
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 59

**EUROPEAN COMMUNITIES
PUBLIC HEALTH**

**The Marketing and Use of Dangerous
Substances Regulations (Northern Ireland) 1999**

Made - - - - 16th February 1999

Coming into operation 26th March 1999

The Department of the Environment, being a Department designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to restrictions on the marketing and use of certain dangerous substances and preparations, in exercise of the powers conferred on it by that section and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Marketing and Use of Dangerous Substances Regulations (Northern Ireland) 1999 and shall come into operation on 26th March 1999.

Interpretation

2.—(1) Unless the context otherwise requires, expressions used in these Regulations which are also used in Council Directive [76/769/EEC](#) on the approximation of the laws, regulations and administrative provisions of the Member States relating to restriction on the marketing and use of certain dangerous substances and preparations⁽³⁾ as amended for the fifteenth time by the European Parliament and Council Directive [97/16/EC](#)⁽⁴⁾ have the meaning they bear in that Directive.

(2) The Interpretation Act (Northern Ireland) 1954⁽⁵⁾ shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(1) S.I.1992/1711

(2) 1972 c. 68

(3) O.J. No. L262, 27.9.1976, p. 201

(4) O.J. No. L116, 6.5.97, p. 31

(5) 1954 c. 33 (N.I.)

Prohibition of the use of hexachloroethane in the manufacturing and processing of non-ferrous metals

3. Subject to regulation 4, no person shall use hexachloroethane in the manufacture or processing of non-ferrous metals.

Exceptions to the prohibition

4. Hexachloroethane may be used in the manufacturing or processing of non-ferrous metals—
- (a) for research and development or analysis purposes;
 - (b) in non-integrated aluminium foundries producing specialised castings for applications requiring high quality and high safety standards and where consumption is less than 1.5 kilogrammes of hexachloroethane per day on average; and
 - (c) for grain refining in the production of the magnesium alloys AZ81, AZ91 and AZ92.

Offences and penalties

5. Any person who contravenes regulation 3, or causes or permits another person to contravene that regulation, shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale and, on conviction on indictment, to a fine.

Sealed with the Official Seal of the Department of the Environment on

L.S.

16th February 1999.

R.W. Rogers
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations give effect to European Parliament and Council Directive [97/16/EC](#) which amended for the fifteenth time Directive [76/769/EEC](#) on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

Regulation 3 prohibits the use of hexachloroethane in the manufacturing and processing of non-ferrous metals.

Regulation 4 provides for exceptions from the prohibition in regulation 3.

Regulation 5 makes it a criminal offence to contravene regulation 3 and specifies penalties for such an offence.

In the Directive hexachloroethane is identified by reference to its CAS Number which is 67-72-1 and its EINECS Number, which is 2006664. The CAS Number is given in the CAS Registry Handbook, ISSN 0093-058. The EINECS Number is given in the European Inventory of Existing Commercial Chemical Substances (O.J. No. C146A, 15.6.90, p. 1).