

SCHEDULE 13

Regulation 62

CONSEQUENTIAL AMENDMENTS

Amendment to the Petroleum (Consolidation) Act 1928

1. For section 18(4)(b) (warrants to search for and seize petroleum spirit) of the Petroleum Consolidation Act 1928(1) there shall be substituted—

“(b) carriage by road to which the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(2) apply.”.

Amendment to the Compressed Acetylene (Importation) Regulations 1978

2. For regulation 1A of the Compressed Acetylene (Importation) Regulations 1978(3) there shall be substituted—

“1A. These Regulations shall not apply to any transportable pressure equipment which complies with the provisions of Part 4 of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(4).”.

Amendments to the Dangerous Substances in Harbour Areas Regulations 1987

3.—(1) The Dangerous Substances in Harbour Areas Regulations 1987(5) shall be amended as follows.

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

(a) before the definition of “Approved Carriage List” insert—

““ADR” means the European Agreement concerning the International Carriage of Dangerous Goods by Road signed at Geneva on 30th September 1957, as revised or re-issued from time to time(6)

(b) for the definition of “Approved Carriage List” substitute—

““approved list” means the list of goods in Table A of Chapter 3.2 of ADR;”;

(c) after the definition of “berth” insert—

““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(7);”;

(d) in the definition of “classification” for the words “the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “the Carriage Regulations 2004”;

(e) for the definition of “Compatibility Group” and “Compatibility Group Number” substitute—

““Compatibility Group” and “Compatibility Group Number” have the same meaning as in the IMDG Code;”;

(1) 1928, c. 32; section 18 was amended by S.I. 1974/1942, 1986/1951, 1992/743 and 2002/2776; section 18 was repealed in relation to the carriage of petroleum mixtures and liquid methane in a road tanker or tank-container by S.I. 1992/743; there are other amendments to the Act not relevant to these Regulations.

(2) S.I. 2004/568.

(3) S.I. 1978/1723, amended by S.I. 2001/1426 and to which there are other amendments not relevant to these Regulations.

(4) S.I. 2004/568.

(5) S.I. 1987/37, amended by S.I. 1996/2092, 1996/2095, 1997/2367 and 2003/1431 and to which there are other amendments not relevant to these Regulations.

(6) Current edition (2003): ISBN 92-1-136078-8.

(7) S.I. 2004/568.

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

- (f) for the definition of “Division” and “Division Number” substitute—
““Division” and “Division Number” have the same meaning as in the IMDG Code;”;
and
 - (g) in the definition of “portable tank”, for paragraph (b) substitute—
“(b) a tank as defined in the Carriage Regulations;”.
- (3) In regulation 3(2)(b) (meaning of “dangerous substance”) for the words “the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “the Carriage Regulations”.
- (4) For regulation 24 substitute—

“Tanks and receptacles

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

- (a) a tank, the operator of the tank shall ensure that it is correctly filled and complies with the requirements of the Carriage Regulations; or
 - (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.”.
- (5) In regulation 25 (labelling)—
- (a) in paragraph 1(b)(ii) for the words “the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “the Carriage Regulations”; and
 - (b) in paragraph (2)—
 - (i) for sub-paragraphs (a) to (c) substitute—
“(a) the Carriage Regulations;” and
 - (ii) in sub-paragraph (d) for the words “Radioactive Material (Road Transport) (Great Britain) Regulations 1996” substitute “Radioactive Material (Road Transport) Regulations 2002”(8).
- (6) In Part 1 of Schedule I—
- (a) in Note 3 for the words “conditions in Part III of Schedule I to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles 1996” substitute “classification criteria in sub-section 2.2.3.1.5 of ADR”; and
 - (b) in Note 4 for the words “appropriate approved method as construed in accordance with regulation 4(1)(b) of the Carriage of Dangerous Goods (Classification, Packaging and

(8) S.I. 2002/1093.

Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “test specified in section 2.3.3 of ADR”.

(7) In sub-paragraph (d) of Schedule 3 for the words “appropriate approved method as construed in accordance with regulation 4(1)(b) of the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “test specified in section 2.3.3 of ADR”.

Amendment to the Dangerous Substances (Notification and Marking of Sites) Regulations 1990

4.—(1) The Dangerous Substances (Notification and Marking of Sites) Regulations 1990(9) shall be amended as follows.

