

Do I Need a DGSA?



The requirement for businesses to appoint a Dangerous Goods Safety Advisor comes from the Dangerous Goods Code for Road Transport, known as ADR which is enforced here in the UK by the Carriage of Dangerous Goods and Transportable Pressure Equipment Regulations 2009 (as amended).

We first need to clarify what we mean by the term dangerous goods.

These are chemical products (articles) or substances (gases, liquids solids) that pose a significant risk to life, (ill-health, injury or fatality) and property damage (fixtures, transport and the environment). All chemicals will be identified by their GHS identifiers. Many of these GHS chemicals may be deemed to be dangerous goods for all or some of their transport needs. If you don't know whether the products you move or carry are dangerous goods - then you will need the services of a DGSA.

There are four main transport codes:

Road - known
as ADR

Air - known as
IATA

Sea - Known as
IMDG

Rail - Known as
RID

Nearly all dangerous goods shipments start with a road section, therefore ADR directs the need for companies to appoint an expert to assist them in getting all legal requirements correctly applied

ADR identifies three main participants in any dangerous goods shipment:

The Consignor - the one who sends it
The Carrier - the one who carries it
The Consignee - the one who receives it

Each participant has specific legal responsibilities to apply / uphold. if you don't know what these are or you don't know which one you are or represent - then you need a DGSA.

We will keep it simple to begin with:

Consignors and Carriers have to appoint a DGSA.

Who are DGSAs?

These are qualified dangerous goods professionals who have sat and passed a national exam. They are appointed for 5 years after which they must re-take the exam and achieve the pass mark in order to continue as a DGSA.

What do they do?

They advise a business as to how it can achieve the required level of compliance to the ADR standards and UK law. They undertake monitoring activities and produce an annual report that details the compliance state of the company and make recommendations for improvements where required.

How do I get a DGSA?

At this time there is no national register that business can use (one is planned for 2023). The British Association of Dangerous Goods Professionals (www.badgp.org) provide a list of consultant DGSA from their member list.



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Exemption from appointing a DGSA

The exemptions only applies to the national carriage of dangerous goods. You can be exempt from the need if as a company:

- You only consign or move dangerous goods as limited quantities
- You only consign or move dangerous goods below the ADR transport category threshold limits and such movements are occasional/ad-hoc during the year.

Without consulting a DGSA how would you know whether your company can use these exemptions? There are other general exemptions that a business could avail themselves of - but without consulting with a DGSA you would not be able to understand whether these could be effectively applied to your business activities or not. **Do you need to speak to a DGSA?**

We don't touch the Dangerous Goods - we just move them for others, do we need to appoint a DGSA?

Many freight forwarders/shippers arrange the movements of dangerous goods freight on behalf of their customers using third party warehousing and transport companies. In this regard you are assisting the consignor or acting as the consignor by causing the movement of dangerous goods. You have to be 100% sure that the consignor has fully complied with all the applicable requirements of ADR. How do you gain that assurance?

If the consignor confirms that they have a DGSA and that the freight is in all aspects compliant with ADR then you will not need to appoint a DGSA (but make sure you have an email from the client confirming that they have a DGSA - ask for their name). If you do not have that confirmation then you will need to appoint a DGSA and take steps to ensure that the goods are fully compliant to ADR at the point that you 'handle' them. **Do you need to speak to a DGSA?**

We receive freight from outside the ADR countries - do I need a DGSA?

You are acting on behalf of a consignor. In order to get to the UK the shipment must have complied with either the Air, Rail or Sea international dangerous goods regulations. You will need proof that the goods you are handling are properly identified and classified - at the initiation of the business, request the Safety Data Sheets and Technical Data Sheets for the items to be shipped. These will tell you (via your DGSA) whether ADR needs to be applied. If the freight arrives at a UK port and it is not compliant to the relevant DG transport codes then it cannot move until it is made compliant. This will cause unnecessary cost and delay. It is best to engage the services of a DGSA in the first instance to confirm the arrangements for the shipment and to ensure that its receipt into the country is as smooth as possible. **Do you need to speak to a DGSA?**

We have staff trained to IATA dangerous goods by air or IMDG by Sea standard - does this mean I don't need a DGSA?

No you will still need a DGSA. The road element of the transport will vary depending of the types of dangerous goods being moved and their quantity. Don't be fooled that because it has been declared safe to travel as DG by air or by sea that it is okay to move by road.

We consign and carry dangerous goods - do we need 2 DGSAs?

There is no maximum number of DGSAs that you can have - the minimum is one and that DGSA must be able to perform their main and monitoring duties effectively. If you operate a multi-site operation then you will need to appoint more than one DGSA.

Can a DGSA perform other roles in the company?

Short answer Yes - but you must ensure that suitable time is provided so that the DGSA is able to perform their main duties and monitoring activities commensurate with the rate of risk that dangerous goods present to your company. You are permitted to contract-in the services of a DGSA.

Do you need to speak to a DGSA? - Call 0780 945 7710