
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 120

**Control of Substances Hazardous to Health
Regulations (Northern Ireland) 2000**

Interpretation

2.—(1) In these Regulations—

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978;

“approved” means approved for the time being in writing;

“approved supply list” has the meaning assigned to it in regulation 4 of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995⁽¹⁾;

“biological agent” means any micro-organism, cell culture, or human endoparasite, including any which have been genetically modified, which may cause any infection, allergy, toxicity or otherwise create a hazard to human health;

“carcinogen” means—

(a) any substance or preparation which if classified in accordance with the classification provided for by regulation 5 of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995 would be in the category of danger, carcinogenic (category 1) or carcinogenic (category 2) whether or not the substance or preparation would be required to be classified under those Regulations; or

(b) any substance or preparation—

(i) listed in Schedule 1, or

(ii) arising from a process specified in Schedule 1 which is a substance hazardous to health;

“fumigation” means an operation in which a substance is released into the atmosphere so as to form a gas to control or kill pests or other undesirable organisms;

“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⁽²⁾;

“maximum exposure limit” for a substance hazardous to health means the maximum exposure limit approved by the Executive for that substance in relation to the specified reference period when calculated by a method approved by the Executive;

“micro-organism” means a microbiological entity, cellular or non-cellular, which is capable of replication or of transferring genetic material;

“mine” has the meaning assigned to it by section 156 of the Mines Act (Northern Ireland) 1969⁽³⁾;

(1) S.R. 1995 No. 60 as amended by S.R. 1996 No. 376, S.R. 1997 No. 455, S.R. 1998 No. 459 and S.R. 1999 No. 150

(2) 1974 c. 37

(3) 1969 c. 6 (N.I.)

“occupational exposure standard” for a substance hazardous to health means the standard approved by the Executive for that substance in relation to the specified reference period when calculated by a method approved by the Executive;

“preparation” means a mixture or solution of two or more substances;

“registered dentist” has the meaning assigned to it by section 53(1) of the Dentists Act 1984(4);

“registered medical practitioner” means a fully registered medical practitioner within the meaning of the Medical Act 1983(5);

“respirable dust” means airborne material which is capable of penetrating to the gas exchange region of the lung;

“substance” means any natural or artificial substance whether in solid or liquid form or in the form of a gas or vapour (including micro-organisms);

“substance hazardous to health” means any substance (including any preparation) which is—

- (a) a substance which is listed in Part I of the approved supply list as dangerous for supply within the meaning of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995 and for which an indication of danger specified for the substance in Part V of that list is very toxic, toxic, harmful, corrosive or irritant;
- (b) a substance for which the Executive has approved a maximum exposure limit or an occupational exposure standard;
- (c) a biological agent;
- (d) dust of any kind, except dust which is a substance within paragraph (a) or (b), when present at a concentration in air equal to or greater than—
 - (i) 10 mg/m³, as a time-weighted average over an 8-hour period, of total inhalable dust, or
 - (ii) 4 mg/m³, as a time-weighted average over an 8-hour period, of respirable dust;
- (e) a substance, not being a substance mentioned in paragraphs (a) to (d), which creates a hazard to the health of any person which is comparable with the hazards created by substances mentioned in those paragraphs;

“territorial waters” means United Kingdom territorial waters adjacent to Northern Ireland and

“within territorial waters” includes on, over and under them;

“total inhalable dust” means airborne material which is capable of entering the nose and mouth during breathing and is thereby available for deposition in the respiratory tract.

(2) In these Regulations, any reference to an employee being exposed to a substance hazardous to health is a reference to the exposure of that employee to a substance hazardous to health arising out of or in connection with work which is under the control of his employer.

(4) 1984 c. 24

(5) 1983 c. 54