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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 512**

**HEALTH AND SAFETY**

**Health and Safety Information for Employees (Amendments and Repeals) Regulations (Northern Ireland) 1996**

Made - - - - 29th October 1996

Coming into operation—

*All regulations except regulation 2(a) and regulation 3(2) so far as it relates to the Construction (Lifting Operations) Regulations (Northern Ireland) 1963*

9th December 1996

*regulation 2(a) regulation 3(2) so far as it relates to the Construction (Lifting Operations) Regulations (Northern Ireland) 1963*

1st January 1998

1st January 1997

The Department of Economic Development and the Department of Agriculture, acting jointly as the Department concerned<sup>(1)</sup> in exercise of the powers conferred by Articles 17(1), (2), (3), (4) and 55(2) of, and paragraph 14(1) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978<sup>(2)</sup> and of every other power enabling them in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to them to be appropriate hereby make the following Regulations:—

**Citation and commencement**

1.—(1) These Regulations may be cited as the Health and Safety Information for Employees (Amendments and Repeals) Regulations (Northern Ireland) 1996 and shall, subject to paragraphs (2) and (3), come into operation on 9th December 1996.

(2) Regulation 2(a) shall come into operation on 1st January 1998.

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(1) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(2) 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), Article 3(1)

(3) Regulation 3(2) shall so far as it relates to the Construction (Lifting Operations) Regulations (Northern Ireland) 1963<sup>(3)</sup> come into operation on 1st January 1997.

### **Amendment of the Health and Safety Information for Employees Regulations (Northern Ireland) 1991**

2. The Health and Safety Information for Employees Regulations (Northern Ireland) 1991<sup>(4)</sup> shall be amended as follows:—

(a) in regulation 2—

(i) in paragraph (1)—

(aa) after the definition of “Department”, there shall be added the following definition:

““offshore installation” has the same meaning as in the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 340);”;

(bb) in the definition of “ship”, a semi-colon shall be substituted for the full stop;

(cc) after the definition of “ship”, there shall be added the following definitions

—  
““territorial waters” means United Kingdom territorial waters adjacent to Northern Ireland and “within territorial waters” includes on, over, and under them;

“vessel” includes a hovercraft and any floating structure which is capable of being staffed.”;

(ii) in paragraph (3), after the word “ship” there shall be added “(except to the extent that the master and crew are engaging in activities falling within paragraph 1 of Schedule 1)”;

(iii) after paragraph (3) there shall be added the following paragraph:—

“(4) Subject to paragraph (3), within territorial waters these Regulations shall apply to and in relation to the premises and activities set out in Schedule 1.”;

(b) in regulation 3, after paragraph (4), there shall be added the following paragraphs—

“(5) The Department may approve a particular form of poster or leaflet for use in relation to a particular employment or class of employment.

(6) Where the Department approves a particular form of poster or leaflet under paragraph (5), the Agency shall publish—

(a) the form of the poster or leaflet;

(b) the date on which that form was approved; and

(c) the particular employment or class of employment in respect of which that form is approved.

(7) Where a particular form of poster or leaflet has been approved under paragraph (5) then paragraphs (2) to (4) shall apply to the revision of that particular form as they apply to the revision of an approved poster or an approved leaflet save that in addition to the matters specified in paragraph (3), the Agency shall publish the employment or class of employment in respect of which the revised form is approved.

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<sup>(3)</sup> S.R. & O. (N.I.) 1963 No. 86

<sup>(4)</sup> S.R. 1991 No. 105

(8) An employer may, in respect of employment for which a particular poster or leaflet has been approved under paragraph (5), comply with the requirements of regulation 4(1) by displaying that particular form of poster or giving that particular form of leaflet and in connection with any such compliance regulation 4 shall be construed as if the references to the approved poster and the approved leaflet in that regulation were references to the particular form of poster and the particular form of leaflet approved under paragraph (5) and as if the reference in regulation 4(3) to revision pursuant to regulation 3(2) were a reference to a revision pursuant to regulation 3(7).”;

- (c) immediately before the Schedule, there shall be inserted the Schedule set out in Schedule 1;
- (d) in the Schedule, for the title “Schedule”, there shall be substituted the title “Schedule 2”;
- (e) in regulation 8, for the words “the Schedule”, in each place where they occur, there shall be substituted “Schedule 2”.