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) for the definition of “the 1996 Regulations” substitute—

““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(10);”;

(ii) in the definition of “classification”, for the words “regulation 5 of the 1996 Regulations” substitute “regulation 15 of the Carriage Regulations”; and

(iii) in the definition of “dangerous substance” for the words “the 1996 Regulations” substitute “the Carriage Regulations”; and

(b) after paragraph (1) add—

“(1A) In the definitions of “classification” and “dangerous substance” the references to the Carriage Regulations shall apply as if the substances in question were being carried by road.”.

(3) In Schedule 1 (exceptions)—

(a) for paragraph 1(c) substitute—

“(c) substances which on classification as defined in regulation 2(1) of the Classification and Labelling of Explosives Regulation 1983(11) are classified as class 1 goods within the meaning of—

(i) the Carriage Regulations;

(ii) the International Maritime Dangerous Goods Code as revised or reissued from time to time(12); or

(iii) the Technical Instructions for the Safe Transport of Dangerous Goods by Air as revised or reissued from time to time(13);”;

(b) in paragraph 1(d) for the words “the 1996 Regulations” substitute “the Carriage Regulations”.

(9) S.I. 1990/304, amended by S.I. 1993/1746, 1994/669 and 1996/2092 and to which there are other amendments not relevant to these Regulations.

(10) S.I. 2004/568.

(11) S.I. 1983/1140.

(12) Current edition (2002): ISBN 92-801-5140-1.

(13) Current edition (2003–2004): ISBN 92-9194-010-1.

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

Amendment to the Control of Explosives Regulations 1991

5. In regulation 10(2)(b) (keeping explosives for private use) of the Control of Explosives Regulations 1991(14) for the words “so as to be in Division 1.4 and compatibility Group S for the purposes of the 1983 Regulations” substitute “for carriage in accordance with the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(15)”.

Amendment to the Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993

6. In regulation 5(10) (materials and equipment) of the Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993(16) for the words “to which the Carriage of Explosives by Road Regulations 1996” there shall be substituted the words “by road of explosives to which the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(17)”.

Amendment to the Notification of New Substances Regulations 1993

7. In paragraph 7.3(g) of Part A of Schedule 2 (information required in the technical dossiers) to the Notification of New Substances Regulations 1993(18) for the words “Carriage of Dangerous Goods by Road Regulations 1996” there shall be substituted the words “Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(19) to the extent that it relates to carriage by road”.

Amendments to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995

8.—(1) The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995(20) shall be amended as follows.

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

(a) after the definition of “biological agent” insert—

““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004;”(21); and

(b) in the definition of “operator” for the words “dangerous substance” substitute “dangerous goods”.

(3) In Schedule 2 (dangerous occurrences)—

(a) in Part I (general)—

(i) in paragraph 6(2) for the words “being transported, be assigned to Class 1 within the meaning of the Classification and Labelling of Explosives Regulations 1983” substitute “being carried by road or rail, be classified as Class 1 goods within the meaning of the Carriage Regulations”; and

(ii) for paragraph 17A substitute—

“17A. In paragraphs 16 and 17 above, “carriage” and “dangerous goods” have the same meaning as those terms in regulation 2(1) of the Carriage Regulations.”; and

(14) S.I. 1991/1531, to which there are amendments not relevant to these Regulations.

(15) S.I. 2004/568.

(16) S.I. 1993/208, as amended by S.I. 1996/2093 and to which there are other amendments not relevant to these Regulations.

(17) S.I. 2004/568.

(18) S.I. 1993/3050, amended by S.I. 2002/2176 and to which there are other amendments not relevant to these Regulations.

(19) S.I. 2004/568.

(20) S.I. 1995/3163, amended by S.I. 1996/2089 and 1996/2092 and to which there are other amendments not relevant to these Regulations.

(21) S.I. 2004/568.

- (b) in Part IV (dangerous occurrences which are reportable in respect of relevant transport systems) for paragraph 59(2) substitute—

“(2) In this paragraph “dangerous goods” has the meaning assigned to it in regulation 2(1) of the Carriage Regulations.”

