

## SCHEDULE 3

Regulation 30

### TRANSITIONAL PROVISIONS

#### PART I

##### INTERPRETATION

1. In this Schedule—

“the 1973 International Safety Regulations” means the 1973 or the 1973 (as amended) Edition of the Regulations for the Safe Transport of Radioactive Material, published by the IAEA, Safety Series No. 6 (ISBN 92-0-623179-0);

“the 1985 International Safety Regulations” means the 1985 or the 1985 (as amended 1990) Edition of the Regulations for the Safe Transport of Radioactive Material, published by the IAEA, Safety Series No. 6 (ISBN 92-0-123890-8);

“excepted package” means a package which is designed to meet the requirements of paragraphs 505 to 514 of the 1985 International Safety Regulations;

“the IAEA” means the International Atomic Energy Agency Vienna<sup>(1)</sup>;

“Industrial package Type IP-1” means a packaging, tank or container containing low specific activity material or a surface contaminated object which is designed to meet the requirements of paragraphs 505 to 514 of the 1985 International Safety Regulations;

“Industrial package Type IP-2” means a packaging, tank or container containing low specific activity material or a surface contaminated object which is designed to meet the requirements of paragraphs 505 to 514, and, where applicable, paragraphs 519 and 521 to 523, of the 1985 International Safety Regulations;

“Industrial package Type IP-3” means a packaging, tank or container containing low specific activity material or a surface contaminated object which is designed to meet the requirements of paragraphs 505 to 514, and, where applicable, paragraphs 520 to 523, of the 1985 International Safety Regulations;

“Type A package” means a packaging, tank or container containing special form radioactive material up to A<sub>1</sub> or radioactive material, other than special form radioactive material, up to A<sub>2</sub>, which is designed to meet the requirements of paragraphs 505 to 514, and, where applicable, paragraphs 524 to 540 of the 1985 International Safety Regulations.

#### PART II

##### PACKAGES NOT REQUIRING COMPETENT AUTHORITY APPROVAL OF DESIGN UNDER THE 1985 INTERNATIONAL SAFETY REGULATIONS

2. This Part of this Schedule has effect in relation to—

- (a) excepted packages;
- (b) Industrial packages Type IP-1;
- (c) Industrial packages Type IP-2;
- (d) Industrial packages Type IP-3;
- (e) Type A packages,

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whose design did not require the approval of a competent authority in accordance with the 1985 International Safety Regulations.

**3.** Any person may use for the carriage of radioactive material a package referred to in paragraph 2 manufactured before 1st January 2004 if, in relation to the package in question—

- (a) all the requirements contained in regulation 19(2) are complied with by the persons, referred to in regulation 19(1), who are under a duty to comply with such requirements; and
- (b) the activity limits and material restrictions contained in RID paragraph 2.2.7.7 are complied with.

**4.** No person shall use for the carriage of radioactive material a package referred to in paragraph 2 which is manufactured after 31st December 2003 unless the package meets the requirements of these Regulations and RID.

**5.** Subject to paragraph 6, no person shall use for the carriage of radioactive material a package referred to in paragraph 2 which is modified after 31st December 2003 unless the package meets the requirements of these Regulations and RID.

**6.** Paragraph 5 shall not apply where the modification in question is made in order to, and does, improve the safety of the package.

**7.** Any person may use for the carriage of radioactive material a package referred to in paragraph 2 which has been prepared for transport in accordance with the requirements of the 1985 International Safety Regulations before 1st January 2004.

**8.** No person shall use for the carriage of radioactive material a package referred to in paragraph 2 which has been prepared for transport after 31st December 2003, unless that package meets the requirements of these Regulations and RID.

### PART III

#### PACKAGE DESIGNS APPROVED UNDER THE 1973 INTERNATIONAL SAFETY REGULATIONS

**9.—(1)** This Part of this Schedule has effect in relation to packagings which have been manufactured to a package design approved by a competent authority in accordance with the 1973 International Safety Regulations.

(2) For the purposes of this paragraph, evidence that a package design has been approved by a competent authority in accordance with the 1973 International Safety Regulations shall be in the form of an approval certificate issued by the competent authority in question certifying that the package design meets the requirements of the 1973 International Safety Regulations, irrespective of any period of limitation on the approval certificate.