### **Miscellaneous repeals and revocations**

**3.—(1)** The statutory provisions specified in column 1 of Part I of Schedule 2 are hereby repealed to the extent specified in the corresponding entries in column 2 thereof.

(2) The statutory provisions specified in column 1 of Part II of Schedule 2 are hereby revoked to the extent specified in the corresponding entries in column 3 thereof.

Sealed with the Official Seal of the Department of Economic Development on 29th October 1996.

*Philip B. Strong*  
Assistant Secretary

Sealed with the Official Seal of the Department of Agriculture on 29th October 1996.

*Liam McKibben*  
Assistant Secretary

SCHEDULE 1

Regulation 2(c)

Schedule to be inserted in the Health and Safety Information  
for Employees Regulations (Northern Ireland) 1991

“SCHEDULE 1

Regulations 2(3) and (4)

Premises and Activities within Territorial Waters

1. Any of the premises and activities mentioned in regulation 4(1) of the Offshore Installations and Pipeline Works (Management and Administration) Regulations (Northern Ireland) 1995<sup>(5)</sup>.

- (a) The working of a mine, any premises and activities relating to the working of a mine and to work for the purpose of or in connection with the working of any part of a mine;
- (b) In this paragraph “mine” and “working of a mine” have the same meaning as in the Mines Act (Northern Ireland) 1969<sup>(6)</sup>.

- (a) The construction, reconstruction, alteration, repair, maintenance, cleaning, demolition and dismantling of any building or other structure not being a vessel, or any preparation for any such activity;

- (b) the loading, unloading, fuelling or provisioning of a vessel;

- (c) (i) subject to head (ii), diving operations;

- (ii) for the purposes of this Schedule, a person shall be deemed to be engaged in diving operations throughout any period from the time when he commences to prepare for diving until the time when—

- (aa) he is no longer subjected to raised pressure;

- (bb) he has normal inert gas partial pressure in his tissues; and

- (cc) if he entered the water, he has left it,

and diving operations include the activity of any person in connection with the health and safety of a person who is, or is deemed to be, engaged in diving operations;

- (d) the construction, reconstruction, finishing, refitting, repair, maintenance, cleaning or breaking up of a vessel except when carried out by the master or any officer or member of the crew of that vessel; and

- (e) the maintaining on a station of a vessel which would be an offshore installation were it not a structure to which regulation 3(2)(d) of the Offshore and Pipelines (Management and Administration) Regulations (Northern Ireland) 1995 applies;

except that this paragraph shall not apply to vessels which are registered outside the United Kingdom and are on passage through territorial waters.”

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<sup>(5)</sup> S.R. 1995 No. 340

<sup>(6)</sup> 1969 c. 6 (N.I.)

## SCHEDULE 2

Regulation 3

## Miscellaneous Repeals and Revocations

## Part I

## Repeals

Column 1 Statutory provision	Column 2 Extent of repeal
Petroleum (Consolidation) Act (Northern Ireland) 1929(7)	Section 2(4).
Factories Act (Northern Ireland) 1965(8)	<p>In section 119(1), paragraph (g) and the word “and” immediately before it.</p> <p>In section 123(2)(j), the words “notices, special regulations”.</p> <p>In section 125(2)(j), the words “notices, special regulations”.</p> <p>In section 125(5), the words “and copies of special regulations or the prescribed abstract of such regulations to be kept posted up on the premises” and the words from “and copies of the regulations” to the end of the sub-section.</p> <p>Section 138.</p> <p>Section 139.</p>
Office and Shop Premises Act (Northern Ireland) 1966(9)	<p>Section 45(9).</p> <p>In section 59(2) the number “45(9)”.</p>

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(7) [1929 c. 13](#) (N.I.); section 2(4) was amended by Article 13(6) of, and Schedule 2 to, the Criminal Damage (Northern Ireland) Order 1977 (S.I. [1977/426](#) (N.I. 4))