Amendment to the Health and Safety (Safety Signs and Signals) Regulations 1996

9. In regulation 2(1) (interpretation) of the Health and Safety (Safety Signs and Signals) Regulations 1996(22) for the definition of “dangerous goods” there shall be substituted—

““dangerous goods” has the meaning in regulation 2(1) of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(23) which shall apply as if those goods were being carried by road;”.

Amendments to the Pressure Systems Safety Regulations 2000

- 10.—(1) The Pressure Systems Safety Regulations 2000(24) shall be amended as follows.

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

- (a) for the definition of “the CDGCPL Regulations” substitute—

““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004”(25);

- (b) after the definition of “mobile system” insert—

““old pressure receptacle” has the meaning in regulation 2(1) of the Carriage Regulations which shall apply as if the receptacle were being carried by road;”;

- (c) after the definition of “pipework” insert—

““pressure receptacle” has the meaning in regulation 2(1) of the Carriage Regulations, except that it includes any permanent fitting to a pressure receptacle, and regulation 2(1) shall apply as if the receptacle were being carried by road;”;

- (d) in the definition of “pressure system”—

- (i) in sub-paragraph (b) for “transportable pressure receptacle” substitute “pressure receptacle, an old pressure receptacle or transportable pressure equipment”; and

- (ii) for the words “transportable pressure receptacle or a transportable pressure vessel” substitute “pressure receptacle, an old pressure receptacle or transportable pressure equipment”; and

- (e) after the definition of “system failure”—

- (i) omit the definition of “transportable pressure receptacle”; and

- (ii) for the definition of “transportable pressure vessel” substitute—

““transportable pressure equipment” has the same meaning as in regulation 2(1) of the Carriage Regulations except that it shall exclude a tank within the meaning of those Regulations;”.

- (3) In Part I of Schedule 1 (pressure systems excepted from all the Regulations)—

- (a) for paragraph 9 substitute—

“9. A tank or an old tank within the meaning of the Carriage Regulations.”; and

(22) S.I. 1996/341, amended by S.I. 1996/2092 and to which there are other amendments not relevant to these Regulations.

(23) S.I. 2004/568.

(24) S.I. 2000/128, amended by S.I. 2001/1426.

(25) S.I. 2004/568.

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

(b) for paragraph 13 substitute—

“13. Any pressure system being carried in a vehicle if the vehicle is—

- (a) engaged in an international transport operation within the meaning of Article 1(c) of ADR; and
- (b) under the control of or owned by the armed forces within the meaning of the Carriage Regulations where the armed forces are those of a country which is a contracting party to ADR.”.

(4) In paragraph 3(a) of Part II of Schedule 1 (pressure systems excepted from certain regulations)

- (a) after the words “dangerous goods” insert “by road”;
- (b) for the words “Carriage of Dangerous Goods by Road Regulations 1996” substitute “Carriage Regulations”; and
- (c) for the words “paragraph 1 of Schedule 2” substitute “regulation 4(1)”.

Amendments to the Radiation (Emergency Preparedness and Public Information) Regulations 2001

11.—(1) The Radiation (Emergency Preparedness and Public Information) Regulations 2001(26) shall be amended as follows.

(2) In regulation 2(1) (interpretation) for the definition of “the 2002 Regulations” substitute—
““the Carriage Regulations” means the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(27);”.

(3) In regulation 3 (application)—

(a) for paragraph (4)(c) substitute—

- “(c) any radioactive substance conforming to the specifications for special form radioactive material set out in regulation 2(1) of the Carriage Regulations—
 - (i) which is certified pursuant to regulations 20(2), 21(4)(a) and 28(1) of the Carriage Regulations as complying with them; or
 - (ii) where the transport in question forms part of an international transport operation as is referred to in regulation 4(1)(a) or (b) of the Carriage Regulations;”;

(b) for paragraph 4(d) substitute—

- “(d) any radioactive substance contained in a package which complies in every respect as to its design with the requirements for—
 - (i) a Type B(U) package, a Type B(M) package or a Type C package as set out in paragraphs 6.4.8, 6.4.9 or 6.4.10 of RID respectively; or
 - (ii) a consignment carried under special arrangement within the meaning of the Carriage Regulations which provides an equivalent level of safety as a type B(U) package, Type B(M) package or a Type C package complying with the requirements referred to in sub-paragraph (i),

and which, in each case, has been approved pursuant to regulations 20(2), 21(4) (a) and 28 of the Carriage Regulations as complying with such requirements or where the transport in question forms part of an international transport operation as referred to in regulation 4(1)(a) or (b) of the Carriage Regulations;”;

(26) S.I. 2001/2975, amended by S.I. 2002/2099 and to which there are other amendments not relevant to these Regulations.

