



HEALTH AND SAFETY  
AUTHORITY



Guidance on the  
duties of a  
**Dangerous Goods  
Safety Adviser (DGSA)**

The background features a series of overlapping, curved shapes in orange and light grey. A central white diamond-shaped area contains the text.

**Our vision:**

A country where worker safety,  
health and welfare and the safe  
management of chemicals are  
central to successful enterprise

## When to Appoint a DGSA

This guidance is intended to inform Dangerous Goods Safety Advisers (DGSAs) and those undertakings which need to appoint a DGSA, about the roles and responsibilities of a DGSA.

A DGSA has specific duties under the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), which will be detailed in this document.

An undertaking may need to appoint a DGSA if it is involved in the following activities:

- Consigning dangerous goods for transport including, including as appropriate, loading, packing and filling (consignors).
- Operation of road vehicles carrying dangerous goods, including as appropriate, packing, loading, filling and unloading (carriers).

The main legislation relating to the carriage of Dangerous Goods by Road in Ireland is as follows:

- A. **The European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 to 2015.** These regulations implement the ADR in Ireland and provide for the administration and enforcement of ADR. For more information on the transport of dangerous goods in Ireland, please refer to the:

[Carriage of Dangerous Goods by Road](#) section of the HSA website at [www.hsa.ie](http://www.hsa.ie)

- B. **ADR (European Agreement Concerning the International Carriage of Dangerous Goods by Road) 2015.** This document is reviewed and amended every two years. DGSAs are required to inform themselves of the changes and advise their clients accordingly. Information on the ADR and reports on changes to the ADR may be accessed at the links below:

[http://www.unece.org/trans/danger/publi/adr/adr\\_e.html](http://www.unece.org/trans/danger/publi/adr/adr_e.html)

and the

[Main Changes Reports](#) section of the HSA website at [www.hsa.ie](http://www.hsa.ie)

### The ADR specifies the responsibilities of a Safety Adviser in Chapter 1.8.3

The core responsibilities of a Safety Adviser are as follows:

- Advising undertakings on the safe transport of dangerous goods by road.
- Monitoring the undertakings compliance with dangerous goods regulations.
- Preparing an annual report about the **activities of the undertaking** related to the transport dangerous goods.
- Investigating any accidents or infringements of regulations and preparing reports.
- Monitoring the provision of training and advice to any staff involved in the transport of dangerous goods.

The duties of those who accept the appointment of DGSA for an undertaking are **mandatory**. A DGSA or employer does not have the discretion to “cherry pick” the duties or roles which they must observe and fulfil.

The role of a DGSA is such that fulfilling the responsibilities as detailed in the ADR attracts a legal **duty of care** for the DGSA.

A regulatory body or competent authority in any of the EU or non-EU member states who are signatories to the ADR may require the identity of the DGSA acting for an undertaking. It is your duty as an undertaking involved in the carriage, loading or unloading of dangerous goods, or as an appointed DGSA, to comply in a timely fashion with any lawful request of any such regulatory body.

## Guidance for Undertakings

You may decide to appoint a member of your own staff (suitably trained and qualified) to be a DGSA or you may choose to appoint externally. In appointing a DGSA it is recommended to make enquiries regarding the **competence and experience** of the prospective DGSA. Some DGSAs may be qualified in various different modes of transport (road, rail, sea, air) which may be relevant in your line of business.

If you are operating several sites or large complex organisation, you may need to appoint more than one DGSA. If this is the case, you must ensure that the activities of these advisers are adequately integrated and co-ordinated. You must also ensure that the responsibilities to prepare documents such as annual reports, accident records or safety plans are **clearly defined** so as to ensure compliance with the ADR. It is recommended to clarify such roles in writing.

Upon receipt of written reports from audits, reviews and spot checks from your DGSA, it is your responsibility to **address any matters** requiring attention quickly and effectively.

You must **inform your DGSA** of any accidents or incidents (including serious accidents and incidents listed in ADR 1.8.5) in a timely fashion, to enable the DGSA to conduct thorough investigation and submit a report (if required) to the regulatory authorities.

There are instances where you may **not be required** to appoint a DGSA, for example:

- Where the amounts of dangerous goods handled by your undertaking are so small or are so infrequently consigned, that the appointment of a DGSA would be unreasonable.
- Where you structure your operation so as to avail of the exemptions permitted in the ADR, such as the exemption under ADR 1.1.3.6 known colloquially as the 'load limit exemption' or the 'carrier exemption'.

The assessment of whether or not you are required to legally appoint a DGSA should be carried out by a competent person and should be **documented**. Your particular circumstances should be reviewed periodically to ensure that the initial assumptions and criteria are still valid and applicable.

