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STATUTORY RULES OF NORTHERN IRELAND

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**2010 No. 163**

**HEALTH AND SAFETY**

**The Biocidal Products (Amendment)  
Regulations (Northern Ireland) 2010**

*Made* - - - - *22nd April 2010*

*Coming into operation* *19th May 2010*

The Department of Enterprise, Trade and Investment<sup>(1)</sup>, being the Department concerned<sup>(2)</sup>, makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972<sup>(3)</sup> (“the 1972 Act”) and Articles 17(1), (2), (3) and (5)<sup>(4)</sup>, 40(2) and (4) and 55(2) of, and paragraphs 1(1), (4) and (5), 3(1), 12(1), 14(1) and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978<sup>(5)</sup> (“the 1978 Order”).

The Department was designated<sup>(6)</sup> for the purposes of section 2(2) of the 1972 Act in relation to the notification and control of substances and to measures relating to biocides.

The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A) of the 1978 Order<sup>(7)</sup> after the Executive had carried out consultations in accordance with Article 46(3)<sup>(8)</sup> of the 1978 Order.

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- (1) 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
- (2) See Article 2(2) of [S.I. 1978/1039 \(N.I. 9\)](#)
- (3) [1972 c. 68](#): the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 ([c. 51](#)). Schedule 2 was amended by section 28 of the Legislative and Regulatory Reform Act 2006 ([c. 51](#))
- (4) Article 17 must be read with [S.I. 1992/1728 \(N.I. 17\)](#), Articles 3(2) and 4(2)
- (5) [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 \(N.I. 17\)](#), Articles 3(1) and 4(1). Article 55(2) was amended by [S.I. 1998/2795 \(N.I. 18\)](#), Article 6(1) and Schedule 1, paragraph 19
- (6) [S.I. 1981/1536](#) for the designation in relation to the notification and control of substances and [S.I. 1999/2788](#) in relation to measures relating to biocides
- (7) Article 13(1A) was substituted by [S.I. 1998/2795 \(N.I. 18\)](#), Article 4
- (8) Article 46(3) was amended by [S.I. 1998/2795 \(N.I. 18\)](#), Article 6(1) and Schedule 1, paragraphs 8 and 18 and the Health Protection Agency Act 2004 ([c. 17](#)), Schedule 3 paragraph 10