

**AN AGENCY AGREEMENT Between
THE HEALTH AND SAFETY COMMISSION
And
THE SECRETARY OF STATE FOR TRANSPORT**

Pursuant to Section 13(1)(a) of the Health and Safety at Work etc. Act 1974, the Health and Safety Commission and the Secretary of State for Transport agree that the Secretary of State for Transport shall-

a) perform on behalf of the Health and Safety Executive, the Executive's enforcement functions with respect to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 insofar as-

(i) they relate to the carriage of radioactive material by rail, and

(ii) enforcement is against any person referred to in-

- regulation 11 in so far as it relates to the duties of the designer, manufacturer and consignor,

- regulation 15,

- regulations 17-19,

- regulation 20 in so far as it relates to the duties of the consignor, packer or filler,

- regulations 21-22,

- regulation 50 in so far as it relates to the duties of any person involved in the carriage of class 7 goods by rail, except the duties of the carrier, and except in so far as it relates to nuclear material as defined in section 76(7) of the Anti-Terrorism, Crime and Security Act 2001; or

- regulation 55 in so far as it relates to the duties of the consignor, packer or filler.

b) provide the Health and Safety Commission with such information as it may at any time reasonably require in connection with the performance of the said enforcement functions.

This agreement shall come into effect on and shall terminate on the expiry of 6 months written notice given by either party to the agreement to the other.

IN WITNESS whereof the Common Seal of the Health and Safety Commission and the Official Seal of the Secretary of State have been affixed hereto this day of.....2004.

THE CORPORATE SEAL of the
HEALTH AND SAFETY COMMISSION
is authenticated by:

Secretary to the Commission

THE CORPORATE SEAL of the
SECRETARY OF STATE
is authenticated by:

Authorised by the Secretary of State