

2009 No. 296

HEALTH AND SAFETY

The Health and Safety at Work Order (Application to Environmentally Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2009

Made - - - - *18th August 2009*

Coming into operation - *21st September 2009*

The Department of Enterprise, Trade and Investment(a), makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(b). The Department has been designated for the purposes of that subsection in relation to the transport of dangerous or environmentally hazardous goods by road or rail and by water(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety at Work Order (Application to Environmentally Hazardous Substances) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 21st September 2009.

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Health and Safety at Work Order (Application to Environmentally Hazardous Substances) Regulations (Northern Ireland) 2003

2.—(1) The Health and Safety at Work Order (Application to Environmentally Hazardous Substances) Regulations (Northern Ireland) 2003(e) shall be amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “the Directives”—

- (a) omit the word “and” at the end of sub-paragraph (s);
- (b) after the word “and” which follows sub-paragraph (t) insert—

“(u) Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods(f); and”

(a) 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

(b) 1972 c. 68. Section 2(2) was amended by section 27 of the Legislative and Regulatory Reform Act 2006 (c. 51)

(c) S.I. 1996/266 and S.I. 1997/2563

(d) 1954 c. 33 (N.I.)

(e) S.R. 2003 No. 52, amended by S.R. 2007 No. 403

(f) O.J. No. L260, 30.9.2008, p. 13

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 18th
August 2009



M.Bohill

A senior officer of the Department of Enterprise, Trade and Investment

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Health and Safety at Work Order (Application to Environmentally Hazardous Substances) Regulations (Northern Ireland) 2003 (“the 2003 Regulations”) extend the reference to dangerous substances in Article 3(1)(c) of the Health and Safety at Work (Northern Ireland) Order 1978 (“the 1978 Order”) to include environmentally hazardous substances. The purpose of the 2003 Regulations is to enable regulations to be made under Article 17 of the 1978 Order to implement any obligation imposed by the Directives referred to in regulation 2(1) of the 2003 Regulations.

These Regulations amend regulation 2(1) of the 2003 Regulations to add a reference to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods (O.J. No. L260, 30.9.2008, p. 13) so that regulations can be made under Article 17 of the 1978 Order to implement any obligation imposed by this Directive.

These Regulations have no impact on business.

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