

Decree of the Ministry of Transport and Communications

on the Transport of Dangerous Goods by Rail

(278/2002; amendments up to 314/2003 included)

1 §

Scope of application

This Decree applies to the transport of dangerous goods by rail.

2 §

Definitions

For the purposes of this Decree:

- 1) *the packaging* means packagings approved for the transport of dangerous goods, IBC packaging and overpacks.
- 2) *a tank* means tank-vehicles, demountable tanks, battery-vehicles, MEGCs, UN tanks and tank containers.

3 §

Annex to the Decree

- (1) Substances and articles to be accepted for carriage only under special conditions due to their dangerousness or to be excluded from carriage are provided for in the Annex.
- (2) The Annex contains general provisions as well as provisions on dangerous substances and articles as well as provisions on transport means and transport.

4 § (314/2003)

Keeping of documents relating to the indication of conformity of packagings and tanks

An inspection body shall keep the documents relating to the indication of conformity of packagings and tanks

referred to in the Annex of this Decree with their appendices at least for 10 years, unless otherwise provided in the provisions of Annex.

5 §

Derogations in emergency operations

In urgent emergency operations the provisions of this Decree may be derogated from if compliance with the provisions hampers the emergency operations.

6 §

Derogations

- (1) With regard to packagings and tanks other than those used for the transport of radioactive materials, the Safety Technology Authority may, upon application, in an individual case and subject to conditions deemed necessary by it, grant derogations from the provisions of the Annex of this Decree. It may also, subject to conditions deemed necessary by it, grant derogations from the provisions relating to the material of containers used for the transport of explosives.
- (2) The STUK may, upon application, in an individual case and subject to conditions deemed necessary by it, grant derogations from the provisions of the Annex of this Decree.
- (3) With regard to cases other than those referred to in subsections 1 and 2, the Ministry of Transport and Communications may, upon application, in an individual case, grant a derogation from the provisions of this Decree.

- (4) The derogations referred to in subsections 1-3 may be granted only if there are special compelling reasons thereto or if compliance with the provisions causes unreasonable costs or considerable detriment. In addition, the granting of a derogation requires that the required safety can be achieved by other means.

7 §

Entry into force

- (1) This Decree enters into force on 1 May 2002.
(2) This Decree repeals the Decision of

the Ministry of Transport on the Transport of Dangerous Goods by Rail with Annexes issued on 18 September 1997 (901/1997) with later amendments.

- (3) Measures necessary for the implementation of this Decree may be taken prior to its entry into force.

8 §

Transitional provisions

The provisions in force upon the entry into force of this Decree may be applied until 31 December 2002.