
STATUTORY INSTRUMENTS

2001 No. 1055

HEALTH AND SAFETY

**The Notification of New Substances
(Amendment) Regulations 2001**

<i>Made</i>	- - - -	<i>16th March 2001</i>
<i>Laid before Parliament</i>		<i>23rd March 2001</i>
<i>Coming into force</i>	- -	<i>13th April 2001</i>

The Secretary of State, being the designated⁽¹⁾ Minister for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the notification and control of substances, in the exercise of the powers conferred on him by the said section 2(2) and sections 15(1), (2) and 82(3) (a) of, and paragraph 1(1)(b) of Schedule 3 to, the Health and Safety at Work etc. Act 1974⁽³⁾ (“the 1974 Act”) and of all other powers enabling him in that behalf, 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 Notification of New Substances (Amendment) Regulations 2001 and shall come into force on 13th April 2001.

Interpretation

2. In these Regulations “the principal Regulations” means the Notification of New Substances Regulations 1993⁽⁴⁾.

Amendment of regulation 3 of the principal Regulations

3. For sub-paragraph (d) of regulation 3(2) of the principal Regulations, there shall be substituted the following sub-paragraph—

(1) S.I. 1981/1536.

(2) 1972 c. 68.

(3) 1974 c. 37; sections 11(2), 15(1) and 50(3) were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 4, 6 and 16(3) respectively.

(4) S.I. 1993/3050, to which there are amendments not relevant to these Regulations.

- “(d) a new substance which is placed on the market exclusively for use as an active substance in one or more of the following, namely—
- (i) a biocidal product to which the Biocidal Products Regulations 2001⁽⁵⁾ apply,
 - (ii) a biocidal product to which the Biocidal Products Regulations 2001 would have applied but for regulation 3(2) of those Regulations,
 - (iii) a plant protection product to which the Plant Protection Products Regulations 1995⁽⁶⁾ apply, or
 - (iv) a pesticide to which the Control of Pesticides Regulations 1986⁽⁷⁾ apply.”.

Signed by authority of the Secretary of State

Whitty
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

16th March 2001

⁽⁵⁾ S.I. 2001/880.

⁽⁶⁾ S.I. 1995/887, to which there are amendments not relevant to these Regulations.

⁽⁷⁾ S.I. 1986/1510, to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Notification of New Substances Regulations 1993 ([S.I. 1993/3050](#)) by amending the disapplication in respect of plant protection products to include pesticides and adding a disapplication in respect of biocidal products thereby implementing Commission Directive [2000/21/EC](#) (OJNo. L 103, 28.4.2000, p.70) concerning the list of Community legislation referred to in the fifth indent of article 13(1) of Council Directive [67/548/EEC](#) (OJ No. 196, 16.8.1967, p.1) (OJ/SE 1967 p.234).