(8) [1965 c. 20](#) (N.I.) relevant amendments are Articles 12(1) and 19(2) of, and Part I of Schedule 3 and Part I of Schedule 5 to, the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1990 S.I. [1990/246](#) (N.I. 2) and S.R. [1991 No. 105](#)

(9) [1966 c. 26](#) (N.I.) to which there are amendments not relevant to these Regulations

(7) [1929 c. 13](#) (N.I.); section 2(4) was amended by Article 13(6) of, and Schedule 2 to, the Criminal Damage (Northern Ireland) Order 1977 (S.I. [1977/426](#) (N.I. 4))

(8) [1965 c. 20](#) (N.I.) relevant amendments are Articles 12(1) and 19(2) of, and Part I of Schedule 3 and Part I of Schedule 5 to, the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1990 S.I. [1990/246](#) (N.I. 2) and S.R. [1991 No. 105](#)

(9) [1966 c. 26](#) (N.I.) to which there are amendments not relevant to these Regulations

## Part II

### Revocations

Column 1 Statutory provision	Column 2 Reference	Column 3 Extent of revocation
Regulations, dated 2nd January 1913 with respect to the manufacture and decoration of pottery.	S.R. & O. <a href="#">1913/2</a> (Rev VII p. 408: 1913 p. 131)	Regulation 26.
Celluloid (Manufacture etc.) Regulations 1921	S.R. & O. <a href="#">1921/1825</a>	Paragraph (iii) of regulation 10. Paragraph (ii) of regulation 11.
Factories (Operations at Unfenced Machinery) Regulations (Northern Ireland) 1939(10)	<a href="#">S.R. &amp; O. (N.I.) 1939 No. 73</a> (p. 178)	Regulation 4.
Dry Cleaning (Special Regulations) (Northern Ireland) 1950	<a href="#">S.R. &amp; O. (N.I.) 1950 No. 117</a> (p. 268)	Paragraph (2) of regulation 5.
Construction (Lifting Operations) Regulations (Northern Ireland) 1963	<a href="#">S.R. &amp; O. (N.I.) 1963 No. 86</a>	Paragraph (3) of regulation 16.
Non-Ferrous Metals (Melting and Founding) Regulations (Northern Ireland) 1964	<a href="#">S.R. &amp; O. (N.I.) 1964 No. 46</a>	In Sub-paragraph (1)(d) of regulation 4 the last sentence.
Power Presses Regulations (Northern Ireland) 1966	<a href="#">S.R. &amp; O. (N.I.) 1966 No. 311</a>	In regulation 12 the last sentence.
Shipbuilding and Ship-repairing Regulations (Northern Ireland) 1971	<a href="#">S.R. &amp; O. (N.I.) 1971 No. 372</a>	In paragraph (3) of regulation 2 the last sentence. Paragraph (3) of regulation 55.

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(10) The Factories (Operations at Unfenced Machinery) Regulations (Northern Ireland) 1939 have been partially revoked, and will be wholly revoked on 1st January 1997, by S.R. [1993 No. 19](#)

(10) The Factories (Operations at Unfenced Machinery) Regulations (Northern Ireland) 1939 have been partially revoked, and will be wholly revoked on 1st January 1997, by S.R. [1993 No. 19](#)

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations amend the Health and Safety Information for Employees Regulations (Northern Ireland) 1991 (“the 1991 Regulations”): S.R. [1991 No. 105](#) so as to—

- (a) specify the premises and activities within United Kingdom territorial waters adjacent to Northern Ireland to which the 1991 Regulations apply (regulation 2(a) and Schedule 1); and
- (b) add provisions to the 1991 Regulations which enable the Department of Economic Development to approve posters or leaflets which are specific to particular classes of employment so that employers in those classes may display or provide those specific posters or leaflets rather than ones of a general nature (regulation 2(b)).

The Regulations also repeal a number of provisions in health and safety legislation relating to the display of notices or posters and the provision of information (regulation 3; Parts I and II of Schedule 2).