STATUTORY RULES OF NORTHERN IRELAND

2025 No. 90

HEALTH AND SAFETY

The Freight Containers (Safety Convention) Regulations (Northern Ireland) 2025

Made - - - -	*14th May 2025*
Coming into operation -	*9th June 2025*

The Department for the Economy(**a**), being the Department concerned(**b**), makes the following Regulations in exercise of the powers conferred by Articles 17(1), (2), (3), (4), (5) and (6)(**c**), and 55(2) of, and paragraphs 1(1), (2) and (3), 2, 3(1) and 5(1) of Schedule 3 to the Health and Safety at Work (Northern Ireland) Order 1978(**d**) ("the 1978 Order").

The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A)(**e**) of the 1978 Order after the Executive had carried out consultations in accordance with Article 46(3)(**f**).

Citation and commencement

1. These Regulations may be cited as the Freight Containers (Safety Convention) Regulations (Northern Ireland) 2025 and come into operation on 9th June 2025.

Interpretation

2. In these Regulations—

"the 1992 Regulations" means the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992(**g**);

"approval" has the meaning assigned to it by regulation 4(1)(a);

"the Convention" means the International Convention for Safe Containers 1972, as amended(**h**);

(**a**) Formerly the Department of Enterprise, Trade and Investment; *see* 2016 c. 5, section 1(3); that Department was formerly the Department of Economic Development; *see* S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services, *see* S.I. 1982/846 (N.I. 11), Article 3

(**b**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)

(**c**) Article 17 shall be read with S.I. 1992/1728 (N.I. 17), Articles 3(2) and 4(2)

(**d**) S.I. 1978/1039 (N.I. 9): the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17), Articles 3(1) and 4(1). Article 55(2) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraph 19

(**e**) Article 13(1) was substituted by S.I. 1998/2795 (N.I. 18), Article 4

(**f**) Article 46(3) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18 and the Health Protection Agency Act 2004 (c. 17), section 11 and Schedule 3, paragraph 10(3)

(**g**) S.R. 1992 No. 2, as amended by S.R. 1999 No. 150 and revoked in part by S.R. 1998 No. 125

(**h**) The Convention was signed at Geneva on 2nd December 1972 and ratified by the United Kingdom on 8th March 1978. It has been amended by resolution MSC.310(88) which came into force on 1st January 2012, and by resolution MSC.355(92) which came into force on 1st July 2014; there are other amending resolutions but none are relevant. The 2014 edition (ISBN 97-801-1593-2) is published by the International Maritime Organisation

"container" means an article of transport equipment, excluding a vehicle or packaging or any article of transport equipment designed solely for use in air transport, which is—

(a) of a permanent character and accordingly strong enough for repeated use;

(b) designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading;

(c) designed to be secured or readily handled or both, having corner fittings for these purposes; and

(d) of a size such that the area enclosed by the outer bottom corners is either—

(i) if the container is fitted with top corner fittings, at least 7 square metres, or

(ii) in any other case, at least 14 square metres,

and includes—

(i) a container when carried on a chassis, and

(ii) a swap body that is carried by or on board a sea-going ship, and that is not mounted on a road vehicle or rail wagon;

"corner fittings" in relation to any container means an arrangement of apertures and faces at either the top or the bottom or both at the top and the bottom of the container for the purposes of handling, stacking and securing or any of those purposes;

"designated area" means any area designated by Order under section 1(7) of the Continental Shelf Act 1964(**a**) and "within a designated area" includes over and under it;

"the Executive" means the Health and Safety Executive for Northern Ireland;

"the Health and Safety Executive" means the Health and Safety Executive established under section 10 of the Health and Safety at Work etc. Act 1974(**b**);

"maintained" means maintained in an efficient state in efficient working order and in good repair;

"maximum operating gross mass" means the maximum allowable sum of the mass of the container and its cargo;

"safety approval plate" means a plate in the form and containing the information specified by Schedule 1;