(27) S.I. 2004/568.

- (c) for paragraph (4)(e) substitute—
 - “(e) the transport of any radioactive substance in the form of a low specific activity material conforming to the specifications for LSA-I, LSA-II or LSA-III set out in sub-section 2.2.7.3 of RID including cases where the transport forms part of an international transport operation as is referred to in regulation 4(1)(a) or (b) of the Carriage Regulations;”;
- (d) for paragraph (4)(f) substitute—
 - “(f) the transport of any radioactive substance in the form of a surface contaminated object conforming to the specifications for SCO-I or SCO-II set out in sub-section 2.2.7.5 of RID including cases where the transport forms part of an international transport operation as is referred to in regulation 4(1)(a) or (b) of the Carriage Regulations; and”;
- (e) after paragraph (5) add—
 - “(6) In paragraph (4)(d)-(f) “RID” means the Regulations concerning the International Carriage of Dangerous Goods by Rail which form Annex 1 to Appendix B to the Convention concerning International Carriage by Rail as revised or reissued from time to time.”.

Amendments to the Control of Asbestos at Work Regulations 2002

- 12.**—(1) The Control of Asbestos at Work Regulations 2002(**28**) shall be amended as follows.
- (2) In regulation 23(3) (storage, distribution and labelling of raw asbestos and asbestos waste)—
 - (a) in sub-paragraph (a) for the words “Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004(**29**)”; and
 - (b) omit sub-paragraph (b).
 - (3) In paragraph 1A of Schedule 2 (the labelling of raw asbestos, asbestos waste and products containing asbestos) for the words “Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations 1996” substitute “Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004”.

Amendment to the Control of Lead at Work Regulations 2002

- 13.** For the list in Schedule 2 (legislation concerned with the labelling of containers and pipes) to the Control of Lead at Work Regulations 2002(**30**) there shall be substituted—
- “The Health and Safety (Safety Signs and Signals) Regulations 1996 ([S.I. 1996/341](#));
 - The Good Laboratory Practice Regulations 1999 ([S.I. 1999/3106](#));
 - The Radioactive Material (Road Transport) Regulations 2002 ([S.I. 2002/1093](#));
 - The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 ([S.I. 2002/1689](#)); and
 - The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 ([S.I. 2004/568](#)).”.

(28) [S.I. 2002/2675](#).

(29) [S.I. 2004/568](#).

(30) [S.I. 2002/2676](#).

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

Amendment to the Control of Substances Hazardous to Health Regulations 2002

14. For the list in Schedule 7 (legislation concerned with the labelling of containers and pipes) to the Control of Substances Hazardous to Health Regulations 2002⁽³¹⁾ there shall be substituted—

“The Health and Safety (Safety Signs and Signals) Regulations 1996 (S.I. 1996/341);
The Good Laboratory Practice Regulations 1999 (S.I. 1999/3106);
The Radioactive Material (Road Transport) Regulations 2002 (S.I. 2002/1093);
The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (S.I. 2002/1689); and
The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (S.I. 2004/568).”.

Amendment to the Dangerous Substances and Explosive Atmospheres Regulations 2002

15. For the list in Schedule 5 (legislation concerned with the marking of containers and pipes) to the Dangerous Substances and Explosive Atmospheres Regulations 2002⁽³²⁾ there shall be substituted—

“The Classification and Labelling of Explosives Regulations 1983 (S.I. 1983/1140);
The Health and Safety (Safety Signs and Signals) Regulations 1996 (S.I. 1996/341);
The Good Laboratory Practice Regulations 1999 (S.I. 1999/3106);
The Radioactive Material (Road Transport) Regulations 2002 (S.I. 2002/1093);
The Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (S.I. 2002/1689); and
The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (S.I. 2004/568).”.

⁽³¹⁾ S.I. 2002/2677 to which there are amendments not relevant to these Regulations.

⁽³²⁾ S.I. 2002/2776.