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STATUTORY INSTRUMENTS

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**2013 No. 1506**

**HEALTH AND SAFETY**

**The Biocidal Products and Chemicals (Appointment  
of Authorities and Enforcement) Regulations 2013**

*Made - - - - 18th June 2013*

*Laid before Parliament 27th June 2013*

*Coming into force in accordance with regulation 2*

**THE BIOCIDAL PRODUCTS AND CHEMICALS (APPOINTMENT  
OF AUTHORITIES AND ENFORCEMENT) REGULATIONS 2013**

PART 1

1. Citation, commencement and extent
2. (1) Except as provided by paragraphs (2) to (5), these...
3. (1) These Regulations shall not extend to Northern Ireland except...
4. Interpretation

PART 2

5. Competent authorities and designated national authorities
6. (1) Subject to paragraph (2), for the purposes of Article...
7. The Great Britain Executive and the Northern Ireland Executive are...

PART 3

**BIOCIDAL PRODUCTS**

8. Application of the 1974 Act
9. Allocation of enforcement responsibility
10. Limitation on entry to domestic premises in certain circumstances
11. Confidentiality
12. Labelling
13. Essential use
14. Appeal

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

15. Applications for biocidal product authorisations prior to 1st September 2013
16. Transitional, transitory and savings provisions

## CHAPTER 2

17. Application of the 1974 Act
18. Allocation of enforcement responsibility

## CHAPTER 3

19. Application of the 1974 Act
20. Application of the 1978 Order
21. Duties on designated national authorities and Member States
22. Allocation of enforcement responsibility
23. Enforcement notice
24. (1) An enforcement notice must— (a) state that the inspector...
25. An enforcement notice may contain provision prohibiting the export of...
26. Where an enforcement notice has been served but is not...
27. (1) A person on whom an enforcement notice is served...
28. A person shall not contravene any requirement or prohibition imposed...
29. Service of enforcement notices

## CHAPTER 4

30. Exemptions
31. (1) These Regulations shall not apply to a substance or...
32. Penalties
33. Due diligence defence

## PART 4

34. Revocations and amendments
35. The 2009 Regulations are amended in accordance with the provisions...
36. The following provisions of the 2009 Regulations are revoked—
37. The enactments, or instruments made by the Scottish Parliament, specified...
38. Review  
Signature

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### SCHEDULE 1 — Biocidal products appeals

#### PART 1 — DEFINITIONS AND ARRANGEMENTS FOR AN APPEAL

1. In this Schedule— (a) “appeal” means an appeal under regulation...
2. The appropriate person must— (a) direct that an appeal shall...
3. Before the determination of an appeal, the appointed person must...
4. An appointed person may give such directions as that appointed...
5. The appropriate person may pay to an appointed person such...

#### PART 2 — APPEAL PROCEDURES

6. An appeal brought pursuant to regulation 14(1)(q) must be heard...
7. (1) Subject to the following sub-paragraphs of this paragraph, a...
8. (1) Not later than 28 days before the date of...
9. (1) The parties shall be entitled to appear at the...
10. (1) Where a government department has expressed in writing to...
11. (1) Except as otherwise provided in this Part of this...
12. (1) Where, after the close of the hearing, the appointed...
13. The appointed person must notify the determination on the appeal,...

#### SCHEDULE 2 — Transitional, transitory and savings provisions

1. In this Schedule—“COPR” means the Control of Pesticides Regulations...
2. (1) Following a decision that an unlisted active substance shall...
3. Following a decision that an unlisted active substance shall not...
4. (1) Where— (a) there is a decision referred to in...
5. (1) Where— (a) there is a decision referred to in...
6. (1) Following an application for authorisation under the Biocides Regulation...
7. Despite the revocation of the Biocidal Products Regulations 2001 by...
8. (1) Where a certificate of exemption— (a) was issued under...
9. A certificate of exemption granted pursuant to paragraph 8(2)—
10. (1) Despite the revocation of the Biocidal Products Regulations 2001,...

#### SCHEDULE 3 — Defence Exemption Certificates

1. The Secretary of State may decide that it is necessary...
2. The Secretary of State may decide to apply the exemption—...
3. A decision by the Secretary of State to apply the...
4. A certificate— (a) must contain sufficient particulars of the persons...
5. The Secretary of State may provide to a person who...
6. A person who claims the benefit of a certificate must...
7. The persons referred to in paragraph 6 are—
8. Unless the contrary is proved— (a) a certificate;
9. A person who fails to comply with paragraph 6 shall...

#### SCHEDULE 4 — Amendments to the Chemicals (Hazard Information and Packaging for Supply) Regulations 2009

##### PART 1 — References to Regulation (EU) No 649/2012

1. In paragraph (ii) of the Preamble, for “Regulation (EC) No...
  2. In regulation 3(3)(c), for “Regulation (EC) No 689/2008 of the...
- ##### PART 2 — Advertisements for dangerous preparations and penalties
3. After regulation 5 insert— Advertisements for dangerous preparations (1) Subject to paragraph (2), a person who supplies a...
  4. After regulation 14(1) insert— (1A) The maximum penalty for an...

#### SCHEDULE 5 — Consequential Amendments

##### PART 1 — ENACTMENTS

1. Wildlife and Countryside Act 1981
2. Natural Environment and Rural Communities Act 2006

##### PART 2 — SUBORDINATE LEGISLATION

3. Control of Pesticides Regulations 1986
4. African Swine Fever (England) Order 2003
5. African Swine Fever (Scotland) Order 2003
6. African Swine Fever (Wales) Order 2003
7. Diseases of Animals (Approved Disinfectants) (England) Order 2007

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8. Diseases of Animals (Approved Disinfectants) (Wales) Order 2007
9. Diseases of Animals (Approved Disinfectants) (Scotland) Order 2008
10. Health and Safety (Fees) Regulations 2012

Explanatory Note