"swap body" means a container which is specially designed for carriage by road only or by rail and road only and is without stacking capability and top lift facilities;

"territorial sea" means the territorial sea of the United Kingdom adjacent to Northern Ireland and "within the territorial sea" includes on, over and under it; and

"use" means use for the purpose for which the container is designed but does not include—

(a) movement to a place for remedial action if—

(i) so far as is reasonably practicable the movement is without risk to the safety of any person; and

(ii) the remedial action is carried out before the container is repacked with goods; or

(b) in the case of an empty container—

(i) transport to a place for testing to obtain approval; or

(ii) delivery to its purchaser by the vendor or their agent.

Application of Regulations

3.—(1) These Regulations apply to any container used at work or supplied for use at work.

(**a**) 1964 c. 29; section 1 was amended by the Oil and Gas (Enterprise) Act 1982 (1982 c. 23), Schedule 3, paragraph 1 and by the Energy Act 2011 (c. 16), section 103

(**b**) 1974 c. 37; section 10 was substituted by S.I. 2008/960, Article 4

(2) Within the territorial sea or a designated area these Regulations apply to any container so used at work or supplied for use at work in circumstances in which any of paragraphs 2 to 9 of Schedule 2 apply.

Conditions of use and enforcement

4.—(1) The owner or lessee of a container shall not use or permit that container to be used unless—

(a) it has valid approval issued in accordance with regulation 5 (hereinafter referred to as "an approval");

(b) it has a valid safety approval plate fixed to it in accordance with regulation 6;

(c) it is properly maintained;

(d) the examination requirements in regulation 8 are met in respect of that container;

(e) all markings on the container showing maximum operating gross mass are consistent with the maximum operating gross mass information on the safety approval plate; and

(f) it meets the conspicuous marking requirements in regulation 9.

(2) Any person, other than the owner or lessee, using or permitting the use of a container shall, so far as is reasonably practicable, ensure that—

(a) it has a valid safety approval plate fixed to it in accordance with regulation 6;

(b) all markings on the container showing maximum operating gross mass are consistent with the maximum operating gross mass information on the safety approval plate; and

(c) it meets the conspicuous marking requirements in regulation 9.

(3) Where it is an express term of a bailment of a container that the bailee is responsible for ensuring that the container is maintained or examined, the bailee shall, in addition to any duty placed on them by paragraph (2), ensure that—

(a) the container is properly maintained; and

(b) the examination requirements in regulation 8 are met.

(4) In proceedings for an offence of using or permitting a container to be used which is not properly maintained or examined, it is a defence that at the time of the contravention a bailment or lease was in force in respect of the container and—

(a) in the case of an owner, that it was an express term that the bailee or lessee was responsible for ensuring that the container is maintained or examined;

(b) in the case of a lessee—

(i) that it was not an express term of the lease that the lessee was responsible for ensuring that the container is maintained or examined; or

(ii) under a further lease it was an express term that the further lessee was responsible for ensuring that the container is maintained or examined;

(c) in the case of a bailee who is a bailor under a further bailment, that it was an express term of the further bailment that the further bailee was responsible for ensuring that the container is maintained or examined.

(5) In this regulation "owner" includes the owner's agent.

Approval of containers—either by design type or individually

5.—(1) An approval (whether relating to a design type or to an individual container) is, for the purposes of these Regulations, valid only if—

(a) it has been issued—

(i) by the Executive;

(ii) by a person or organisation appointed for the time being by the Executive in accordance with paragraph (2);

(iii) by the Health and Safety Executive or by a person or organisation appointed by the Health and Safety Executive in accordance with regulation 5 of the Freight Containers (Safety Convention) Regulations 2017(**a**); or

(iv) by or under the authority of a Government which has ratified, accepted, approved or acceded to the Convention; and

(b) it has not been withdrawn in writing by—

(i) the person or organisation who issued the approval; or

(ii) the Executive, whether or not it was issued by the Executive.

