
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make repeals, revocations and amendments relating to Health and Safety provisions using powers under the Health and Safety at Work (Northern Ireland) Order 1978 (“the 1978 Order”).

Much of the legislation that is being removed is old, and many of the working practices that it contains are covered by more recent legislation, including that which has been transposed from directives emanating from the European Union.

Regulation 2 introduces the Schedule. Tables 1 and 2 of the Schedule contain repeals and revocations respectively that were the subject of a consultation which was carried out in accordance with section 46(3) of the 1978 Order. Tables 3 and 4 of the Schedule contain the repeals and revocations respectively, which are amendments consequential to those in Tables 1 and 2.

The main repeal of primary legislation is of the Celluloid and Cinematograph Film Act 1922. The Act contained provision for the regulation of the storage of Raw Celluloid and Cinematographic film, substances which were manufactured in much greater quantity when the Act came into force.

As a consequence of the revocation of the Construction (Head Protection) Regulations (Northern Ireland) 1990 and regulation 3(3)(f) of the Personal Protective Equipment at Work Regulations (Northern Ireland) 1993, all of the provisions of the latter apply to the regulation of the wearing of suitable head protection by persons engaged in construction work.

Regulation 3 makes amendments to the Dangerous Substances (Notification and Marking of Sites) Regulations (Northern Ireland) 1992 (“the 1992 Regulations”) as a consequence of the revocation of the Notification of Installations Handling Hazardous Substances Regulations (Northern Ireland) 1984 as amended. The 1992 Regulations are amended to bring Ammonium Nitrate and mixtures containing Ammonium Nitrate where the nitrogen content exceeds 15.75% of the mixture by weight above a prescribed quantity within the ambit of the 1992 Regulations’ notification regime. The amendment to the 1992 Regulations requires that dutyholders notify the fire and rescue services where such substances are kept on their premises.

Regulation 4 makes amendments to the Workplace (Health, Safety and Welfare) Regulations (Northern Ireland) 1993 as a consequence of the revocation of the Shipbuilding and Ship-repairing Regulations (Northern Ireland) 1971 (“the 1971 Regulations”). The effect of two regulations from the 1971 Regulations is retained by the consequential amendment so that the requirement for dutyholders to provide adequate lighting and safe access for workers on ships that are in a shipyard or harbour for the purposes of construction, repair or maintenance activities is preserved.

Regulation 5 makes amendments to the Work at Height Regulations (Northern Ireland) 2005 (“the 2005 Regulations”) as a consequence of the revocation of the Docks Regulations (Northern Ireland) 1989 (“the Docks Regulations”), such that special provision for people working at height while engaged in dock operations remains. As a consequence of the revocation of the Docks Regulations, regulation 3(4)(b) of the 2005 Regulations is also revoked.

Regulation 6 makes a technical amendment to the Borehole Sites and Operations Regulations (Northern Ireland) 1995.

Regulation 7 makes an amendment to the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999 consequent to the revocation of the Docks Regulations.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Regulation 8 makes amendments to the REACH Enforcement Regulations 2008 consequent to the Control of Asbestos Regulations (Northern Ireland) 2012 and the revocation of the Docks Regulations.

In Great Britain the corresponding legislation is the Health and Safety (Miscellaneous Repeals, Revocations and Amendments) Regulations 2013 ([S.I. 2013/448](#)) and the Health and Safety (Miscellaneous Revocations and Amendments) Regulations 2013 ([S.I. 2013/1512](#)). The Great Britain Health and Safety Executive has prepared a full impact assessment of the effect that the Regulations will have on business. A copy of that assessment is available from the Health and Safety Executive for Northern Ireland, 83 Ladas Drive, Belfast, BT6 9FR.