

No. 705/1996

**Decision of the Ministry of Transport and Communications
on the Checks carried out to Supervise
the Transport of Dangerous Goods by Road**

Issued in Helsinki on 23 September 1996

Issued under section 24, paragraphs 2 and 3 of the Act on the Transport of Dangerous Goods 719/1994.

Section 1

Purpose and scope of application

The purpose of this Decision is to ensure a sufficient level of checks on the transport of dangerous goods by road as well as to avoid subsequent checks.

The Decision shall apply to checks in accordance with Council Directive on uniform procedures for checks on the transport of dangerous goods by road (95/50/EC), which constitutes a part of the supervision of the transport of dangerous goods by road.

The Decision shall not apply to the checks on transport by vehicles belonging to or under the responsibility of the armed forces.

Section 2

Authorities in charge of the checks

The checks shall be carried out by the authorities supervising transport operations referred to in section 28, paragraph 1 of the Decree on the Transport of Dangerous Goods by Road (632/1996) within their scope of authority referred to in the provision.

Section 3

Checks

The authorities in charge of the checks shall carry out the checks in accordance with this Decision on a representative portion of consignments of dangerous goods transported by road in order to supervise compliance with the provisions issued on the transport of dangerous goods, the regulations of international conventions binding on Finland as well as with other regulations.

Section 4

Scope of authority

The right of inspection of the authority in charge of the checks, its right to information and its right to perform examinations be laid down in section 16 of the Act on the Transport of Dangerous Goods (719/1994) and the right of the authorities to issue prohibitions and restrictions shall be laid down in section 15 of the said Act.

Section 5 (1190/2001)

Carrying out the checks

A checklist in accordance with Annex I of Council Directive 95/50/EC, as amended by Directive 2001/26/EC of the European parliament and of the Council of 7 May 2001 amending Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road, shall be used in carrying out the checks.

The checks shall be random and they shall be carried out as quickly as possible without causing unreasonable delay or any other detriment to the transport.

Section 6

Place of check

The checks shall, as far as possible, cover an extensive part of the road network.

Checks may be carried out in a harbour, storage or industrial area, at an airport or in another similar area if the transport shall, in accordance with section 3, paragraph 4 of the Act on the Transport of Dangerous Goods, be deemed as road transport.

The checks shall be carried out in places where the check or immobilization of the vehicle will not cause a hazard to the traffic or the environment. When choosing the place of check, also the possibility of bringing a transport into compliance shall be taken into account, where infringements have been found.

Section 7

Check certificate

The authority in charge of the check shall give a copy of the checklist referred to in section 5 to the driver as a certificate of the check carried out. The certificate shall be kept in the vehicle during the transport and presented, on request, to an authority supervising transport operations.

Section 8 (1190/2001)

[The section 8 has been repealed (1190/2001).]

Section 9

Reporting

The police, the Frontier Guard and the Customs Administration shall each submit to the Ministry of Transport and Communications a summary, in accordance with the model in Annex III of Council Directive 95/50/EC, of checks carried out by it during each calendar year at the latest by the end of the January following the year of the checks. The number of infringements found shall be reported as itemized in Annex II of the said Directive.

Section 10

Entry into force

This Decision enters into force on 1 January 1997.

1190/2001, Entry into force:

This Decree enters into force on 23 December 2001.

Measures necessary for the implementation of this Decree may be undertaken before the Decree's entry into force.