(2) An appointment by the Executive for the purpose of issuing approvals under paragraph (1)(a)(ii) shall be in writing and may be—

(a) for a specified period;

(b) subject to conditions; and

(c) varied or revoked at any time by the Executive in writing.

Fixing of safety approval plate

6. For the purposes of these Regulations a container has a valid safety approval plate fixed to it if—

(a) the safety approval plate is marked and fixed to the container in accordance with—

(i) Schedule 1; or

(ii) where regulation 7 applies, the 1992 Regulations, and

(b) the information on the safety approval plate is correct and relates to a valid approval.

Containers constructed before 1st July 2014

7. A container constructed prior to 1st July 2014 may retain the safety approval plate required by the 1992 Regulations, provided that no structural modifications have been or are made to that container.

Examination of containers

8.—(1) The examinations in regulation 4(1)(d) and (3)(b) shall be in accordance with an examination scheme or programme approved by the Executive for the purposes of this regulation or by the Health and Safety Executive for the purposes of regulation 8 of the Freight Containers (Safety Convention) Regulations 2017.

(2) There shall be clearly marked on the container either on or as close as practicable to the safety approval plate all matters which the examination scheme or programme referred to in paragraph (1) requires to be marked.

(3) The examination requirements in paragraph (1) do not apply in the case of an owner if—

(a) examinations comply with the procedure adopted by the State (other than the United Kingdom) for the examination of any container where the owner is permanently resident or incorporated;

(b) the procedure has been approved or prescribed by the Government of that State, or by any organisation authorised by such a Government to act on its behalf, for the purpose of the Convention; and

(c) the Government has ratified, accepted, approved or acceded to the Convention.

(**a**) S.I. 2017/325

Marking in accordance with British Standard

9.—(1) Where the stacking or racking values are less than 192,000kg or 150kN, respectively, the container shall be conspicuously marked as required under British Standard Freight Containers – Coding, identification and marking(**a**), as revised or reissued from time to time, at or before the next scheduled examination.

(2) In this regulation "scheduled examination" means the next examination conducted in accordance with regulation 8.

Revocation

10. The 1992 Regulations are revoked.

Sealed with the Official Seal of the Department for the Economy on 14th May 2025.

L.S.

Dr Caoimhe Archibald
Minister of the Department for the Economy

(**a**) BS EN ISO 6346:1995 + A3:2012 (ISBN 978 0 580 80120 4) is published by BSI Standards Limited 2013, under the authority of the Standards Board and came into effect on 15th April 1996

SCHEDULE 1

Regulations 2 and 6

SAFETY APPROVAL PLATE SPECIFICATIONS

Location

1. The safety approval plate required by regulation 6 shall be permanently fixed to the container in such a position that it is—

(a) readily visible;

(b) adjacent to any other officially approved plate carried on the container; and

(c) not likely to be easily damaged.

Construction and content

2. The safety approval plate shall—

(a) be in the form prescribed by Figure 1;

(b) consist of a permanent, non-corroding, fireproof, rectangular plate measuring at least 200mm by 100mm;

(c) be marked in a permanent, clear and legible manner with—

(i) the legend "CSC Safety Approval" in letters of at least 8mm in height; and

(ii) the other legends and information prescribed by sub-paragraph (d) and by Figure 1 in letters of at least 5mm in height,

but nothing in this sub-paragraph prevents any markings for the purposes of an examination scheme or programme being by means of a decal;

(d) contain the following information in at least the English or French language—

(i) line 1—the country of approval and approval reference;

(ii) line 2—the month and year of manufacture;

(iii) line 3—the manufacturer's identification number in respect of the container, or in the case of containers for which that number is unknown the number allotted by the Government or organisation that has granted approval;

(iv) line 4—the maximum operating gross mass in kilograms and pounds;

(v) line 5—the allowable stacking load for 1.8g in kilograms and pounds (that is to say, the designed maximum superimposed static stacking load);

(vi) line 6—the transverse racking test force in newtons;

