STATUTORY RULES OF NORTHERN IRELAND

2003 No. 288

HEALTH AND SAFETY

Control of Substances Hazardous to Health (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*3rd June 2003*
Coming into operation	*11th July 2003*

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), in exercise of the powers conferred on it by Articles 2(5), 17(1), (2), (3), (4), (5) and (6)(**3**) and 55(2) of, and paragraphs 1(1) to (5), 2(1), 5(1), 7, 8, 10, 12(1) and (3), 13, 14(1), 15 and 19 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**4**) and of every other power enabling it in that behalf and for the purpose of giving effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland(**5**) under Article 13(1A)(**6**) of that Order after the carrying out by the said Executive of consultations in accordance with Article 46(3)(**7**) of that Order, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Control of Substances Hazardous to Health (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 11th July 2003.

Amendment of the Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003

2. In the Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003(**8**) –

(a) in regulation 2(1), after the definition of "mine" there shall be added the following definition –

(**1**) Formerly the Department of Economic Development, *see* S.I. 1999/283 (N.I.), 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); Article 47A was inserted by Article 3, and Article 2 was amended by Articles 4 and 8, of S.I. 1997/1774 (N.I. 16)
(**5**) Article 13 was amended by Article 4, and Article 46(1) was amended by Article 6(1) of, and paragraphs 8 and 18 of Schedule 1 to, S.I. 1998/2795 (N.I. 18)
(**6**) Article 13(1A) was substituted by S.I. 1998/2795 (N.I. 18), Article 4
(**7**) Article 46(3) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18
(**8**) S.R. 2003 No. 34

""mutagen" means a substance or preparation which if classified in accordance with the classification provided for by regulation 4 of the CHIP Regulations would be in the category of danger, mutagenic (category 1) or mutagenic (category 2) whether or not the substance or preparation would be required to be classified under those Regulations;";

(b) in regulation 7(5) –

(i) after the word "carcinogen" there shall be added the words "or mutagen"; and

(ii) in each place where it occurs, after the word "carcinogens" there shall be added the words "or mutagens".

(c) in regulation 13(4), for the words "a carcinogen or a biological agent" there shall be substituted the words "a carcinogen, a mutagen or a biological agent"; and

(d) at the end of Schedule 1 there shall be added the following substances –

"The following polychlorodibenzodioxins:

2, 3, 7, 8-TCDD

1, 2, 3, 7, 8-PeCDD

1, 2, 3, 4, 7, 8-HxCDD

1, 2, 3, 6, 7, 8-HxCDD

1, 2, 3, 7, 8, 9-HxCDD

1, 2, 3, 4, 6, 7, 8-HpCDD

OCDD.

The following polychlorodibenzofurans:

2, 3, 7, 8-TCDF

2, 3, 4, 7, 8-PeCDF

1, 2, 3, 7, 8-PeCDF

1, 2, 3, 4, 7, 8-HxCDF

1, 2, 3, 7, 8, 9-HxCDF

1, 2, 3, 6, 7, 8-HxCDF

2, 3, 4, 6, 7, 8-HxCDF

1, 2, 3, 4, 6, 7, 8-HpCDF

1, 2, 3, 4, 7, 8, 9-HpCDF

OCDF

where T = tetra, Pe = penta, Hx = hexa, Hp = hepta and O = octa.".