Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 20th day of October 1967.

(L.S.) *H. A. Lowry,*
Assistant Secretary.

The Ministry of Finance hereby consents to these regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 20th day of October 1967.

(L.S.) *R. R. Butler,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the regulations, but is intended to indicate their general purport.)

These regulations amend the Workmen's Compensation (Supplementation) Regulations (Northern Ireland) 1966 so as to give effect to section 3 of the National Insurance Act (Northern Ireland) 1967 by increasing the weekly rate of lesser incapacity allowance payable in certain circumstances.

1967. No. 266 **[C]**

FACTORIES

The Carcinogenic Substances Regulations (Northern Ireland) 1967

REGULATIONS, DATED 26TH OCTOBER 1967, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE FACTORIES ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services for Northern Ireland in exercise of powers conferred by sections 75 and 179(4) of the Factories Act (Northern Ireland) 1965(a) and of all other powers in that behalf, hereby makes the following special Regulations:—

PART I

INTERPRETATION AND GENERAL

Citation and commencement

1. These Regulations may be cited as the Carcinogenic Substances Regulations (Northern Ireland) 1967 and shall come into operation on 9th December 1967.

(a) 1965, c. 20 (N.I.).

Interpretation

2. In these Regulations—

"appointed doctor" as respects any factory means a fully registered medical practitioner specially appointed under section 151 of the principal Act to be appointed factory doctor for the factory for the purposes of these Regulations or the appointed factory doctor for the district in which the factory is situated;

"approved" means approved for the time being for the purposes of these Regulations by certificate of the Chief Inspector;

"controlled substance" means any compound or substance to which Part III applies as specified in Regulation 6(1);

"factory" includes any place to which these Regulations apply;

"national insurance number" means that series of digits and letters recorded on an insurance card (as defined in the National Insurance and Industrial Injuries (Collection of Contributions) Regulations (Northern Ireland) 1948(a)) in the place indicated for that purpose on the said card;

"the principal Act" means the Factories Act (Northern Ireland) 1965 as amended by or under any other Act; and

"prohibited substance" means any compound or substance to which Part II applies as specified in Regulation 4(1).

Application of Regulations

3. These Regulations shall apply to factories and to any premises, places, processes, operations and works to which the provisions of Part IV of the principal Act with respect to special Regulations for safety and health are applied by any of the following provisions of that Act, that is to say, section 121 (which relates to electrical stations), section 122 (which relates to institutions), section 123 (which relates to certain dock premises and certain warehouses), section 124 (which relates to ships) and section 125 (which relates to building operations and works of engineering construction).

PART II

PROHIBITED SUBSTANCES

Prohibition of employment in the manufacture of certain substances and of their use

4.—(1) This Part shall not apply to any chemical compound to which Part III applies but, save as aforesaid, shall apply to the following chemical compounds, that is to say, beta-naphthylamine, benzidine, 4-aminodiphenyl, 4-nitrophenyl and their salts, and any substance containing any of those compounds: Provided that this Part shall not apply in any case where all or any one or more of the compounds is present, as a by-product of a chemical reaction, in any other substance in a total concentration not exceeding 1 per cent.

(2) No person shall be employed in any factory in connection with the manufacture of any prohibited substance or in connection with any process in the course of which any prohibited substance is formed.

(3) No prohibited substance shall be brought into or used in any factory.

Exemptions

5. The Chief Inspector may (subject to such conditions, if any, as may be

(a) S.R. & O. (N.I.) 1948, No. 258.

specified therein) by certificate in writing (which he may in his discretion revoke at any time) exempt from all or any of the requirements of these Regulations—

(*a*) the presence and use of any prohibited substance or any class or description of prohibited substances; or

(*b*) the employment of any person or any class or description of persons;

as respects any one or more, or as respects any class or description of any one or more, of the following, that is to say, any factory, part of any factory, machine, plant, apparatus and process, if he is satisfied—

(i) where it is proposed to manufacture or use any prohibited substance that the proposed manufacture or use (as the case may be) will be only for the purpose of or in the course of research, investigation or testing (the research, investigation or testing being medical or scientific) and that the manufacture or use has been certified in writing by the director or other person in charge of the laboratory or other place where the research, investigation or testing (as the case may be) is to be carried on to be necessary for such purpose or in such course;

(ii) where in the course of any process of manufacture (other than the manufacture of any prohibited substance) any prohibited substance is formed at any stage of the process, that the process will be carried out in a totally enclosed system in such a manner that no prohibited substance is removed from the system except for the purposes of, and in no greater quantity and no more frequently than is necessary for, control of the process and such analysis as is necessary to secure that the product will be free from prohibited substances and that no prohibited substance escapes from the system;

(iii) where it is proposed to manufacture benzidine monohydrochloride, benzidine dihydrochloride or a mixture containing either or both of those substances or to use those substances or either of them in any process of manufacture, that the manufacture or use will be carried out in a totally enclosed system in such a manner that no prohibited substance is allowed to escape from the system, that no prohibited substance (other than any benzidine hydrochloride) is removed therefrom except for the purposes of, and in no greater quantity and no more frequently than is necessary for, control of the process and such analysis as is necessary to secure that the product will be free from prohibited substances and that adequate steps will be taken to ensure that the benzidine hydrochlorides are at all times, except while they are in the totally enclosed system, kept wet so that the proportion by weight of water to benzidine hydrochlorides is not less than one part of water to two parts of benzidine hydrochlorides;

(iv) where it is proposed to bring any prohibited substance within any dock, wharf or quay (including any warehouse therein or thereon and any line or siding used in connection with and for the purposes of the dock, wharf or quay and not forming part of a railway or tramway) to which section 123 of the principal Act applies, that the sole purpose of bringing the substance within the dock, wharf or quay will be that of transferring the substance to a ship in transit;

and if he is further satisfied in each of the cases mentioned in sub-paragraphs (i) to (iii) that the requirements of Regulations 7 and 8 will be complied with in the case of any manufacture or use (as the case may be) mentioned in those sub-paragraphs, as if it were a case to which Regulations 7 and 8 apply and as if references therein to controlled substances included references to prohibited substances.