

SCHEDULE

Regulation 3

THE ENVIRONMENTAL PROTECTION ACT 1990

The Environmental Protection (Controls on Injurious Substances) Regulations 1992

DECLARATION ON INTENDED SUPPLY AND USE OF
LEAD CARBONATE OR LEAD SULPHATE IN PAINT

NOTES:

* Selling or using this paint without completing, and complying with, a Declaration could bring you a fine or a prison sentence.

* Please read the notes before filling it in.

* Please use typescript or BLOCK CAPITALS.

* If you intend to use the paint, you must complete the first Part of the Declaration.

* If you intend to supply the paint, you must complete the second Part of the Declaration.

* When the person intending to use the paint has completed Part 1 of the Declaration, he/she should pass it to the person who is to supply the paint. (If the Declaration relates to the use of left-over paint supplied after an earlier Declaration, he/she must send it direct to the appropriate competent authority listed in the Notes on this page. In such a case, the supplier need not complete Part 2 of the Declaration.)

* The person intending to supply the paint must send the completed Declaration to the competent authority shown below, and wait for 3 weeks before supplying the paint to the intended user. (The period of 3 weeks begins on the day on which the Declaration was delivered to the competent authority or, if posted, on the day on which it would be delivered in the ordinary course of post.) The competent authority may advise that the intended use does not appear to fall within the uses allowed by the Regulations, and that the supplier may be committing a criminal offence if he/she supplies the paint, and the user may be committing a criminal offence if he/she uses it.

* The intended user can make a new or revised Declaration on intended use at any date— for example, if he/she was refused the paint by the supplier on the advice of the competent authority. But the supplier must go through the whole process again (completing the Declaration on intended supply, sending the whole Declaration to the competent authority and awaiting its comments) before supplying the paint.

* Any work involving application and removal of such paint should be undertaken in accordance with the relevant health and safety requirements including:

[The Control of Lead At Work Regulations 1980 \(S.I. 1980 No. 1248\)](#)

The Approved Code of Practice on Control of Lead At Work;

The Factories Act 1961 (especially section 131) ;

[The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 \(S.I. 1985 No. 2023\)](#)

* Any unused paint can be used for another purpose only if another Declaration on intended use is completed by the intended user. He/she should send this direct to the appropriate competent authority at one of the addresses shown below, and wait for 3 weeks before using the paint for that purpose. Again, the competent authority may advise that the intended use does not appear to fall within the uses allowed by the Regulations, and that the user may be committing a criminal offence if he/she uses it. The competent authorities are:

Listed buildings or scheduled monuments (England):

English Heritage, Fortress House, 23 Savile Row, London W1X 1AB

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Listed buildings or scheduled monuments (Scotland):

Historic Scotland, 20 Brandon Street, Edinburgh EH3 5RA

Listed buildings or scheduled monuments (Wales):

Cadw, Brunel House, 2 Fitzallen Road, Cardiff CF2 1UY

Works of Art:

The Conservation Unit, Museums and Galleries Commission, 16 Queen Anne's Gate, London SW1H 9AA

Part 1. Declaration by Person Intending to USE the Paint

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

I declare that I (name)
have ordered (exact quantity)
of paint (trade name)
(manufacturer) for which
the basis or pigment is lead carbonate or lead sulphate. I shall use the paint solely for the
restoration/maintenance# of either:†

(a) A Listed Building or Scheduled Monument

(name and address of building)

.....

which is a: Grade I/II*/Listed Building/Category A# listed building/scheduled monument
owned by (name)

I intend to use the paint on (describe exactly the clearly identifiable parts of the building or
monument which you intend to restore/maintain#)

.....

.....

.....

.....

.....

(b) A Work of Art (if several, give these details for each one)

(name of work of art)

(date of work)

(author of work)

(location of work)

(owner)

(owner's address)

.....

(name of work of art)

(date of work)

(author of work)

(location of work)

(owner)

(owner's address)

.....

(name of work of art)

(date of work)

(author of work)

(location of work)

(owner)

(owner's address)

.....

The paint needs to be used, to restore/maintain# historic textures or finishes, because

.....

.....

.....

.....

.....

Delete where inapplicable
† Complete (a) or (b) as appropriate

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Part 1 (continued)

I realise that the use of these leaded paints has been banned in the European Community – except for the restoration and maintenance of historic buildings and works of art – because of the risks to health (particularly to children) posed by exposure to lead in the environment; and that this ban has been implemented in Great Britain by the Environmental Protection (Controls on Injurious Substances) Regulations 1992.

I realise that the use of such paints for any purpose other than in accordance with those Regulations and this Declaration is an offence punishable by fines and/or a prison sentence.

I have read the Notes accompanying this Declaration and am aware of the need to comply with the other requirements shown there.

Signed Date
authorised to sign on behalf of (company/organisation's title)
company/organisation's address
.....
Telephone

End of Part 1

Part 2. Declaration by Person Intending to SUPPLY the Paint

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

I declare that I (supplier's name)
of (address)

.....
have received the order described in Part 1 of this Declaration, from the person described in Part 1, and intend to supply him/her# with the quantity and type of paint described in Part 1.

I realise that the marketing of these leaded paints has been banned in the European Community—except for the restoration and maintenance of historic buildings and works of art—because of the risks to health (particularly to children) posed by exposure to lead in the environment; and that this ban has been implemented in Great Britain by the Environmental Protection (Controls on Injurious Substances) Regulations 1992.

I realise that marketing such paints other than in accordance with those Regulations and this Declaration is an offence punishable by fines and/or a prison sentence.

I am sending this Declaration by first-class post/second-class post/I am delivering this Declaration# to
..... (the competent authority listed in the Regulations)
on the date which appears below. I understand that I may supply the paint 3 weeks or more after the Declaration was given to that competent authority, but that the competent authority may advise me that the intended use described in Part 1 of this Declaration does not appear to fall within the uses allowed by the Regulations.

Signed Date
authorised to sign on behalf of (company title)
company address
.....
Telephone

End of Declaration

Delete where inapplicable