
STATUTORY INSTRUMENTS

1996 No. 2075

HEALTH AND SAFETY

**The Health and Safety at Work etc. Act 1974 (Application to
Environmentally Hazardous Substances) Regulations 1996**

<i>Made</i>	- - - -	<i>7th August 1996</i>
<i>Laid before Parliament</i>		<i>7th August 1996</i>
<i>Coming into force</i>	- -	<i>8th August 1996</i>

The Secretary of State, being the designated Minister⁽¹⁾ for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the regulation and control of the transport of dangerous goods by road and rail, in the exercise of the powers conferred on him by the said section 2(2) and of all other powers enabling him in that behalf, hereby makes the following regulations: —

Citation, commencement and extent

1. These Regulations, which extend to Great Britain, may be cited as the Health and Safety at Work etc. Act 1974 (Application to Environmentally Hazardous Substances) Regulations 1996 and shall come into force on 8th August 1996.

Extension of power to make regulations

2.—(1) For the purposes only of enabling regulations under section 15 of the Health and Safety at Work etc. Act 1974⁽³⁾ to be made to implement any obligation imposed by any of the Directives or to deal with any matter arising out of or related to any such obligation, the reference to dangerous substances in section 1(1)(c) of that Act shall have effect as if it included a reference to environmentally hazardous substances.

(2) In this regulation —

(a) “the Directives” means —

(i) Council Directive [94/55/EC](#)⁽⁴⁾ on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road,

(1) S.I.1996/226.

(2) [972 c.68](#); the definition of the Treaties referred to in section 2(2) was extended by section 1 of the European Economic Area Act 1993 (c. 51).

(3) [1974 c. 37](#); section 15(1) was amended by the Employment Protection Act [1975 \(c. 71\)](#), Schedule 15, paragraph 6.

(4) OJNo. L319, 12.12.94, p.7.

- (ii) Council Directive [96/49/EC](#)(5) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail, and
 - (iii) European Parliament and Council Directive [94/63/EC](#)(6) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations; and
- (b) “environmentally hazardous substances” means substances which are dangerous to the environment (whether or not they are already within section 1(1)(c) of the Health and Safety at Work etc. Act 1974 as dangerous substances).

Signed by order of the Secretary of State.

7th August 1996

John Bowis
Parliamentary Under Secretary of State,
Department of Transport

(5) OJ No. L , , p. .

(6) OJ No. L365, 31.12.94, p.24.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations extend the reference to dangerous substances in section 1(1)(c) of the Health and Safety at Work etc. Act 1974 to include environmentally hazardous substances (as defined).

2. This is to enable regulations under section 15 of that Act to be made to implement Council Directives [94/55/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road and [96/49/EC](#) on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail, and European Parliament and Council Directive [94/63/EC](#) on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations.