
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 34

**Control of Substances Hazardous to Health
Regulations (Northern Ireland) 2003**

Exemptions relating to the Ministry of Defence, etc.

16.—(1) In this regulation—

- (a) “Her Majesty’s Forces” means any of the naval, military or air forces of the Crown, whether raised inside or outside the United Kingdom and whether any such force is a regular, auxiliary or reserve force, and includes any civilian employed by those forces;
- (b) “visiting force” has the same meaning as it does for the purposes of any provision of Part I of the Visiting Forces Act 1952(1); and
- (c) “headquarters” means a headquarters for the time being specified in Schedule 2 to the Visiting Forces and International Headquarters (Application of Law) Order 1999(2).

(2) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt—

- (a) any of Her Majesty’s Forces;
- (b) any visiting force;
- (c) members of a visiting force working in or attached to a headquarters; or
- (d) any person engaged in work involving substances hazardous to health, if that person is under the direct supervision of a representative of the Secretary of State for Defence,

from all or any of the requirements or prohibitions imposed by these Regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by the Secretary of State for Defence by a further certificate in writing, except that, where any such exemption is granted, suitable arrangements shall be made for the assessment of the health risk created by the work involving substances hazardous to health and for adequately controlling the exposure to those substances of persons to whom the exemption relates.

(3) Regulation 11(11) shall not apply in relation to—

- (a) any visiting force; or
- (b) members of a visiting force working in or attached to a headquarters.