However, where you do determine that you are not required to appoint a DGSA, if your enterprise carries out any activities involving the carriage of dangerous goods, it is highly recommended that you seek advice or guidance from a qualified DGSA from time to time as required.

For guidance on the appointment of a DGSA, and in relation to your general responsibilities and duties of care under the regulations, please refer to the following documents available on the HSA website [www.hsa.ie](http://www.hsa.ie):

[Guidance on the appointment of a Dangerous Goods Safety Adviser \(DGSA\)](#)

[Carriage of Dangerous Goods by Road: A Guide for Business](#)

## Guidance for Dangerous Goods Safety Advisers

### *Training and Competence*

To qualify as a DGSA, you must ensure that you have a vocational training certificate. A DGSA certificate is valid for 5 years and specifies the mode of transport. In Ireland the only certification available is for road transport, however certification for transport modes, such as rail, may be available outside Ireland.

The Chartered Institute of Logistics and Transport (CILT) has been appointed by the HSA as the examination body for DGSA certification in Ireland. Vocational training certificates are issued by CILT to candidates who have successfully completed the approved examination.

Irish certified DGSAs are recognised in other EU and non-EU states who are signatories to the ADR, and DGSAs certified in such states are recognised in Ireland.

For more information on how to obtain DGSA certification, please refer to the CILT website at <http://www.cilt.ie/>.

### *The Roles and Responsibilities of a DGSA*

In your position as an appointed DGSA, your roles and responsibilities will include, but may not be limited to, those listed below:

#### **1. Monitor compliance and provide advice to the undertaking**

You must carry out spot checks, audits and review the various activities of the undertaking. You must communicate the results to the undertaking in writing and in a timely manner. It is the **responsibility of the undertaking** to address any matters requiring attention quickly and effectively.

You may provide advice on various matters as required, for example on packaging provisions for specific dangerous goods, or in relation to the application of any ADR or national exemptions. For more detail see later in this guidance in the section entitled 'Provision of Advice'.

## 2. Selection, purchasing and approval of vehicles

You may be required to advise on, review and monitor the procedures of the undertaking with respect to the selection and purchasing of vehicles meeting the requirements of ADR Part 9, or the provision and renewal of certificates of approval for vehicles.

## 3. Safety Equipment and Transport Equipment

You must advise on, review and monitor procedures with respect to checking the safety equipment and transport equipment used in the carriage of dangerous goods by road.

All transport equipment should be subjected to regular general inspections, and certain equipment requires **certification** and may be subject to periodic inspection. Equipment that requires certification includes packaging (including IBCs), bulk containers, tanks and vehicles which transport such tanks.

For more information regarding safety equipment, and transport equipment requiring certification, please refer to Sections 11 and 14 of our [ADR guide for Business](#).

## 4. Training

You must review and monitor the procedures for the provision of adequate training of personnel and the retention and maintenance of appropriate training records.

ADR training must include general awareness training for staff involved in the consignment, packing, filling, loading, stowage, securing and unloading of dangerous goods in addition to function specific training and safety training in accordance with ADR Chapter 1.3.

In addition, you must advise on and monitor requirements for driver vocational training (in accordance with ADR 8.2.2.8).

## 5. Emergency Procedures

You must review and monitor the implementation of written emergency procedures in the event of an accident or incident during the carriage of dangerous goods by road, including loading and unloading operations.

Procedures should consider at a minimum:

- Incidents such as fires and explosions, road traffic accidents or loss of containment of dangerous goods
- Foreseeable events such as breakdowns or a transport unit becoming immobilised for any reason
- How the requirements for supervising vehicles as detailed in ADR 8.4 are achieved and complied with; for example, it may be necessary to identify possible secure locations on a route where a vehicle may be safely parked overnight

## 6. Accident and Incident investigation

You must review and monitor procedures for the investigation of accidents, incidents and infringements. Note that you must comply with the reporting regime required by the Safety, Health and Welfare at Work (General Applications) Regulations 1993, S.I. No. 44 of 1993 Twelfth Schedule, Dangerous Occurrences.

In the case of **serious accidents or incidents (ADR 1.8.5)**, you must prepare a report according to the model in ADR 1.8.5.4.

**You should request that the undertaking informs you of** such an event in a timely fashion, to facilitate adequate investigation and the preparation of a report, if required, for submission to the regulatory authorities.

## 7. Prevention of accidents, incidents or dangerous occurrences

You must review and monitor the implementation of written procedures and measures to **avoid the recurrence** of accidents, incidents or serious infringements.

Where appropriate, you must review and monitor procedures required to ensure compliance with any special requirements of national and international legislation regarding **the use of third parties or sub-contractors** with respect to the carriage of dangerous goods.

