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STATUTORY RULES OF NORTHERN IRELAND

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**2013 No. 206**

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

**PART 1**

**INTRODUCTION**

**Citation and commencement**

1. These Regulations may be cited as the Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013.

2.—(1) Except as provided by paragraphs (2) and (3) these Regulations shall come into operation on 1st September 2013.

(2) Chapter 2 of Part 3 of these Regulations shall come into operation on 1st June 2015.

(3) In so far as they apply to Chapter 2 of Part 3 of these Regulations or the CLP Regulation, regulations 4, 18 to 21 and Schedule 2 shall come into operation on 1st June 2015.

**Application within the territorial sea**

3. Within the territorial sea these Regulations shall apply only to and in relation to the premises and activities to which any of paragraphs 2 to 9 of Schedule 5 applies.

**Interpretation**

4.—(1) In these Regulations—

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978;

“the Executive” means the Health and Safety Executive for Northern Ireland;

“the 1999 Regulations” means the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999<sup>(1)</sup>;

“the 2009 Regulations” means the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009<sup>(2)</sup>;

“the Biocides Regulation” means Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products, of which Annexes I to IV are to be read as amended from time to time;

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(1) S.R. 1999 No.90, as amended by S.R.2000 No. 375, S.R. 2003 No. 33, S.R. 2006 No. 205, S.R. 2006 No. 425, S.R. 2007 No. 31, S.R. 2007 No. 291, S.R. 2009 No. 238 and S.R. 2012 No. 179

(2) S.R. 2009 No.238, as amended by S.R. 2009 No. 273, S.R. 2010 No. 160 and S.R. 2011 No. 295

“the CLP Regulation” means Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, of which Articles 6(5), 11(3), 12, 14, 18(3)(b), 23, 25 to 29, 35(2) second and third sub-paragraphs and Annexes I to VII are to be read as amended from time to time;

“the Commission” means the Commission of the European Union;

“competent authority” means the authority or authorities appointed in a Member State for the purpose of carrying out the duties of a competent authority under the Biocides Regulation or the CLP Regulation;

“the Department” means the Department of Enterprise, Trade and Investment;

“the Department concerned” has the same meaning as in Article 2(2) of the 1978 Order;

“inspector” means a person appointed under Article 21 of the 1978 Order;

“territorial sea” means the territorial sea of the United Kingdom adjacent to Northern Ireland and “within the territorial sea” includes on, over and under it;

“work” shall be construed in accordance with Article 2(4) of the 1978 Order.

(2) Expressions used in both—

- (a) Chapter 1 of Part 3 of, or Schedule 1 to, these Regulations; and
- (b) the Biocides Regulation,

have the same meaning in these Regulations as they have in the Biocides Regulation.

(3) Expressions used in both—

- (a) Chapter 2 of Part 3 of these Regulations; and
- (b) the CLP Regulation,

have the same meaning in these Regulations as they have in the CLP Regulation.

(4) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.