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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 3**

CHAPTER 1

BIOCIDAL PRODUCTS

**Allocation of enforcement responsibility**

**8.**—(1) Notwithstanding the 1999 Regulations, and subject to paragraphs (2) to (6), the enforcing authority for regulations 11 and 12(2) of these Regulations and the Biocides Regulation shall be the Executive.

(2) Where a biocidal product or treated article is placed on the market or made available on the market—

- (a) in or from any shop, mobile vehicle, market stall or other retail outlet; or
- (b) otherwise to members of the public, including by way of free sample, prize or mail order,

the enforcing authority for regulation 11 of these Regulations and for the Articles of the Biocides Regulation listed in paragraph (3) shall be the district council for the district in which the biocidal product or treated article is placed on the market or made available on the market.

(3) The Articles referred to in paragraph (2) are—

- (a) Article 17(1), in so far as it relates to making biocidal products available on the market;
- (b) Article 58(2) to (6);
- (c) Article 69(1) and (2); and
- (d) Article 95(3).

(4) The enforcing authority for Article 72 of the Biocides Regulation shall be the district council for the district in which the biocidal product is placed on the market.

(5) Subject to paragraph (6), the 1999 Regulations shall apply to the enforcement of Article 17(1) (in so far as it relates to the use of biocidal products) and Articles 17(5), 56(1) and (2) of the Biocides Regulation.

(6) The enforcing authority for Article 17(1) (in so far as it relates to the use of biocidal products) and Article 17(5) of the Biocides Regulation—

- (a) in respect of any use not related to an activity involving work; or
- (b) in respect of any use by a domestic servant in a private household,

shall be the district council for the district in which the use occurs.

**Changes to legislation:**

There are currently no known outstanding effects for the The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2013, Section 8.