(vii) line 7—if the end-walls are designed to withstand a force of less or greater than 0.4 times the gravitational force by maximum permissible payload, i.e. 0.4Pg, the end-wall strength;

(viii) line 8 –if the side-walls are designed to withstand a force of less or greater than 0.6 times the gravitational force by maximum permissible payload, i.e. 0.6Pg, the side-wall strength;

(ix) line 9—if the approved examination scheme or programme so requires—

(aa) a legend indicating that the container is subject to a continuous examination programme; or

(bb) the date (expressed in month and year only) before which the container shall next be thoroughly examined;

Lines 7 and 8 may be used for the purposes (aa) and (bb) if they are not required to contain other information; and

(x) in the case of a container approved for one door off operation, the stacking and racking strengths, which shall be marked as follows—

(aa) ALLOWABLE STACKING LOAD ONE DOOR OFF FOR 1.8g (…KG…LBS);

This marking shall be displayed immediately near the stacking test value (see line 5); and

(bb) TRANSVERSE RACKING TEST FORCE ONE DOOR OFF (…newtons);

This marking shall be displayed immediately near the racking test value (see line 6).

Figure 1

	CSC SAFETY APPROVAL
1	.....
2	DATE MANUFACTURED.....
3	IDENTIFICATION No.....
4	MAXIMUM OPERATING GROSS MASS.....kg.....lb
5	ALLOWABLE STACKING LOAD FOR 1.8G.....kg.....lb
6	TRANSVERSE RACKING TEST FORCE.....newtons
7	.....
8	.....
9	.....

Interpretation

3. In this Schedule—

"g" means the standard acceleration of gravity; g equals 9.8 m/s^2;

"load" when used to describe a physical quantity to which units may be ascribed, signifies "mass";

"Maximum permissible payload" means the difference between maximum operating gross mass or Rating and the mass of the empty container including permanently affixed ancillary equipment;

"P" means maximum permissible payload; and

"R" means "Rating" which has the same meaning as maximum operating gross mass.

SCHEDULE 2

Regulation 3

PREMISES AND ACTIVITIES WITHIN THE TERRITORIAL SEA OR A DESIGNATED AREA

Interpretation

1.—(1) In this Schedule—

"activity" includes a diving project and standing a vessel by;

"diving project" has the meaning assigned to it by regulation 2(1) of the Diving at Work Regulations (Northern Ireland) 2005(**a**) save that it includes an activity in which a person takes part as a diver wearing an atmospheric pressure suit and without breathing in air or other gas at a pressure greater than atmospheric pressure;

"offshore installation" shall be construed in accordance with paragraph 2(2) and (3);

"supplementary unit" means a fixed or floating structure, other than a vessel, for providing energy, information or substances to an offshore installation;

"vessel" includes a hovercraft and any floating structure which is capable of being navigated.

(2) For the purposes of this Schedule, any structures and devices on top of a well shall be treated as forming part of the well.

(3) Any reference in this Schedule to premises and activities includes a reference to any person, article or substance on those premises or engaged in, or, as the case may be, used or for use in connection with any such activity, but does not include a reference to an aircraft which is airborne.

Offshore installations

2.—(1) This paragraph shall apply within the territorial sea or a designated area to and in relation to—

(a) any offshore installation and any activity on it;

(b) any activity in connection with, or any activity immediately preparatory to an activity in connection with, an offshore installation, whether carried on from the installation itself, in or from a vessel or in any manner, other than an activity falling within sub-paragraph (4);

(c) a diving project involving—

(i) the survey and preparation of the sea bed for an offshore installation;

(ii) the survey and restoration of the sea bed consequent on the removal of an offshore installation.

