STATUTORY RULES OF NORTHERN IRELAND

2002 No. 34

HEALTH AND SAFETY

Carriage of Dangerous Goods (Amendment) Regulations (Northern Ireland) 2002

Made - - - - *8th February 2002*

Coming into operation *1st April 2002*

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), in exercise of the powers conferred on it by Articles 17(1), (2), (4), (5), (6), 40(2) to (4) and 55(2) of, and paragraphs 1(1), (2), (4), 2, 5(2), 6, 11, 13 and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**3**) and of every other power enabling it in that behalf and for the purpose of giving effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland(**4**) under Article 13(1A) of that Order after the carrying out by the said Executive of consultations in accordance with Article 46(3) of that Order, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Carriage of Dangerous Goods (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 1st April 2002.

Amendment to the Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991

2. The Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991(**5**) shall be amended in accordance with Schedule 1.

(**1**) Formerly the Department of Economic Development; *see* S.I. 1999/283 (N.I. 1), Article 3(5)
(**2**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**3**) S.I. 1978/1039 (N.I. 9)
(**4**) Article 13 was amended by Article 4 of, and Article 46 was amended by Article 6(1) of, and paragraphs 8 and 18 of Schedule 1 to, S.I. 1998/2795 (N.I. 18)
(**5**) S.R. 1991 No. 471; to which there are amendments not relevant to these Regulations

Amendments to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations (Northern Ireland) 1997

3. The Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations (Northern Ireland) 1997(**6**) shall be amended in accordance with Schedule 2.

Amendments to the Carriage of Dangerous Goods by Road Regulations (Northern Ireland) 1997

4. The Carriage of Dangerous Goods by Road Regulations (Northern Ireland) 1997(**7**) shall be amended in accordance with Schedule 3.

Amendments to the Carriage of Dangerous Goods by Road (Driver Training) Regulations (Northern Ireland) 1997

5. The Carriage of Dangerous Goods by Road (Driver Training) Regulations (Northern Ireland) 1997(**8**) shall be amended in accordance with Schedule 4.

Amendments to the Health and Safety (Fees) Regulations (Northern Ireland) 1998

6. The Health and Safety (Fees) Regulations (Northern Ireland) 1998(**9**) shall be amended in accordance with Schedule 5.

Amendments to the Carriage of Dangerous Goods by Rail Regulations (Northern Ireland) 1998

7. The Carriage of Dangerous Goods by Rail Regulations (Northern Ireland) 1998(**10**) shall be amended in accordance with Schedule 6.

Amendments to the Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations (Northern Ireland) 1998

8. The Packaging, Labelling and Carriage of Radioactive Material by Rail Regulations (Northern Ireland) 1998(**11**) shall be amended in accordance with Schedule 7.

(**6**) S.R. 1997 No. 247; relevant amending Regulations are S.R. 1997 No. 360 and S.R. 1999 No. 150
(**7**) S.R. 1997 No. 248; relevant amending Regulations are S.R. 1999 No. 150
(**8**) S.R. 1997 No. 249; relevant amending Regulations are S.R. 1999 No. 150
(**9**) S.R. 1998 No. 125; relevant amending Regulations are S.R. 1999 No. 150 and S.R. 2000 No. 119
(**10**) S.R. 1998 No. 131; relevant amending Regulations are S.R. 1999 No. 150
(**11**) S.R. 1998 No. 132; relevant amending Regulations are S.R. 1999 No. 150

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 8th February 2002.

Michael J. Bohill
A senior officer of the
Department of Enterprise, Trade and Investment

SCHEDULE 1 Regulation 2

Amendment to the Pressure Systems and Transportable Gas Containers Regulations (Northern Ireland) 1991

In Part II of Schedule 2, paragraph 5 shall be omitted.

SCHEDULE 2 Regulation 3

Amendments to the Carriage of Dangerous Goods (Classification, Packaging and Labelling) and Use of Transportable Pressure Receptacles Regulations (Northern Ireland) 1997

1. In regulation 2(1)—

(a) for the definition of "goods named individually" there shall be substituted the following definition—

""goods named individually" in relation to the Approved Carriage List means those goods which are articles or substances specifically listed by name;"; and

(b) in the definition of "tank container" the words "(or 1000 litres in the case of tanks used for the carriage of a gas)" shall be omitted.

