1990 No. 303

HEALTH AND SAFETY

Classification, Packaging and Labelling of Dangerous Substances (Amendment No. 2) Regulations (Northern Ireland) 1990

Made . . . . . 8th August 1990

Coming into operation . . 17th September 1990

The Department of Agriculture, the Department of Economic Development, the Department of the Environment and the Department of Health and Social Services being Departments designated by the European Communities (Designation) Order 1976(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations, acting jointly in exercise of the powers conferred on them by the said section 2(2) and acting jointly as the Department concerned(**c**) in exercise of the powers conferred by Articles 17(1), (4) and (6) and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978(**d**) and of every other power enabling them in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to them to be appropriate, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Classification, Packaging and Labelling of Dangerous Substances (Amendment No. 2) Regulations (Northern Ireland) 1990 and shall come into operation on 17th September 1990.

Interpretation

2.—(1) In these Regulations—

"the Health and Safety Commission" means the Health and Safety Commission established under section 10 of the Health and Safety at Work etc. Act 1974(**e**); and

"the principal Regulations" means the Classification, Packaging and Labelling of Dangerous Substances Regulations (Northern Ireland) 1985(**f**).

(**a**) S.I. 1976/897
(**b**) 1972 c. 68
(**c**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**d**) S.I. 1978/1039 (N.I. 9)
(**e**) 1974 c. 37
(**f**) S.R. 1985 No. 81, amended by S.R. 1988 No. 288, S.R. 1989 No. 182 and S.R. 1990 No. 120

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

Amendments to the principal Regulations

3. The principal Regulations shall be amended as provided in regulations 4 to 6.

Interpretation

4. In regulation 2(1), after the definition of ''hazard warning sign'', there shall be inserted—

' ''the Health and Safety Commission'' means the Health and Safety Commission established under section 10 of the Health and Safety at Work etc. Act 1974 (c. 37);'.

Meaning of the approved list

5. In regulation 4, for the words from ''published by the Health and Safety Commission'' to the words ''which contains'' there shall be substituted 'approved by the Health and Safety Commission and the Department on 24th April 1990 entitled ''Information Approved for the Classification, Packaging and Labelling of Dangerous Substances (3rd Edition)'' which contains'.

Particulars to be shown on labels

6. In Schedule 6—

(*a*) in Part II, paragraph 11, for ''0·25 per cent'' there shall be substituted ''0·15 per cent''; and

(*b*) after paragraph 23, Part III there shall be inserted—

'*Special provisions relating to stabilizers*

24. Where a substance contains a stabilizer and following the name of that substance in Part IA of the approved list reference is made to this paragraph by the note ''(see Schedule 6.24)'' and that stabilizer changes what would otherwise be the classification of the substance shown in column 2 of that Part, the substance should be classified in accordance with regulation 5(5).'.

Transitional provisions

7.—(1) Until 17th November 1990 it shall be a sufficient compliance with the principal Regulations if a substance is classified and labelled in accordance with the list published by the Health and Safety Commission on 22nd April 1988 and approved by the Department on 15th May 1989 entitled ''Information Approved for the Classification, Packaging and Labelling of Dangerous Substances (2nd Edition)'' as revised by the document approved by the Health and Safety Commission on 25th April 1989 and approved by the Department on 2nd January 1990 and entitled ''Revision No. 1 to the Second Edition of the CPL Approved List (Information Approved for the Classification, Packaging and Labelling of Dangerous Substances)''.

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