(2) Subject to sub-paragraph (3), in this Schedule, "offshore installation" means a structure which is, or is to be, or has been, used while standing or stationed in water, or on the foreshore or other land intermittently covered with water—

(a) for the exploitation, or exploration with a view to exploitation, of mineral resources by means of a well;

(b) for undertaking activities falling within paragraph 6(2);

(c) for the conveyance of things by means of a pipe;

(d) for undertaking activities that involve mechanically entering the pressure containment boundary of a well: or

(e) primarily for the provision of accommodation for persons who work on or from a structure falling within any of the provisions of heads (a) to (d),

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(**a**) S.R. 2005 No. 45, as amended by S.R. 2007 No. 247

together with any supplementary unit which is ordinarily connected to it, and all the connections.

(3) Any reference in sub-paragraph (2) to a structure or supplementary unit does not include—

(a) a structure which is connected with dry land by a permanent structure providing access at all times and for all purposes;

(b) a well;

(c) a mobile structure which has been taken out of use and is not yet being moved with a view to its being used for any of the purposes specified in sub-paragraph (2);

(d) any part of a pipeline; and

(e) a structure falling within paragraph 8(c).

(4) Subject to sub-paragraph (5), the following activities fall within this paragraph—

(a) transporting, towing or navigating an installation;

(b) any of the following activities carried on in or from a vessel—

(i) giving assistance in the event of an emergency;

(ii) training in relation to the giving of assistance in the event of an emergency;

(iii) testing equipment for use in giving assistance in the event of an emergency.

(iv) putting or maintaining a vessel on stand-by ready for an activity referred to in any of sub-heads (i) to (iii).

(5) Sub-paragraph (4)(b) does not apply in respect of a vessel in or from which an activity is carried on in connection with, or any activity that is immediately preparatory to an activity in connection with, an offshore installation other than an activity falling within sub-paragraph 4(b).

Wells

3.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea or a designated area to and in relation to—

(a) a well and any activity in connection with it; and

(b) an activity which is immediately preparatory to any activity in head (a).

(2) Sub-paragraph (1) includes keeping a vessel on station for the purpose of working on a well but otherwise does not include navigation or an activity connected with navigation.

Pipelines

4.—(1) This paragraph applies within the territorial sea or a designated area to and in relation to—

(a) any pipeline;

(b) any pipeline works;

(c) the following activities in connection with pipeline works—

(i) the loading, unloading, fuelling or provisioning of a vessel;

(ii) the loading, unloading, fuelling, repair and maintenance of an aircraft on a vessel,

being in either case a vessel which is engaged in pipeline works; or

(iii) the moving, supporting, laying or retrieving of anchors attached to a pipe-laying vessel including the supervision of those activities and giving of instruction in connection with them.

(2) In this paragraph—

"pipeline" means a pipe or system of pipes for the conveyance of any thing, together with—

(a) any apparatus for inducing or facilitating the flow of any thing through, or through part of, the pipe or system;

(b) any apparatus for treating or cooling any thing which is to flow through, or through part of, the pipe or system;

(c) valves, valve chambers and similar works which are annexed to, or incorporated in the course of, the pipe or system;

(d) apparatus for supplying energy for the operation of any such apparatus or works as are mentioned in heads (a) to (c);

(e) apparatus for the transmission of information for the operation of the pipe or system;

(f) apparatus for the cathodic protection of the pipe or system; and

(g) a structure used or to be used solely for the support of a part of the pipe or system;

but not including a pipeline of which no initial or terminal point is situated in the United Kingdom, within the territorial sea adjacent to the United Kingdom, or within a designated area;

"pipeline works" means—

(a) assembling or placing a pipeline or length of pipeline including the provision of internal or external protection for it;

(b) inspecting, testing, maintaining, adjusting, repairing, altering or renewing a pipeline or length of pipeline;

(c) changing the position of or dismantling or removing a pipeline or length of pipeline;

(d) opening the bed of the sea for the purposes of the works mentioned in heads (a) to (c), and tunnelling or boring for those purposes;

(e) any activities incidental to the activities described in heads (a) to (d);

(f) a diving project in connection with any of the works mentioned in heads (a) to (e) or for the purpose of determining whether a place is suitable as part of the site of a proposed pipeline and the carrying out of surveying operations for settling the route of a proposed pipeline.

