



STATUTORY INSTRUMENTS.

S.I. No. 360 of 2015

EUROPEAN UNION (TRANSPORT OF DANGEROUS GOODS BY
RAIL) (AMENDMENT) REGULATIONS 2015

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I, PASCHAL DONOHOE, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008¹ (in so far as it relates to the transport of dangerous goods by rail) as amended by Commission Directive 2014/103/EU of 21 November 2014², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Transport of Dangerous Goods by Rail) (Amendment) Regulations 2015.

2. The European Communities (Transport of Dangerous Goods by Rail) Regulations 2010 (S.I. No. 651 of 2010) are amended:

(a) in Regulation 2(1)—

(i) by substituting for the definition of “Directive” (inserted by Regulation 2(a)(ii) of the European Union (Transport of Dangerous Goods by Rail) (Amendment) Regulations 2013 (S.I. No. 201 of 2013)) the following:

“ ‘Directive’ means Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008¹, as amended by Commission Directive 2014/103/EU of 21 November 2014² and Commission Implementing Decision 2015/974/EU of 17 June 2015³;”,

(ii) by substituting for the definition of “Minister” the following:

“ ‘Minister’ means Minister for Transport, Tourism and Sport;”, and

(iii) by substituting for the definition of “RID” the following:

“ ‘RID’ means the ‘Regulations concerning the International Carriage of Dangerous Goods by Rail (RID)’, appearing as Appendix C to the ‘Convention concerning International Carriage by Rail (COTIF)’ concluded at Vilnius on 3 June 1999, as applicable with effect from 1 January 2009 and as

¹OJ No. L260, 30.09.2008, p.13

²OJ No. L335, 22.11.2014, p.15

³OJ No. L157, 23.06.2015, p.53

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 21st August, 2015.

referred to in section II.1 in Annex II to the Directive, as applicable with effect from 1 January 2015;”,

(b) in Regulation 4(1)(c), by substituting “Environmental Protection Agency” for “Radiological Protection Institute of Ireland”,

(c) in Regulation 31, by substituting for paragraph (2) the following:

“(2) A competent authority shall be entitled—

(a) to view and take copies of any record or other evidence gathered or obtained by the Railway Accident Investigation Unit during the course of its investigation of a serious accident, an accident or an incident under the European Union (Railway Safety) (Reporting and Investigation of Serious Accidents, Accidents and Incidents) Regulations 2014 (S.I. No. 258 of 2014), and

(b) subject to Regulation 11(5) of those Regulations, to submit as evidence in criminal or other proceedings any such record or other evidence.”,

and

(d) in Schedule 2—

(i) in paragraph (1), by substituting “Radiological Protection Acts 1991 to 2014” for “Radiological Protection Act 1991”;

and

(ii) in paragraphs (2) and (3), by substituting “Environmental Protection Agency” for “Radiological Protection Institute of Ireland”.



GIVEN under my Official Seal,
18 August 2015.

PASCHAL DONOHOE,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

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

The Annexes to Directive 2008/68/EC (the main EU Directive on the inland transport of dangerous goods) have been further adapted to scientific and technical progress by Commission Directive 2014/103/EU.

The purpose of these Regulations is to transpose Commission Directive 2014/103/EU, in so far as it relates to transport of dangerous goods by rail, into national law through amendment of the European Communities (Transport of Dangerous Goods by Rail) Regulations 2010 (as amended by S.I. No. 201 of 2013). In addition, the 2010 Regulations are updated including an amendment to show that the Environmental Protection Agency is the competent authority for the purposes of Regulation 4(1)(c).

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