
STATUTORY INSTRUMENTS

1987 No. 37

The Dangerous Substances in Harbour Areas Regulations 1987

PART VI

PACKAGING AND LABELLING

Freight containers

23.—(1) Any person bringing a freight container containing any dangerous substance into a harbour or harbour area from inland shall ensure that that container is accompanied by a certificate, given by the person responsible for loading the dangerous substance into the freight container, certifying that the substance has been safely packed inside that container.

(2) A person opening a freight container containing any dangerous substance shall take sufficient precautions to protect himself and others in the vicinity from the effect of any spillage or escape of any dangerous substance and shall adequately ventilate the interior before entering the freight container or unloading anything from that container and, if he is an employee, his employer shall also ensure that he takes such precautions.

Portable tanks and receptacles

24. Where a dangerous substance is brought into a harbour or harbour area from inland in—

- (a) a portable tank, the operator of the tank shall ensure that it is correctly filled and either—
 - (i) in the case of a portable tank to which the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations 1981 applies, complies with the requirements of regulation 6 of those Regulations; or
 - (ii) in any other case, the portable tank is suitable for the purpose and complies with the requirements of sub-paragraphs (a) to (c) of regulation 7 of the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.
- (b) a receptacle, the consignor of that substance shall ensure that—
 - (i) the receptacle is designed, constructed, maintained and closed so as to prevent any of the contents escaping when subjected to the stresses and strains of normal handling or transport except that this shall not prevent the fitting of a suitable safety device,
 - (ii) the receptacle and any fastenings are, in so far as they are likely to come into contact with the substance, made of materials which are neither liable to be adversely affected by the substance nor liable in conjunction with the substance to form any other substance which is itself a risk to health or safety,
 - (iii) the receptacle is correctly filled, and
 - (iv) in the case of a receptacle containing a compressed gas, the receptacle has been appropriately tested.

Labelling

25.—(1) Where a dangerous substance is brought into a harbour or harbour area from inland in a freight container, portable tank or receptacle the consignor of that freight container, portable tank or receptacle, as the case may be, shall ensure that—

- (a) any such freight container is clearly and durably labelled to show on each vertical side the hazard warning sign of each Class of dangerous substance contained therein;
- (b) any such receptacle which is liable to be individually handled while in the harbour or harbour area and any such portable tank is clearly and durably labelled to show the hazard warning signs of each Class of dangerous substance contained therein, and, in respect of each dangerous substance contained therein, either—
 - (i) the name given in the IMDG Code or the approved list or if there is no name given, the chemical name or the common name, or
 - (ii) in the case of a dangerous substance which is a mixture prepared by its manufacturer of two or more other substances, the designation for such preparations given in accordance with either the IMDG Code or the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.

(2) It shall be a sufficient compliance with paragraph (1), if a freight container, portable tank or receptacle which, while in the harbour or harbour area, is or will be required to be labelled in accordance with any of the following provisions, is labelled in accordance with those provisions, namely—

- (a) the Dangerous Substances (Conveyance by Road in Road Tankers and Tank Containers) Regulations 1981;
- (b) the Classification and Labelling of Explosives Regulations 1983;
- (c) the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 relating to the labelling for conveyance by road;
- (d) the Radioactive Substances (Carriage by Road) (Great Britain) Regulations 1974;
- (e) the Merchant Shipping (Dangerous Goods) Regulations 1981;
- (f) Regulations for the Safe Transport of Radioactive Materials published by the International Atomic Energy Agency;
- (g) the Technical Instructions for the Safe Transport of Dangerous Goods by Air published by the Council of the International Civil Aviation Organisation;
- (h) the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) signed at Geneva on 30th September 1957;
- (i) Regulations concerning the International Carriage of Dangerous Goods by Rail (RID).

(3) As soon as is practicable after all the dangerous substances and any residue have been removed from any freight container or portable tank the person in charge of that removal shall ensure that all labels which indicate that dangerous substances are contained therein are obliterated or removed from any such freight container or portable tank.