Mines

5.—(1) This paragraph applies to and in relation to a mine within the territorial sea, and any activity in connection with it, while it is being worked.

(2) In this paragraph "mine" has the same meaning as in the Mines Act (Northern Ireland) 1969(**a**).

Gas Importation and Storage

6.—(1) Subject to sub-paragraph (3), this paragraph applies within the territorial sea to and in relation to any activities connected with or immediately preparatory to the activities set out in sub-paragraph (2).

(2) The activities are—

(a) the unloading of gas to an installation or pipeline;

(b) the storage of gas, whether temporary or permanent, in or under the shore or bed of any water;

(c) the conversion of any natural feature for the purpose of storing gas, whether temporarily or permanently;

(d) the recovery of gas stored;

(e) exploration with a view to, or in connection with, the carrying on of activities within heads (a) to (d).

(**a**) 1969 c. 6 (N.I.)

(3) Sub-paragraph (1) does not apply to an activity falling within sub-paragraph (2) if the provisions of this Schedule apply to or in relation to that activity by virtue of paragraph 2(1).

(4) In this paragraph—

"gas" means any substance which is gaseous at a temperature of 15°C and a pressure of 101.325 kPa (1013.25 mb); and

"installation" includes any floating structure or device maintained on a station by whatever means.

(5) For the purposes of sub-paragraphs (2) and (4), references to gas include any substance which consists wholly or mainly of gas.

Production of Energy from Water or Wind

7.—(1) This paragraph applies within the territorial sea to and in relation to any energy structure or activities connected with or preparatory to—

(a) the exploitation of those areas for the production of energy from water or wind,

(b) the exploration of such areas with a view to, or in connection with, the production of energy from water or wind, or

(c) the operation of a cable for transmitting electricity from an energy structure.

(2) In this paragraph "energy structure" means a fixed or floating structure or machine, other than a vessel, which is, or is to be, or has been, used for producing energy from water or wind.

Underground Coal Gasification

8. This paragraph applies within the territorial sea or a designated area to and in relation to—

(a) underground coal gasification and any activity in connection with it;

(b) any activity which is immediately preparatory to any activity in sub-paragraph (a); and

(c) any fixed or floating structure which is, or is to be, or has been, used in connection with the carrying on of activities within sub-paragraphs (a) and (b).

Other activities

9.—(1) Subject to sub-paragraph (2), this paragraph applies within the territorial sea to and in relation to—

(a) the construction, reconstruction, alteration, repair, maintenance, cleaning, use, operation, demolition and dismantling of any building, or other structure, not being in any case a vessel, or any preparation for any such activity;

(b) the transfer of people or goods between a vessel or aircraft and a structure (including a building) mentioned in head (a);

(c) the loading, unloading, fuelling or provisioning of a vessel;

(d) a diving project;

(e) the laying, installation, inspection, maintenance, operation, recovery or repair of a cable;

(f) the construction, reconstruction, finishing, refitting, repair, maintenance, cleaning or breaking up of a vessel except when carried out by the master or any officer or member of the crew of that vessel;

(g) the maintaining on a station of a vessel which would be an offshore installation were it not a structure to which paragraph 2(3)(c) applies;

(h) the transfer of people or goods between a vessel or aircraft and a structure mentioned in head (g).

(2) This paragraph does not apply—

(a) to a case where paragraph 2, 3, 4, 5, 6, 7 or 8 applies; or

(b) to vessels which are registered outside the United Kingdom and are on passage through the territorial sea.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992 (S.R. 1992 No. 2) ("the 1992 Regulations"). These Regulations and Guidance implement the UK obligations under the International Convention for Safe Containers, 1972, as amended by resolutions MSC.310(88) and resolution MSC.355(92) ("the Convention").

