STATUTORY RULES OF NORTHERN IRELAND

2007 No. 403

HEALTH AND SAFETY

The Health and Safety at Work Order (Application to Environmentally Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2007

Made - - - - 14th September 2007

Coming into operation 5th November 2007

The Department of Enterprise, Trade and Investment(**1**) makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**2**). The Department has been designated for the purposes of that subsection in relation to dangerous substances or preparations or dangerous or environmentally hazardous goods(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety at Work Order (Application to Environmentally Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2007 and shall come into operation on 5th November 2007.

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Health and Safety at Work Order (Application to Environmentally Hazardous Substances) Regulations (Northern Ireland) 2003

2.—(1) The Health and Safety at Work Order (Application to Environmentally Hazardous Substances) Regulations (Northern Ireland) 2003(**5**) shall be amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of "the Directives"—

(a) after sub-paragraph (f) there shall be added the following sub-paragraph—

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services, *see*S.I. 1982/846 (N.I. 11), Article 3

(**2**) 1972 c. 68; the definition of "the Treaties" in section 2(2) of the Act was extended by section 1 of the European Economic Area Act 1993 (c. 51)

(**3**) S.I. 1976/897, 1996/266 and 1997/2563

(**4**) 1954 c. 33 (N.I.)

(**5**) S.R. 2003 No. 52

"(fa) Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations(**6**);"

(b) after sub-paragraph (h) there shall be added the following sub-paragraph—

"(ha) Directive 2000/18/EC of the European Parliament and of the Council on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway(**7**);";

(c) at the end of sub-paragraphs (k) and (l) the word "and" shall be omitted;

(d) after sub-paragraph (l) there shall be added the following sub-paragraphs—

"(m) Commission Directive 2001/60/EC adapting to technical progress Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations(**8**);

(n) Commission Directive 2003/28/EC adapting for the fourth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road(**9**);

(o) Commission Directive 2003/29/EC adapting for the fourth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail(**10**);

(p) Commission Directive 2004/89/EC adapting for the fifth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail(**11**)

(q) Commission Directive 2004/110/EC adapting for the sixth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail(**12**);

(r) Commission Directive 2004/111/EC adapting for the fifth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road(**13**);

(s) Commission Directive 2006/89/EC adapting for the sixth time to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road(**14**); and

(t) Commission Directive 2006/90/EC adapting for the seventh time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail(**15**); and ".

(**6**) O.J. No. L200, 30.7.1999, p.1
(**7**) O.J. No. L118, 19.5.2000, p. 41
(**8**) O.J. No. L226, 22.8.2001, p. 5
(**9**) O.J. No. L90, 8.4.2003, p. 45
(**10**) O.J. No. L90, 8.4.2003, p. 47
(**11**) O.J. No. L293, 16.9.2004, p. 14
(**12**) O.J. No. L365, 10.12.2004, p. 24
(**13**) O.J. No. L365, 10.12.2004, p. 25
(**14**) O.J. No. L305, 4.11.2006, p. 4
(**15**) O.J. No. L305, 4.11.2006, p. 6