STATUTORY RULES OF NORTHERN IRELAND

2013 No. 206

HEALTH AND SAFETY

The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013

Made - - - -	*2nd August 2013*
Coming into operation	*1st September 2013*

The Department of Enterprise Trade and Investment ("the Department")(**1**), is designated for the purposes of section 2(2) of the European Communities Act 1972 ("the 1972 Act")(**2**) in relation to—

(a) the notification and control of substances and to measures relating to biocides(**3**);

(b) the regulation and control of classification, packaging and labelling of dangerous substances and preparations and for measures relating to consumer protection(**4**).

The Department, being the Department concerned(**5**) makes the following Regulations in exercise of the powers conferred by section 2(2) of, and paragraph 1A of Schedule 2 to, the 1972 Act(**6**) and Articles 17(1) to (6)(**7**) and 55(2) of, and paragraphs 1(1) and (4), 3(1), 5, 12(1) and 14(1) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**8**)("the 1978 Order").

The Regulations give effect without modifications to proposals submitted to the Department by the Health and Safety Executive for Northern Ireland under Article 13(1A)(**9**) of the 1978 Order after the Executive had carried out consultations in accordance with Article 46(3)(**10**) of the 1978 Order.

These Regulations make provision for a purpose mentioned in section 2(2) of the 1972 Act and it appears to the Department that it is expedient for references in these Regulations to—

(a) Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012(**11**) concerning the making available on the market and use of biocidal products to be

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services; *see*S.I. 1982/846 (N.I.11), Article 3
(**2**) 1972 c.68
(**3**) S.I. 1981/1536 for the designation in relation to the notification and control of substances and S.I. 1999/2788 in relation to measures relating to biocides
(**4**) S.I. 1976/897 for the designation in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations and S.I. 1993/2661 in relation to measures relating to consumer protection
(**5**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**6**) 1972 c.68; paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51)
(**7**) Article 17 shall be read with S.I. 1992/1728 (N.I.17), Articles 3(2) and 4(2)
(**8**) S.I. 1978/1039 (N.I. 9); the general purposes of Part II referred to in Article 17(1) were extended by S.I. 1992/1728 (N.I. 17), Articles 3(1) and 4(1). Article 55(2) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraph 19
(**9**) Article 13(1A) was substituted by S.I. 1998/2795 (N.I. 18), Article 4
(**10**) Article 46(3) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18 and the Health Protection Agency Act 2004 (c.17), section 11 and Schedule 3 paragraph 10
(**11**) OJ No L167, 27.06.12, p1

construed as including references to Annexes I to IV of that Regulation as those Annexes are amended from time to time; and

(b) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008(**12**) on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC and amending Regulation (EC) No 1907/2006, to be construed as including references to Articles 6(5), 11(3), 12, 14, 18(3)(b), 23, 25 to 29, 35(2) second and third sub-paragraphs and Annexes I to VII of that Regulation as those Articles and Annexes are amended from time to time.

(**12**) OJ No L353, 31.12.08, p1