

STATUTORY INSTRUMENTS

1982 No. 695

HEALTH AND SAFETY

**The Hydrogen Cyanide (Fumigation of Buildings)
(Amendment) Regulations 1982**

<i>Made</i>	- - -	13th May 1982
<i>Laid before Parliament</i>		21st May 1982
<i>Coming into Operation</i>		2nd July 1982

The Secretary of State in exercise of the powers conferred on him by section 15(1), (2) and (3)(a) of, and paragraphs 1(1)(b) and (c), 6(2) and 14 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Hydrogen Cyanide (Fumigation of Buildings) (Amendment) Regulations 1982 and shall come into operation on 2nd July 1982.

(2) In these Regulations, "the 1951 Regulations" mean the Hydrogen Cyanide (Fumigation of Buildings) Regulations 1951(b).

Amendment to Regulation 5 of the 1951 Regulations

2. Regulation 5 of the 1951 Regulations shall be amended by substituting the following paragraph for paragraph (3) of that Regulation:—

"(3) Before the fumigation is carried out, the undertaker shall ensure that the operator and each member of the fumigating staff is competent in the use of hydrogen cyanide as a fumigant and has received adequate instruction and training to enable him to understand—

- (a) the nature of the dangers to which hydrogen cyanide may give rise and any emergency action he should take, and
- (b) his duties under these Regulations."

(a) 1974 c.37; section 15 was amended by the Employment Protection Act 1975 (c.71), section 116 and Schedule 15, paragraph 6.

(b) S.I. 1951/1759.

Revocations

3. The following provisions of the 1951 Regulations are hereby revoked:—

- (a) Regulation 5(4),
- (b) in Regulation 11(1)(d), the words “including the test set out in the Third Schedule to these Regulations”,
- (c) the Third Schedule.

Signed by order of the Secretary of State.
13th May 1982.

David Waddington,
Joint Parliamentary Under Secretary of State,
Department of Employment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Hydrogen Cyanide (Fumigation of Buildings) Regulations 1951 by imposing a requirement that all members of the fumigation staff shall be adequately trained and instructed in the dangers to which hydrogen cyanide may give rise, in the emergency action to be taken and in their duties under the Regulations. This requirement is substituted for the previous requirements in Regulation 5(3) and (4) that two members of the staff had had experience of fumigating with hydrogen cyanide. Regulation 5(3) of the 1951 Regulations is amended accordingly and Regulation 5(4) is revoked.

The requirement in Regulation 11(1)(d) of the 1951 Regulations to include the test specified in the Third Schedule to those Regulations (in which benzidine a substance prohibited under Part II of the Carcinogenic Substances Regulations 1967 (S.I. 1967/879) is used) among the tests to be carried out after a fumigation to determine the quantity of hydrogen cyanide remaining is revoked together with that Schedule.

SI 1982/695
ISBN 0-11-026695-1

