

2014 No. 1130

CONSUMER PROTECTION

The Aerosol Dispensers (Amendment) Regulations 2014

Made - - - - 28th April 2014

Laid before Parliament 1st May 2014

Coming into force - - 19th June 2014

The Secretary of State makes these Regulations in exercise of the powers conferred by section 11 of the Consumer Protection Act 1987(a).

In accordance with section 11(5) of the Consumer Protection Act 1987(b) the Secretary of State has consulted such organisations as appear to him to be representative of interests substantially affected by the following Regulations, such other persons as he considered appropriate and the Health and Safety Executive.

Citation and Commencement

1. These Regulations may be cited as the Aerosol Dispensers (Amendment) Regulations 2014 and come into force on 19th June 2014.

Interpretation

2. In these Regulations—

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

“substance” means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition.

Amendments to the Aerosols Dispensers Regulations 2009

3.—(1) The Aerosol Dispensers Regulations 2009(c) are amended as follows.

(2) In regulation 3(5), for “point 2.4”, substitute “point 2.3”.

(3) In regulation 3(8)(a), for “Article 8.1(a), (c), and (d)”, substitute “Article 8.1(a), (c), and (d)”.

(a) 1987 c.43. Section 11(1) was amended by S.I. 2005/1803, regulations 46(1) and (3).
(b) Section 11(5) was amended by S.I. 2008/960, article 22 and Schedule 3.
(c) S.I. 2009/2824.

Transitional Provisions

4.—(1) Regulation 3 does not apply before 1st June 2015 to the marking of an aerosol dispenser containing a mixture.

(2) Regulation 3 does not apply before 1st June 2017 to the marking of an aerosol dispenser containing a mixture that was placed on the market before 1st June 2015.

Jenny Willott

Parliamentary Under Secretary of State for Employment Relations and Consumer Affairs
28th April 2014

Department for Business, Innovation and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend The Aerosol Dispensers Regulations 2009 (S.I. 2009/2824) (the “2009 Regulations”). The 2009 Regulations implement Council Directive 75/324/EEC on the approximation of the laws of the Member States relating to aerosol dispensers (OJ L 147, 9.6.1975, p.40) (the “Directive”).

These Regulations implement Commission Directive 2013/10/EU (OJ L 77, 20.3.2013, p. 20), as amended by the Corrigendum to Commission Directive 2013/10/EU (OJ L 91, 3.4.2013, p. 16) (the “2013 Directive”). The 2013 Directive amends the Directive to adapt the Directive’s provisions to the labelling requirements of Regulation (EC) No. 1272/2008 of the European Parliament and of the Council on the classification, labelling and packaging of substances and mixtures (OJ L 353, 31.12.2008, p. 1).

Regulation 3 amends references to the Directive as amended by the 2013 Directive.

Regulation 4 provides for transitional provisions in relation to the requirements for the marking of aerosol dispensers containing a mixture and placed on the market before 1 June 2015.

A full impact assessment of the effect that these Regulations will have on the costs of business and the voluntary sector has been prepared. As these Regulations transpose a Directive, a transposition note setting out how the Government has transposed the Directive into UK law has been prepared. Copies of the impact assessment and the transposition note have been placed in the libraries of both Houses of Parliament and are also annexed to the Explanatory Memorandum which is available alongside the instrument on the www.legislation.gov.uk website.

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