangerous Goods and Use of  
Transportable Pressure Equipment Regulations 2009**

<i>Made</i>	- - - -	<i>27th May 2009</i>
<i>Laid before Parliament</i>		<i>3rd June 2009</i>
<i>Coming into force</i>	- -	<i>1st July 2009</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 15(1) to (5), (6)(a) and (b) and (8), 43(2) to (6) and 82(3)(a) of, and paragraphs 1, 2(1), 3, 4(1), 6 to 9, 11 to 16 and 20 of Schedule 3 to, the Health and Safety at Work etc. Act 1974(1) as read with paragraph 1A of Schedule 2 to the European Communities Act 1972(2).

These Regulations make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972 and it appears to the Secretary of State that it is expedient for the reference to the Dangerous Goods Directive to be construed as a reference to that instrument as amended from time to time.

In accordance with section 50(1) and (1AA) of the Health and Safety at Work etc. Act 1974(3) the Secretary of State has consulted the Health and Safety Executive and such other bodies as appear to the Secretary of State to be appropriate.

In accordance with paragraph 2(7) of Schedule 3 to the Railways Act 2005(4) the Secretary of State has consulted the Office of Rail Regulation.

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- (1) [1974 c.37](#); section 1(1)(c) was modified by the Health and Safety at Work etc. Act (Application to Environmentally Hazardous Substances) Regulations 2002 ([S.I. 2002/282](#)) to which relevant amendments have been made by [S.I. 2004/463](#), [2005/1308](#), [2007/1332](#) and [2009/318](#). Section 15(1) was amended by the Employment Protection Act 1975 ([c.71](#)), Schedule 15, paragraph 6.
- (2) [1972 c.68](#). Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 ([c. 51](#)).
- (3) Articles 3 and 16(1) and (2) of the Legislative Reform (Health and Safety Executive) Order 2008 ([S.I. 2008/960](#)) substituted a new version of section 50(1) for the previous version and inserted section 50(1AA). The extent of the requirement to consult pursuant to section 50(1) was narrowed by the insertion of section 50(1A) into the Health and Safety at Work etc. Act 1974 by the [Railways Act 2005](#) (“the 2005 Act”) ([c.14](#)), Schedule 3, paragraph 13.
- (4) The meaning of “railway safety purposes” under Schedule 3 of the 2005 Act which is relevant to the obligation to consult has been amended by the [Railways Act 2005 \(Amendment\) Regulations 2006](#) ([S.I. 2006/556](#)).