

1990 No. 305

HEALTH AND SAFETY

The Potteries etc. (Modifications) Regulations 1990

<i>Made</i> - - - - -	<i>16th February 1990</i>
<i>Laid before Parliament</i>	<i>28th February 1990</i>
<i>Coming into force</i>	<i>26th March 1990</i>

The Secretary of State, in exercise of the powers conferred on him by section 15(1), (2), (3)(a) and (4)(a) of, and paragraph 1(1)(b) of Schedule 3 to, the Health and Safety at Work etc. Act 1974 (a) ("the 1974 Act") and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Potteries etc. (Modifications) Regulations 1990 and shall come into force on 26th March 1990.

Modifications to the Control of Lead at Work Regulations 1980

2.—(1) After regulation 3 of the Control of Lead at Work Regulations 1980(b), there shall be inserted the following regulation—

"Prohibition of certain glazes in pottery manufacture

3A.—(1) The use of any glaze other than a leadless glaze or a low solubility glaze in the manufacture of pottery is prohibited.

(2) In this regulation—

'glaze' does not include engobe or slip;

'leadless glaze' means a glaze which does not contain more than one per cent of its dry weight of a lead compound calculated as lead monoxide;

'low solubility glaze' means a glaze which does not yield to dilute hydrochloric acid more than 5 per cent of its dry weight of a soluble lead compound when determined in accordance with a method approved in writing for the time being by the Health and Safety Commission."

(3) In Regulation 7 of the Control of Lead at Work Regulations 1980, after the words "of a type approved" there shall be inserted the words "or conforming to a standard approved, in either case."

Revocations

3. The instruments specified in column 1 of the Schedule to these Regulations shall be revoked to the extent set out in the entry opposite thereto in column 2 of that Schedule.

Signed by order of the Secretary of State

16th February 1990

Patrick Nicholls
Parliamentary Under Secretary of State,
Department of Employment

(a) 1974 c.37; sections 15 and 50 were amended by the Employment Protection Act 1975 (c.71), Schedule 15, paragraphs 6 and 16 respectively.
(b) S.I. 1980/1248.

THE SCHEDULE

Regulation 3

REVOCATIONS

Column 1	Column 2
<i>Instruments</i>	<i>Extent of revocation</i>
<p>The Pottery (Health) Special Regulations 1947 (S.R. & O. 1947/2161), amended by S.I. 1988/1657.</p>	<p>The whole Regulations.</p>
<p>The Pottery (Health and Welfare) Special Regulations 1950 (S.I. 1950/65), amended by the Employment Act 1989 (c.38); S.I. 1973/36, 1980/1248, 1982/877, 1988/1657 and 1989/2311.</p>	<p>In regulation 2(2) the definitions— (a) "Approved respirator"; (b) "Efficient exhaust draught"; (c) "Galena"; (d) "Moist method"; (e) "Scheduled process"; (f) "Thimble picking".</p>
<p>The Abstract of Special Regulations (Pottery—Health and Welfare) Order 1973 (S.I. 1973/37), amended by the Employment Act 1989 (c.38), S.I. 1988/1657 and 1989/2311.</p>	<p>Regulations 7 to 14. Regulations 17 to 32. Schedule 2. Schedule 1 so far as it reproduces the following regulations of the Pottery (Health and Welfare) Special Regulations 1950— In regulation 2(2) the definitions— "Approved respirator"; "Efficient exhaust draught"; "Moist method". Regulations 7 to 11. Regulations 13 and 14. Regulations 17 to 20. Regulations 28 to 32. Schedule 2. Schedule 2 so far as it reproduces the following regulations of the 1950 Regulations— In regulation 2(2) the definitions— "Approved respirator"; "Efficient exhaust draught"; "Moist method"; "Scheduled process"; "Thimble picking". Regulations 7 to 11. Regulations 13 and 14. Regulations 17 to 22. Regulations 28 to 32. Schedule 2.</p>

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations revoke the Pottery (Health) Special Regulations 1947 of which regulation 4 (relating to the prohibition of lead glazes) is the only substantive provision now in force and modify the Control of Lead at Work Regulations 1980 to provide equivalent prohibitions.

2. The Regulations also revoke those of the provisions of the Pottery (Health and Welfare) Special Regulations 1950 which have been superseded by the Control of Lead at Work Regulations 1980 and the Control of Substances Hazardous to Health Regulations 1988 (S.I. 1988/1657).

3. Regulation 7 of the Control of Lead at Work Regulations 1980 has been modified so as to permit respiratory protective equipment to be used which conforms to a standard for the time being approved by the Health and Safety Executive.