The Regulations update and modernise the freight containers safety approvals regime established by the 1992 Regulations. The Regulations set out the new container marking requirements and align physical dimensions and units to the international system of units, the globally recognised SI system. The Regulations apply to containers which have top corner fittings and a bottom area of at least 7 square metres or, if they do not have top corner fittings, a bottom area of at least 14 square metres.

These Regulations require owners and lessees and others in control of freight containers used at work or supplied for use at work to comply with conditions of use, in accordance with the Convention.

Regulations 4 and 5 impose a condition that a container must have a valid approval issued by the Health and Safety Executive for Northern Ireland ("the Executive") or a person or organisation which it has appointed for that purpose, or under or in accordance with regulation 5 of the Freight Containers (Safety Convention) Regulations 2017, or by or under the authority of a foreign Government which has acceded to the Convention. Guidance on the arrangements for the approval of containers in Northern Ireland are set out in a document entitled "Approval of Freight Containers – Arrangements in Great Britain (The Green Guide)" obtainable from the Executive, 83 Ladas Drive, Belfast, BT6 9FR.

Regulation 4 prohibits the use of containers unless the conditions set out in that regulation are met. All containers must display a valid safety approval plate as described in regulation 6. The detailed requirements about content and form of the safety approval plate are set out in Schedule 1.

Under regulation 4, containers must be properly maintained and meet the examination requirements set out in regulation 8. For examination requirements to be met, periodic examination schemes or continuous examination programmes must be approved by the Executive or by the Health and Safety Executive in Great Britain under regulation 8 of the Freight Containers (Safety Convention) Regulations 2017. Guidance entitled "Freight Container Examination Schemes or Programmes – Conditions for Approval (The Yellow Guide)" is obtainable from the Executive.

Under these Regulations it is a defence to criminal proceedings if responsibility for maintenance and examination has passed to another person under express terms set out in a lease, sublease or bailment (regulation 4).

Regulation 7 provides transitional arrangements for containers constructed before 1st July 2014. Safety approval plates that complied with the 1992 Regulations prior to 1st July 2014 may be retained until any structural modifications are made to that container.

Regulation 9 requires containers with limited stacking or racking capacity to be marked under British Standard, Freight Containers – Coding, identification and marking BS EN ISO 6346: 1995. This standard is published by BSI Knowledge Group, ISBN 978 0 580 80120 4 and is available from www.bsigroup.com/shop, Email: cservices@bsigroup.com or telephone 0345 086 9001 can also be obtained from The British Standards Institute at Kitemark Court, Davy Avenue, Knowlhill, Milton Keynes, MK5 8PP.

Regulation 10 revokes the 1992 Regulations.

Schedule 1 provides that the safety approval plate must be in the form prescribed in Figure 1 which will be reproduced in the published printed copy of these Regulations. Figure 1 may not be reproduced in online or electronic formats. The paragraphs in Schedule 1 describe the safety approval plate specifications including that the plate must be made out of non-corroding material

and how and where on the container it should be displayed. Paragraph 2 describes the dimensions and information that must be included on the safety approval plate.

Paragraph 3 in Schedule 1 defines technical provisions relevant to that Schedule.

The Regulations and the two sets of guidance were notified in draft (Notification No. 2016/0616/UK, Notification No. 2016/0617/UK and Notification No. 2016/0618/UK) on 28th November 2016 to the European Commission in accordance with 2015/1535/EC of the European Parliament and of the Council (2015 O.J. L241/1).

In Great Britain the corresponding Regulations are the Freight Containers (Safety Convention) Regulations 2017 (S.I. 2017/325). The Great Britain Health and Safety Executive has prepared a full impact assessment in relation to those Regulations. A copy of that assessment together with the Northern Ireland supplement prepared by the Health and Safety Executive for Northern Ireland is held at the offices at 83 Ladas Drive, Belfast, BT6 9FR, from where a copy may be obtained on request.

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£8.14

http://www.legislation.gov.uk/id/nisr/2025/90

ISBN 978-0-33-802483-1