2. In regulation 3—

(a) for paragraph (1)(*g*) there shall be substituted the following sub-paragraph—

"(g) the goods are being carried in machinery or equipment which is not named individually in the Approved Carriage List and which contains dangerous goods in its internal or operational equipment;";

(b) after paragraph (1)(*j*) there shall be inserted the following sub-paragraph—

"(jj) as a result of an emergency, the goods are being carried with the intention of saving human life or protecting the environment, provided that all measures are taken to ensure that such carriage is carried out safely;"; and

(c) after paragraph (7) there shall be inserted the following paragraph—

"(7A) These Regulations shall not apply to or in relation to the carriage of any of the following dangerous goods—

(a) UN 1992 FLAMMABLE LIQUID, TOXIC, N.O.S.

UN 2603 CYCLOHEPTATRIENE

UN 3248 MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

of packing group II;

(b) UN 1228 MERCAPTANS, LIQUID, FLAMMABLE, TOXIC, N.O.S. or MERCAPTAN MIXTURE, LIQUID, FLAMMABLE, TOXIC, N.O.S.

UN 1986 ALCOHOLS, FLAMMABLE, TOXIC, N.O.S.

UN 1992 FLAMMABLE LIQUID, TOXIC, N.O.S.

UN 1988 ALDEHYDES, FLAMMABLE, TOXIC, N.O.S.

UN 2310 PENTANE-2,4-DIONE

UN 2478 ISOCYANATES, FLAMMABLE, TOXIC, N.O.S. or ISOCYANATE SOLUTION, FLAMMABLE, TOXIC, N.O.S.

UN 2841 DI-n-AMYLAMINE

UN 3248 MEDICINE, LIQUID, FLAMMABLE, TOXIC, N.O.S.,

of packing group III; and

(c) UN 1544 ALKALOIDS, SOLID, N.O.S. or ALKALOID SALTS, SOLID, N.O.S.

UN 1570 BRUCINE

UN 1654 NICOTINE

UN 1655 NICOTINE COMPOUND, SOLID, N.O.S. or NICOTINE PREPARATION, SOLID, N.O.S.

UN 1656 NICOTINE HYDROCHLORIDE or NICOTINE HYDROCHLORIDE SOLUTION

UN 1657 NICOTINE SALICYLATE

UN 1658 NICOTINE SULPHATE, SOLID, or NICOTINE SULPHATE SOLUTION

UN 1659 NICOTINE TARTRATE

UN 1692 STRYCHNINE or STRYCHNINE SALTS

UN 1851 MEDICINE, LIQUID, TOXIC, N.O.S.

UN 3140 ALKALOIDS, LIQUID, N.O.S. or ALKALOID SALTS, LIQUID, N.O.S.

UN 3144 NICOTINE COMPOUND, LIQUID, N.O.S. or NICOTINE PREPARATION, LIQUID, N.O.S.

UN 3172 TOXINS EXTRACTED FROM LIVING SOURCES, N.O.S.

UN 3249 MEDICINE, SOLID, TOXIC, N.O.S.,

where those goods are pharmaceutical products ready for use, packaged for retail sale, and intended for personal or household use, and in this paragraph, "pharmaceutical products" include medicines, drugs and cosmetics.".

3. After regulation 4(2) there shall be inserted the following paragraph—

"(3) Where the Executive approves a revision referred to in paragraph (2), during the period between the publication by the Executive of a notice specifying that revision and the date on which that revision takes effect a person may comply with the requirements of these Regulations as if any reference to any of the approved documents were a reference to—

(a) the approved document prior to that revision; or

(b) the approved document as revised.".

4. In regulation 8, for paragraph (2) there shall be substituted the following paragraph—

"(2) The particulars required under paragraph (1)(*a*) shall be the following particulars ascertained in accordance with regulation 5 namely—

(a) the designation of the goods;

(b) the UN number (in all cases preceded by the letters "UN");

(c) the danger sign;

(d) any subsidiary hazard signs; and

(e) where those goods are being carried in salvage packagings, the word "salvage",