



STATUTORY INSTRUMENTS.

S.I. No. 277 of 2019

EUROPEAN COMMUNITIES (CARRIAGE OF DANGEROUS GOODS BY
ROAD AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT)
(AMENDMENT) REGULATIONS 2019

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EUROPEAN COMMUNITIES (CARRIAGE OF DANGEROUS GOODS BY ROAD AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT) (AMENDMENT) REGULATIONS 2019

I, HEATHER HUMPHREYS, Minister for Business, Enterprise and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) (as amended by section 2 of the European Communities Act 2007 (No. 18 of 2007)) and for the purpose of giving further effect to the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), and the protocol of signature thereto done at Geneva on 30 September 1957, and the amending protocol thereto adopted at Geneva on 28 October 1993, Council Directive 95/50/EC of 6 October 1995¹, and Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008² (insofar as that Directive relates to the transport of dangerous goods by road), as amended by Commission Implementing Decision (EU) 2018/936 of 29 June 2018³ and Commission Directive (EU) 2018/1846 of 23 November 2018⁴, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2019.

(2) The Principal Regulations, the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2013 (S.I. No. 238 of 2013), the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2015 (S.I. No. 31 of 2015), the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) (No. 2) Regulations 2015 (S.I. No. 288 of 2015), the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2017 (S.I. No. 5 of 2017), the Regulations of 2017, the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) (No. 3) Regulations 2017 (S.I. No. 555 of 2017), the Regulations of 2018 and these Regulations may be cited together as the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019.

(3) These Regulations come into operation on 30 June 2019.

¹ OJ L249, 17.10.1995, p.35.

² OJ L260, 30.09.2008, p. 13.

³ OJ No. L 165, 2.7.2018, p. 42.

⁴ OJ. L299, 26.11.2018, p. 58

2. In these Regulations—

“Principal Regulations” means the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 (S.I. No. 349 of 2011);

“Regulations of 2017” means the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) (No. 2) Regulations 2017 (S.I. No. 282 of 2017);

“Regulations of 2018” means the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2018 (S.I. No. 197 of 2018).

3. Regulation 2(1) (as amended by Regulation 3(1) of the Regulations of 2018) of the Principal Regulations is amended—

- (a) in the definition of “ADR”, by substituting “1 January 2019” for “3 January 2018”, and
- (b) by substituting for the definition of “the Directive” the following:

“‘the Directive’ means Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 as amended by Commission Implementing Decision (EU) 2018/936 of 29 June 2018³ and Commission Directive (EU) 2018/1846 of 23 November 2018⁴.”

4. Regulation 52 (as inserted by Regulation 3(3) of the Regulations of 2018) of the Principal Regulations is amended by deleting “Part 1 of”.

5. Regulation 55(b)(vi) of the Principal Regulations is amended by substituting “periodic inspection” for “thorough examination” in both places where it occurs.

6. Schedule 2, Part 2 (as amended by Regulation 3(11) of the Regulations of 2017) of the Principal Regulations is amended by substituting “European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011, as amended” for “European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2017”.

7. Schedule 3 (as amended by Regulation 3(12) of the Regulations of 2017) of the Principal Regulations is amended by substituting “European

Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011, as amended” for “European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2017”.



GIVEN under my Official Seal,
20 June, 2019.

HEATHER HUMPHREYS,
Minister for Business, Enterprise and Innovation.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

These Regulations transpose the provisions of Commission Implementing Decision (EU) 2018/936 of 29 June 2018 and Commission Directive (EU) 2018/1846 of 23 November 2018, both of which amend the Annexes to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods to take into account scientific and technical progress (insofar as that Directive relates to the transport of dangerous goods by road). Commission Directive (EU) 2018/1846 gives effect to the changes to the ADR agreement that came into force on 1 January 2019.

The Regulations also give further effect to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008.

These Regulations may be cited as the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2019.

These Regulations amend for the eighth time the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 (S.I. No. 349 of 2011) and can be cited together with all previous amending statutory instruments as the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2019.

These Regulations shall come into effect from 30 June 2019.

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