



**HM Railway Inspectorate
& Safety Policy Directorate**

**Rail Guidance Document
RGD-2004-07**

**THE CARRIAGE OF DANGEROUS GOODS AND USE OF
TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2004
(SI 2004/568)**

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Keywords	CDG CARRIAGE DANGEROUS GOODS TRANSPORTABLE TRANSPORT EQUIPMENT PRESSURE		
Summary	This Railway Guidance Document (RGD) advises about legislation to deal with the risks that arise from the carriage of dangerous goods by rail (CDG Rail), and action you need to take if you are involved in advising rail duty holders on this subject.		

Detail

INTRODUCTION

1. Legislation to regulate the risks associated with the carriage of dangerous goods by rail (CDG Rail) has been in force since 1994. It places duties on all those who have any role in consigning or carrying dangerous goods by rail, and on infrastructure controllers over whose infrastructure the goods travel.
2. On 10 May 2004, all existing CDG regulations were replaced by a consolidated set of regulations covering all hazard classes. Previously separate regulations for the carriage of radioactive materials have been repealed, though existing arrangements for shared enforcement between HMRI and the Department for Transport's Radioactive Materials Transport Division (DfT RMTD) remain in place.

THE 2004 LEGISLATION AND INTERNATIONAL AGREEMENT

3. The regulations, known as the [Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004](#) (short form: 'the Carriage Regulations'), are similar in terms of the duties they impose, but substantially different in the way they describe how those duties are to be met. Essentially, they state that duties are to be met by compliance with the relevant, referenced chapter, section or sub-section of RID (The full title of RID is 'Regulations concerning the International Carriage of Dangerous Goods by Rail (RID)'. It forms Annex 1 to the 'Convention concerning International Carriage by Rail (COTIF) Appendix B. Uniform Rules concerning the Contract for International Carriage of Goods by Rail (CIM)') the international agreement concerning the carriage of dangerous goods by rail. The substance of what duty holders need to do to comply will be detailed in that chapter, section or sub-section (though of course it is the regulations which are enforced, not the agreement).
4. Inspector advice and guidance to duty holders will therefore need to reflect the requirements of RID. Though the agreement itself runs to over a thousand pages, the main requirements are covered in chapters 1.2 – 1.10 of Part 1, and run to a little over thirty pages. Parts 5 and 7 respectively detail consignment procedures and requirements concerning conditions of carriage, loading, unloading and handling. The current edition (The 2003 edition is published in the UK by TSO (ISBN 0 11 552553 X), price £95 excluding VAT includes a CD ROM version. It is updated every two years, when the regulations themselves are also revised). The Railway Operations NET and Topic Strategist are able to advise on technical issues and matters of HMRI policy in relation to the regulations. However, teams who have lead responsibility for Freight Operating Companies (FOCs)

transporting dangerous goods will need a copy of the agreement for reference and advice to duty holders, and arrangements are in hand to supply a copy of the requirements to relevant lead B2s.

5. The dangerous goods pages of HSE's website advise on the [main changes to the regulations](#). Inspectors should check the site for up-to-date information before giving advice to dutyholders. Inspectors should also note that, with effect from 5th April 2004, HSE's regulatory policy work on the land carriage of dangerous goods transferred to DfT, and in due course HSE's dangerous goods web pages will be subsumed into the DfT site, though remaining hotlinked from our own.
6. HSE guidance on the carriage of dangerous goods by rail (the yellow booklet HS(G)163) has been withdrawn, and copies of this should be discarded. It has not been replaced, nor was the general dangerous goods advisory leaflet INDG 234 'Are you involved in the carriage of dangerous goods by road or rail?'.
7. A number of Railway Group Standards detail industry arrangements for managing the carriage of dangerous goods. In general, these do not closely reference the detailed duties of existing legislation, so the advent of new legislation should not create problems of inconsistency. Railway Safety and Standards Board (RSSB) plans to update the standards to reflect the changes.

ACTION BY INSPECTORS

There is no need for inspectors specifically to seek assurances from duty holders about what steps they are taking to comply with the new legislation, as what is required to comply is not significantly different from what is required now. Although the Railways (Safety Case) Regulations 2000 (as amended) suggest that a change in legislation would normally trigger a material revision of a submitted safety case, the limited extent of the changes means that this may not be required. Relevant Freight Operating Company (FOC) safety case holders should be advised to seek the opinion of their dangerous goods safety adviser (DGSA) as to whether submission of a material revision will be needed.

Action
(optional)