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STATUTORY INSTRUMENTS

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**2016 No. 721**

**HEALTH AND SAFETY**

**The Dangerous Goods in Harbour Areas Regulations 2016**

*Made* - - - - *7th July 2016*  
*Laid before Parliament* *11th July 2016*  
*Coming into force* *1st October 2016*

**THE DANGEROUS GOODS IN  
HARBOUR AREAS REGULATIONS 2016**

PART 1

INTERPRETATION AND APPLICATION

1. Citation and commencement
2. Interpretation
3. Meaning of “dangerous goods”
4. Meaning of “operator”
5. Application

PART 2

ENTRY OF DANGEROUS GOODS INTO HARBOUR AREAS

6. Notice of entry of dangerous goods
7. Harbour master’s powers

PART 3

Marking of Vessels

8. Flags and lights to be displayed by vessels
9. Vessels to keep a safe distance from moored or anchored vessels displaying the flag or light required by regulation 8

PART 4

Emergency Arrangements and Untoward Incidents

10. Preparation of emergency plans by harbour authorities
11. Emergency arrangements at berths

**Changes to legislation:** There are currently no known outstanding effects for the The Dangerous Goods in Harbour Areas Regulations 2016. (See end of Document for details)

12. Untoward incidents
13. Parking of road vehicles carrying dangerous goods

#### PART 5

#### EXPLOSIVES

14. Application
15. Requirement for an explosives licence
16. Applications for explosives licences
17. Consideration of licence applications
18. Harbour areas ceasing to be nuclear harbour areas
19. Harbour areas becoming nuclear harbour areas
20. Security of explosives
21. Vessels and vehicles loaded with explosives to be taken out of harbour areas
22. Passenger prohibition on harbour craft carrying explosives
23. Deteriorated explosives
24. Record keeping

#### PART 6

#### MISCELLANEOUS AND GENERAL

25. Byelaws
26. Enforcement
27. The exercise of due diligence to avoid the commission of...
28. Exemptions
29. Transitionals
30. An explosives licence granted under Part IX of the 1987...
31. Byelaws having effect under the 1987 Regulations continue to have...
32. Any extant exemption granted under regulation 46 of the 1987...
33. Revocations and modifications
34. Schedule 5 (which makes consequential amendments) has effect.
35. Review  
Signature

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#### SCHEDULE 1 — List of Specified Dangerous Goods

1. The dangerous goods referred to in regulation 8(1) are:
2. In paragraph 1— “UN List” means the version of the...

#### SCHEDULE 2 — Flag Indicating That A Vessel Is Carrying Dangerous Goods

##### PART 1 — Shape and colour of flag

1. The shape of the flag shall be as shown below....
2. The flag shall be red in colour.

##### PART 2 — Material and size of flag on vessels with a mast

1. The flag shall be made of fabric.
2. The side of the flag marked “a” on the diagram...

##### PART 3 — Material and size of flag on vessels without a mast

1. The flag shall be made of metal.
2. The side of the flag marked “a” on the diagram...

#### SCHEDULE 3 —

1. An application for an explosives licence, or for the transfer,...
2. On receipt of an application, the appropriate authority must prepare...
3. A notice published in accordance with paragraph 2 is to...
4. Within the time for responses the applicant must provide any...
5. After the time for responses has passed the appropriate authority...
6. An applicant for a licence who is a berth operator...
7. In respect of a transfer or a variation of the...

#### SCHEDULE 4 — Provisions Relating to Byelaws

1. In this Schedule, “byelaws” means byelaws made by a statutory...
2. Byelaws are to be made under the common seal of...
3. Byelaws will not have effect until they are confirmed by...
4. However, where a byelaw which prohibits or regulates the entry...
5. At least one month before an application for confirmation of...
6. For at least one month before application for confirmation is...
7. The Secretary of State may confirm, with or without modifications,...
8. Where the Secretary of State proposes to confirm a byelaw...
9. The Secretary of State must consult the Health and Safety...
10. A copy of the byelaws, when confirmed, is to be...

#### SCHEDULE 5 — Consequential Amendments

1. In the Dangerous Substances (Notification and Marking of Sites) Regulations...
2. In the Railways (Class and Miscellaneous Exemptions) Order 1994 in...
3. In the Special Waste Regulations 1996 in the definition of...
4. In the Railway Safety (Miscellaneous Provisions) Regulations 1997, in regulation...
5. In the Dockyard Port of Plymouth Order 1999—
6. In the Hazardous Waste (England and Wales) Regulations 2005 in...
7. In the Hazardous Waste (Wales) Regulations 2005—
8. In the Health and Safety (Enforcing Authority for Railways and...
9. In the Railways and Other Guided Transport Systems (Safety) Regulations...
10. In the Carriage of Dangerous Goods and Use of Transportable...
11. In the Waste Management Licensing (Scotland) Regulations 2011, in Schedule...
12. In the Explosives Regulations 2014— (a) in regulation 2(7) (Interpretation)...
13. In the Planning (Hazardous Substances) Regulations 2015, in Schedule 2...
14. In the Town and Country Planning (Hazardous Substances) (Scotland) Regulations...
15. In the Planning (Hazardous Substances) (Wales) Regulations 2015, in Schedule...
16. In the Health and Safety and Nuclear (Fees) Regulations 2016—...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Dangerous Goods in Harbour Areas Regulations 2016.