STATUTORY RULES OF NORTHERN IRELAND

2002 No. 302

HEALTH AND SAFETY

Biocidal Products (Amendment) Regulations (Northern Ireland) 2002

Made - - - -	*30th September 2002*
Coming into operation	*14th November 2002*

The Department of Enterprise, Trade and Investment(**1**), being a Department designated(**2**) for the purpose of section 2(2) of the European Communities Act 1972(**3**) in relation to the notification and control of substances and to measures relating to biocides, in exercise of the powers conferred on it by the said section 2(2) and, being the Department concerned(**4**), in exercise of the powers conferred on it by Articles 17(1), (2), (3) and (5), 40(2) and (4) and 55(2) of, and paragraphs 1(1), (4) and (5), 3(1), 12(1), 14(1) and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**5**) 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 under Article 13(1A) of that Order(**6**), 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 Biocidal Products (Amendment) Regulations (Northern Ireland) 2002 and shall come into operation on 14th November 2002.

Amendment of the Biocidal Products Regulations (Northern Ireland) 2001

2.—(1) The Biocidal Products Regulations (Northern Ireland) 2001(**8**) shall be amended in accordance with the following paragraphs.

(2) For paragraph (5) of regulation 8 there shall be substituted the following paragraph:

> "(5) It shall be the duty of any person using a biocidal product containing an active substance which is included in Annex 1B to use that product in a manner which involves the

(**1**) Formerly the Department of Economic Development; *see*S.I . 1999/283 (N.I. 1), Article 3(5)
(**2**) S.I.1981/1536 and S.I. 1999/2788
(**3**) 1972 c. 68
(**4**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**5**) S.I. 1978/1039 (N.I. 9)
(**6**) Article 13(1A) was inserted 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(c)
(**8**) S.R. 2001 No. 422