**10.—(1)** Any person may use for the carriage of radioactive material a packaging referred to in paragraph 9 if and for so long as, in relation to the packaging in question—

- (a) the package design has been granted multilateral approval;
- (b) all the requirements contained in regulation 19(2) are complied with by the persons, referred to in regulation 19(1), who are under a duty to comply with such requirements; and
- (c) the activity limits and material restrictions specified in RID Paragraph 2.2.7.7 are complied with.

(2) For the purposes of sub-paragraph (1)(a) of this paragraph, evidence that a package design has been granted multilateral approval shall be in the form of an approval certificate issued by the

Secretary of State certifying that the package design meets the requirements of the 1973 International Safety Regulations.

**11.** No person shall commence the manufacture of a packaging to a design referred to in paragraph 9 after the date on which these Regulations come into force.

**12.** Where—

- (a) a person makes changes to—
  - (i) a package design referred to in paragraph 9, or
  - (ii) the nature or quantity of the authorised radioactive contents of the package in question; and
- (b) that person is notified by the Secretary of State that he is of the opinion that the changes would adversely affect safety to a significant extent,

that person shall ensure that the requirements of these Regulations and RID are complied with.

**13.** A person who carries or causes to be carried radioactive material in a packaging referred to in paragraph 9 shall ensure that a serial number is allocated to, and marked on the outside of, the packaging in accordance with RID sub-paragraph 5.2.1.7.5.

## PART IV

### PACKAGE DESIGNS APPROVED UNDER THE 1985 INTERNATIONAL SAFETY REGULATIONS

**14.—(1)** This Part of this Schedule shall have effect in relation to a packaging which has been manufactured to a package design approved by a competent authority in accordance with the 1985 International Safety Regulations.

(2) For the purposes of this paragraph, evidence that a package design has been approved by a competent authority in accordance with the 1985 International Safety Regulations shall be in the form of an approval certificate issued by the competent authority in question certifying that the package design meets the requirements of the 1985 International Requirements, irrespective of any period of limitation on the approval certificate.

**15.** Up to and including 31st December 2003, any person may use for the carriage of radioactive material a packaging referred to in paragraph 14 if and for so long as, in relation to the packaging in question—

- (a) all the requirements contained in regulation 19(2) are complied with by the persons, referred to in regulation 19(1), who are under a duty to comply with such requirements; and
- (b) the activity limits and material restrictions specified in RID paragraph 2.2.7.7 are complied with.

**16.** After 31st December 2003, any person may use for the carriage of radioactive material a packaging referred to in paragraph 14 if, in relation to the packaging in question—

- (a) the package design has been granted multilateral approval;
- (b) all the requirements contained in regulation 19(2) are complied with by the persons, referred to in regulation 19(1), who are under a duty to comply with such requirements; and
- (c) the activity limits and material restrictions specified in RID paragraph 2.2.7.7 are complied with.

**17.** Where—

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- (a) a person makes changes to—
  - (i) a package design referred to in paragraph 14, or
  - (ii) the nature or quantity of the authorised radioactive contents of the package in question; and
- (b) that person is notified by the Secretary of State that he is of the opinion that the changes would adversely affect safety to a significant extent,

that person shall ensure that the requirements of these Regulations and RID are complied with.

**18.** Any person who manufactures a packaging to a design referred to in paragraph 14 after 31st December 2006 shall ensure that the packaging meets the requirements of these Regulations and RID.

## PART V

### SPECIAL FORM RADIOACTIVE MATERIAL APPROVED UNDER THE 1973 INTERNATIONAL SAFETY REGULATIONS OR THE 1985 INTERNATIONAL SAFETY REGULATIONS

**19.** This Part of this Schedule has effect in relation to special form radioactive material which has been manufactured to a design granted unilateral approval by a competent authority in accordance with the 1973 International Safety Regulations or the 1985 International Safety Regulations.

**20.** Up to and including 31st December 2003, any person may use special form radioactive material referred to in paragraph 19 if and for so long as all the requirements contained in regulation 19(2) are complied with by the persons, referred to in regulation 19(1), who are under a duty to comply with such requirements.

**21.** Any person who manufactures special form radioactive material to a design referred to in paragraph 19 after 31st December 2003 shall ensure that the special form radioactive material meets the requirements of these Regulations and RID.