You must review and monitor the undertakings mechanisms to ensure that personnel involved in the carriage, loading and unloading of dangerous goods are provided with detailed operating procedures (SOPs) and instructions to ensure compliance with the legislation in its entirety.



You must review and monitor the implementation of measures designed to ensure compliance with the **duty of care** imposed by the legislation. This must address the various aspects of the carriage of dangerous goods, including:

- the loading and unloading of dangerous goods,
- the provision and maintenance of all necessary documentation,
- the marking, labelling and placarding of the vehicles, containers, tanks or packages as appropriate, and
- the provision and maintenance of all safety equipment.

You must review and monitor the written procedures to ensure that the loading, stowage, carriage and unloading of dangerous goods is in compliance with the **best practice guidelines**. It must be ensured that the loads do not shift, fall or lead to a loss of containment or put at risk other road users. For information sheets on load security and the international guidelines on safe load securing please refer to the [load security](#) section of the HSA website [www.hsa.ie](http://www.hsa.ie)

Where appropriate, you must review and monitor the preparation of the security plan in accordance with **ADR 1.10.3.2** for those dangerous goods designated as 'high consequence dangerous goods'.

### **Provision of Advice**

You must advise the undertaking, who appoints you, on how to ensure compliance with the ADR with respect to:

- the classification of dangerous goods, packing and tank provisions,
- consignment procedures, and
- exemptions (ADR, national exemptions).

## 1. Classification of dangerous goods, packing and tank provisions

Where appropriate, you must advise on the classification of dangerous goods in accordance with ADR Chapter 2.2. You should provide to the undertaking a written copy of all test results and the mechanism by which the classification process was carried out, for **each** of the dangerous goods addressed.

You should provide written advice to the undertaking regarding the choice of suitable means of containment of dangerous goods. Such advice must provide **adequate detail** to ensure the purchase and appropriate use of packagings, tanks and containers for the various DG which they handle.

Where appropriate you should provide **written advice** on all relevant packaging and tank provisions in accordance with **ADR Part 4**.

Where the packages are not equipped with information required by ADR 6.1.2, you must ensure that a **certificate of conformity** is provided by a reliable manufacturer or supplier. It may be most suitable to provide the **packaging code** information as a spreadsheet, from which the undertaking may identify the appropriate codes for its particular application and activities.

## 2. Consignment Procedures

You must provide written advice to the undertaking as to the requirements for compliance with the procedures for proper consignment of DG.

Such advice should, where applicable, include details as to the following:

- You should advise the undertaking on any applicable authorisations of consignments and advance notifications. Such authorisations may take the form of Competent Authority Exemptions, Approvals or Multilateral Agreements (MLAs). All current Authorisations are listed and available for download on the [HSA website](#).
- The use of **overpacks** in accordance with ADR 5.1.2.
- The marking and labelling of empty uncleaned packages, tanks, MEMU's, vehicles and containers.
- You must provide written advice as to the appropriate marking & labelling of packages, in accordance with ADR 5.2. Such advice should be provided in respect of **each participant role** that the undertaking fulfils.

- You must provide written advice with respect to placarding and marking of containers, multiple-element gas containers (MEGCs), tanks and vehicles in accordance with ADR 5.3.
- You must provide written advice as to the appropriate **documentation** as specified by the ADR Chapter 5.4. Such documentation must be maintained at the appropriate location within the undertaking for reference and presentation to an inspector on request.

For more detailed guidance in relation to many of the provisions outlined above please refer to Sections 8-10 and Section 13 of our [ADR Guide for Business](#).

### 3. ADR and National Exemptions

You should advise the undertaking on the proper application of any relevant exemptions, including clear **written guidance** in relation to the application of any such exemption. Typically an undertaking may avail of exemptions related to:

- the nature of the transport operation (ADR 1.1.3.1),
- the carriage of gases (ADR 1.1.3.2),
- the carriage of liquid fuels (ADR 1.1.3.3),
- special provisions or to dangerous goods packed in limited or excepted quantities (ADR Chapters 3.3 - 3.5),
- empty uncleaned packaging (ADR 1.1.3.5), and
- quantities carried per transport unit (1.1.3.6) generally referred to as the "load limit" or "carriers exemption".

National exemptions apply to the carriage of dangerous goods within the state only and are provided for in the national regulations (Part 8).

Competent Authority exemptions are generally temporary derogations for specific dangerous goods, and generally only apply to national transport (see 'Authorisations' above in the section on 'consignment procedures'). They are usually initiated by the consignor or carrier, and must specify the nature, control measures, conditions and duration of the exemption.

For more detailed guidance in relation to many of the provisions outlined above please refer to Section 5 of our [ADR Guide for Business](#).

