

SCHEDULE 12

Regulation 61

AMENDMENTS TO THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

1. The Classification and Labelling of Explosives Regulations 1983(1) shall be amended as follows.

2. In regulation 2(1) (interpretation)—

(1) omit the definition of “class 1”;

(2) for the definition of “classified” substitute—

““classified” means classified in accordance with—

(a) regulation 15 of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(2) in relation to carriage by road or rail;

(b) regulation 11 of the Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997(3) in relation to carriage by ship; or

(c) regulation 11c of the Air Navigation (Dangerous Goods) Regulations 2002(4) in relation to carriage by air;

and related expressions shall be construed accordingly;”;

(3) omit the definitions of “Compatibility Group” and “Division”;

(4) for the definition of “hazard classification code” substitute—

““hazard classification code” means the division number as set out in paragraph 2.1.1.4 of the United Nations Recommendations, followed by the compatibility group letter, as set out in paragraph 2.1.2 of those Recommendations, for the article, substance, combination or unit load in question which is assigned on classification in accordance with regulation 3;”;

(5) for the definition of “name” substitute—

““name” means in relation to an explosive article or explosive substance—

(a) the name under which it is or is to be marketed; or

(b) in the case of a military explosive, the name designated in writing for that explosive substance or article by the Secretary of State for Defence;”;

(6) in the definition of “the United Nations Recommendations” for “Current Edition (1997): ISBN 92-1-139057-5” substitute “Current Edition (2003) ISBN 92-1-139090-7”; and

(7) for the definition of “United Nations Serial Number” substitute—

““United Nations Serial Number” means the serial number set out in paragraph 3.2.1 of the UN Recommendations which is assigned to the article, substance, combination or unit load in question on classification in accordance with regulation 3 as a means of identification.”.

3. In regulation 3 (classification and labelling of explosive articles and explosive substances and of combinations and unit loads thereof) for paragraph (2) substitute—

“(2) An article, substance, combination or unit load to which these Regulations apply may not be—

(a) imported into the United Kingdom in the course of or for private use or use at work or conveyed unless it has been classified and that classification has been

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

(2) S.I. 2004/568.

(3) S.I. 1997/2367.

(4) S.I. 2002/2786.

Status: This is the original version (as it was originally made).

approved in writing by the Executive, or, in the case of a military explosive, by the Secretary of State; and

(b) conveyed, kept or supplied unless it and any packaging comply with any labelling requirements imposed in respect of them by these Regulations.”;

4. For regulation 6 (labelling of an article, substance or combination) substitute—

“Labelling of an article, substance or combination

6.—(1) A packaged article or substance, or a combination to which these Regulations apply, shall bear a label in accordance with paragraph 12 of Schedule 3.

(2) An unpackaged article, other than a firework, to which these Regulations apply, shall bear a label in accordance with paragraph 13 of Schedule 3.”

5. Regulations 7 (labelling of an article, substance or combination not in Class 1) and 9 (labelling or arrangement of a unit load) shall be omitted.

6. In regulation 10 (labelling generally), in paragraph (1), for “6, 7, 8 and 9” substitute “6 and 8”.

7. In regulation 12A, in paragraph (a) for “3(2)(b), 6 or 9” substitute “3(2)(b) or 6”.

8. Omit Schedules 1 and 2.

9. In Schedule 3 (labels)—

(1) omit paragraphs 1 to 11;

(2) in paragraph 12—

(a) in the heading, omit the words “in Class 1”;

(b) in the first line for “The other label required by regulation 6(1) and (3),” substitute “The label required by regulation 6(1)”;

(c) omit sub-paragraph (a).

(3) in paragraph 13—

(a) in the heading, omit the words “in Class 1”;

(b) in the first line for “The other label required by regulation 6(2) and (4)” substitute “The label required by regulation 6(2)”;

(c) omit paragraph (a); and

(4) omit paragraphs 16 and 17.