STATUTORY RULES OF NORTHERN IRELAND

2011 No. 283

HEALTH AND SAFETY

The Factories Act (Northern Ireland) 1965 and Office and Shop Premises Act (Northern Ireland) 1966 (Repeals and Modifications) Regulations (Northern Ireland) 2011

Made - - - -	*26th July 2011*
Coming into operation	*31st October 2011*

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), makes the following Regulations in exercise of the powers conferred by Articles 17(1) and (3)(**3**) of the Health and Safety at Work (Northern Ireland) Order 1978(**4**) ("the 1978 Order").

The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A)(**5**) of the 1978 Order after the Executive had carried out consultations in accordance with Article 46(3)(**6**) of that Order.

Citation and commencement

1. These Regulations may be cited as the Factories Act (Northern Ireland) 1965 and Office and Shop Premises Act (Northern Ireland) 1966 (Repeals and Modifications) Regulations (Northern Ireland) 2011 and shall come into operation on 31 October 2011 (referred to in these Regulations as "the commencement date").

Repeal of certain notification requirements

2.—(1) Section 137 (notice of occupation of factory, and use of mechanical power) of the Factories Act (Northern Ireland) 1965(**7**) ("the 1965 Act") and section 48 of the Office and Shop Premises Act (Northern Ireland) 1966(**8**) ("the 1966 Act") are repealed.

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5)
(**2**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**3**) Article 17 must be read with S.I. 1992/1728 (N.I. 17), Articles 3(2) and 4(2)
(**4**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17), Articles 3(1) and 4(1)
(**5**) Article 13(1) was substituted by S.I. 1998/2795 (N.I. 18), Article 4
(**6**) Article 46(3) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18(c)
(**7**) 1965 c. 20 (N.I.)
(**8**) 1966 c. 26 (N.I.)

(2) The Office and Shop Premises (Notification of Employment of Persons) Order (Northern Ireland) 1967(**9**) (which relates to notices required by section 48 of the 1966 Act) is revoked.

Abolition of requirement to keep general registers

3.—(1) Section 140 (duties to keep and to make entries in general registers and to provide extracts on request) of the 1965 Act is repealed.

(2) In section 141(**10**) (preservation of registers and records) of the 1965 Act for "The general register and every other register" substitute "Any register".

(3) The repeal by this regulation of section 140 of the 1965 Act does not affect subsection (3) of that section in its application to a register required to be kept under the Employment of Women, Young Persons and Children's Act 1920(**11**).

(4) The reference to a register in section 141 of the 1965 Act as amended by paragraph (2) does not include a general register previously required by that section to be kept and preserved unless it contains a record that was entered in or attached to the register in pursuance of section 40(2) (record of gasholder examinations) within the period of two years ending with the commencement date.

(5) In the case of a general register containing such a record, section 141 of the 1965 Act is to be read as requiring the record to be preserved and kept available for inspection for at least two years after the date of the last record entered in or attached to the register.

Amendment, repeals and revocation consequential on regulation 3

4.—(1) In section 40(2) (precautions as to water-sealed gasholders) of the 1965 Act for "entered in or attached to the general register" substitute "kept available for inspection.".

(2) The following provisions of the 1965 Act are repealed—

(a) section 120(7) (meaning of "general register" in relation to application of the Act to parts of buildings let off as separate factories);

(b) in sections 123(2)(j), 124(2)(j) and 125(2)(j) (application of provisions relating to general registers to things other than factories), the words "general registers (so far as applicable)";

(c) in section 125(5) the word "general";

(d) in section 176(1) (interpretation), the definition of "general register".

(3) The Factory General Register Order (Northern Ireland) 1966(**12**) (which relates to general registers kept under the Factories Act (Northern Ireland) 1965) is revoked.

(**9**) S.R. & O. (N.I.) 1967 No. 44
(**10**) Section 141 was amended by S.I. 1978/1039 (N.I. 9), Article 51 (1) and Schedule 5, Part 1, paragraph 4
(**11**) 1920 c. 65
(**12**) S.R. & O. (N.I.) 1966 No. 304