## *Preparation and provision of Annual Reports*

You should prepare an annual report on the activities of the undertaking. The Annual Report must record in reasonable detail all activities in respect of the carriage of dangerous goods during the period in question. A template of the minimum necessary information is provided in **Annex A**.

### **Information in the Annual Report**

The template provides the minimum information that is required in an adequate Annual Report (AR). The function of the AR is to capture the activities of the undertaking with respect to the ADR, and should achieve the following objectives:

- Inform the management of the undertaking as to standard of compliance achieved during the period, with the aim of identifying opportunities for improvement and to ensure compliance with their duty of care under the ADR.
- Provide recommendations with respect to areas which need improvement or corrective action.
- Facilitate inspection and investigation by the regulatory authorities in the performance of their statutory duties in an efficient and effective manner. Records of annual reports must be held by the undertaking for 5 years and be readily available for review by an inspector. Any supporting documentation must also be available.
- Provide details of the activities of the Safety Adviser; however, it is not merely a review of the activities of the Safety Adviser.
- Detail the activities of the undertaking in its role as a participant under the provisions of the ADR. An undertaking may fulfil the role of several participants during the reporting period, and also may share some participant obligations with another undertaking.


While the use of the attached template is not mandatory, you may find it useful to ensure that you provide enough detail to achieve compliance.

It is critical to capture all the relevant detail in the report. Where an undertaking carries out spot checks, maintains checklists or carries out audits, the detail of these must be included in the report. It may be useful to use appendices for supporting data such as spreadsheets, tables or other required information. This will ensure that the report is reasonably concise and to facilitate the analysis of the information.

## Provision of records for inspection

The provision and maintenance of adequate records is a core part of the management of the carriage of dangerous goods by road.

Any information captured in the annual report must be supported by relevant records, such as vocational training certification (DGSA's and drivers), audit records and completed inspection checklists and these records must be readily available for inspection by inspectors of the regulatory authorities during normal working hours.

Where an undertaking operates multiple sites, records which are relevant to each specific site should be kept on location where possible, e.g. site training records, audits and schedule of work identified by site audits. The annual report itself may be held centrally as it is primarily for the company management but elements of it or documents referenced by it which are specific to a particular site should be available to management and staff on any given site. Records may be retained electronically  However, hard copies must be made available to an inspector on request.

# DGSA Annual Report- Template

## 1. Company

Name:	
Address:	
Contact:	Position: [Manager]
Phone Numbers:	Mobile:
email:	Fax:
Nature of Business:	

## 2. DGSA

Name:	Date of Appointment:
Phone Number:	Certificate Number:
Mobile Number:	Expiry Date:
email:	Mode/Classes:

## 3. Report

Period: Indicate period covered by the report e.g. 01/01/2006 to 31/12/2006
Copied to: List the Names and positions of all recipients
Additional Documentation: List associated documents/ appendices.

#### 4. Dangerous Goods

Provide details of all dangerous goods carried /consigned in the past 12 months, including quantity and class. A spreadsheet as an appendix could be used and referenced here.

#### 5. Packaging Types

Provide details of packaging types used and confirmation of suitability (for example, UN approvals, certificates of conformity)

#### 6. Tanks / Tankers

Give details of the tank / tanker types managed / operated. Provide details of periodic inspections and leakproofness tests carried out over the last 12 months. Indicate expiry dates for all other tanks / tankers. A suitable table could be used, see example below.

Ref No.	Tank Type and Tank Code	Expiry Date: periodic inspections	Expiry Date: Intermediate/ leakproofness tests	Comments

## 7. Fleet Details

Provide details of company vehicles used to transport dangerous goods.

Ref No.	Registration Number	Expiry Date: DoE Test	Expiry Date: ADR Vehicle Approval	Comments

## 8. Audits

Provide details of audits carried out. Indicate deficiencies and recommendations arising from these audits during the period of the report. The inspections carried out by the regulatory authorities under the ADR are audits, and should be included in this section.

## 9. Accidents

Provide details of accidents or incidents involving dangerous goods and, where relevant, incidents of the type mentioned in ADR 1.8.5 that occurred in the past 12 months.

## 10. Training

Provide details of Training according to ADR 1.3 (DGSA, ADR Driver, and Dangerous Goods awareness, function specific and safety training for others involved in the carriage of dangerous goods).



### 11. Security

Give details of activities carried out to meet the requirements of ADR 1.10 on Security, particularly the preparation of “Security Plans” where relevant.

### 12. Infringements

Provide details of inspections / checks carried out by enforcement authorities and include details of improvement notices or fines imposed, and identify any actions taken by the participants to address the non-compliance issues identified.

### 13. Recommendations

List any recommendations

Signed:

Dated:



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