1979 No. 284

HEALTH AND SAFETY

OFFICE AND SHOP PREMISES

Office and Shop Premises Act (Repeals and Modifications) Regulations (Northern Ireland) 1979

Made	*16th August* 1979
Coming into operation	*1st October* 1979

The Department of Manpower Services, after consultation with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to it to be appropriate, in exercise of the powers conferred on it by Articles 17(1) and (3)(*a*) and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978(**a**) ("the Order of 1978") and of every other power enabling it in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Office and Shop Premises Act (Repeals and Modifications) Regulations (Northern Ireland) 1979 and shall come into operation on 1st October 1979.

Repeals and modifications—the Act of 1966

2. In the Office and Shop Premises Act (Northern Ireland) 1966(**b**) ("the Act of 1966")—

(*a*) the provisions mentioned in column 1 of Schedule 1 are hereby repealed to the extent specified in column 2; and

(*b*) the provisions mentioned in Schedule 2 shall have effect subject to the modifications specified in that Schedule.

Revocations and modifications—regulations under the Act of 1966

3.—(1) The Office and Shop Premises (Conduct of Inquiries) Regulations (Northern Ireland) 1967(**c**) are hereby revoked.

(2) In the Office and Shop Premises (Hoists and Lifts) Regulations (Northern Ireland) 1969(**d**)—

(*a*) in Regulation 6(2) the reference to inspector shall be construed as a reference to an inspector appointed by an enforcing authority under Article 21 of the Order of 1978; and

(*b*) in Regulation 6(3) for "the Chief Inspector appointed under the said Act" there shall be substituted "an inspector appointed by the Department of Manpower Services under Article 21 of the Health and Safety at Work (Northern Ireland) Order 1978 who is authorised to act for the purposes of this paragraph."

(a) S.I. 1978/1039 (N.I. 9) brought into operation by S.R. 1978 No. 384 (C. 21)
(b) 1966 c. 26 (N.I.)
(c) S.R. & O. (N.I.) 1967 No. 83 (p. 264)
(d) S.R. & O. (N.I.) 1969 No. 26 (p. 147)

Supplemental

4.—(1) These regulations shall not affect the validity of anything done under any provision repealed or modified by the regulations before the coming into operation of the regulations; and anything which at the coming into operation of the regulations is being done for the purposes of that provision (including in particular any legal proceedings) by or in relation to—

(*a*) an inspector appointed by the Department of Manpower Services(e) under section 51 of the Act of 1966;

(*b*) an inspector appointed by a district council(f) under the said section 51;

may, so far as may be necessary for the purposes of or in consequence of the provisions of the regulations, be continued, respectively, by or in relation to—

(*a*) an inspector appointed, by the Department of Manpower Services under Article 21 of the Order of 1978;

(*b*) an inspector appointed by that district council under the said Article 21.

(2) Without prejudice to paragraph (1), any exemption, approval, certificate or notice granted or given or other thing whatsoever done for the purposes of any provision modified by these regulations, shall, if in force at the coming into operation of these regulations, continue in force and have effect as if granted, given or done in accordance with that provision as so modified.

(3) Except as provided in Regulation 3, regulations and orders, made under any provision repealed by these regulations and in force immediately before the coming into operation of these regulations shall continue in force notwithstanding the repeal of that provision.

(4) Where any of the provisions repealed or modified by these regulations prescribes a penalty for an offence of any kind, that penalty shall, notwithstanding these regulations, continue to apply to offences of that kind committed before 1st October 1979.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 16th August 1979.

(L.S.)

D. J. Perham
Senior Assistant Secretary

(e) Formerly vested in the Ministry of Health and Social Services: *see* S.R. & O. (N.I.) 1973 No. 504 (II, p. 2992) Article 6(1) and Schedule 3.
(f) Formerly health authority: *see* S.R. & O. (N.I.) 1973 No. 211 (I, p. 1080)

SCHEDULE 1 Regulation 2(*a*)

Repeals—Office and Shop Premises Act (Northern Ireland) 1966

Provision	*Extent of Repeal*
Section 3.	Subsection (3).
Section 4.	Subsection (3).
Section 6.	Subsection (5).
Section 7	Subsection (2).
Section 8.	Subsection (2).
Section 9.	Subsections (3) and (4).
Section 10.	Subsections (3) and (4).
Section 12.	Subsection (3).
Sections 20 to 22.	The whole section in each case.
Section 23.	Subsection (2).
Sections 25 to 27.	The whole section in each case.
Section 29.	In subsection (9), the word "special".
Section 32.	The whole section except in its application to cases in which the appropriate authority is the fire authority.
Section 37.	In subsection (1), the word "special".
Section 38.	In subsection (2), the word "special".
Section 42.	Subsections 2(*b*) and 3(*b*); in subsection (5) the words "or of regulations under either of those subsections"; and subsections (8) and (9).
Section 44.	The whole section.
Section 45.	Subsections (13) and (15).
Section 46.	The whole section.
Section 47.	Subsection (4); and in subsection (5) the words "by virtue of section 51".
Section 48.	Subsection (2); and in subsection (3) the words "either" and "or subsection (2)".
Sections 49 and 50.	The whole section in each case.