STATUTORY INSTRUMENTS

1990 No. 1736

CONSUMER PROTECTION

The Child Resistant Packaging (Safety) (Amendment) Regulations 1990

Made - - - -	*21st August 1990*
Laid before Parliament	*24th August 1990*
Coming into force	*6th November 1990*

The Secretary of State in exercise of the powers conferred on him by section 11(5) of the Consumer Protection Act 1987(a), having consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations, such other persons as he considers appropriate and the Health and Safety Commission, hereby makes the following Regulations:–

1. These Regulations may be cited as the Child Resistant Packaging (Safety) (Amendment) Regulations 1990 and shall come into force on 6th November 1990.

2. The Child Resistant Packaging (Safety) Regulations 1986(b) shall have effect subject to the amendments set out in the following Regulations.

3. In regulation 2(1) the definition of BS 6652 shall be deleted.

4. In regulation 3(1) for the word and number "and (4)" there shall be substituted the following: ", (4) and (5)".

5. In regulation 3(1) for "BS 6652" there shall be substituted the following:–

"the British Standard Specification for packagings resistant to opening by children BS 6652: 1989(c) published by the British Standards Institution on 30th June 1989 subject to any further amendments made thereto and approved by the Secretary of State."

6. In regulation 3(3) the following sub-paragraph shall be substituted for sub-paragraph (b):–

"(b) which can only be opened (whether for the first time or subsequently) with the use of a tool."

7. After regulation 3(4) there shall be inserted the following paragraph:–

(a) 1987 c.43. (b) S.I. 1986/758. (c) ISBN 0580 17376 3.

"(5) Paragraph (1) does not apply in any case where the regulated product is supplied in any packaging which is identical in all material respects to packaging approved by the British Standards Institution as complying with the requirements of the British Standard Specification for packagings resistant to opening by children BS 6652: 1985 **(a)** published by the British Standards Institution on 30 September 1985 provided that the certificate denoting such approval was issued before the 6 November 1990 and remains in force."

Hesketh
Minister of State
Department of Trade and Industry

21st August 1990

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Child Resistant Packaging (Safety) Regulations 1986. The standard with which the packaging of regulated products must conform is now British Standard Specification for packagings resistant to opening by children BS 6652: 1989 (subject to any further amendments which may be made to that standard and approved by the Secretary of State) instead of British Standard Requirements and Test Procedures for packagings resistant to opening by children BS 6652: 1985. It will be sufficient for packaging to conform to the 1985 Standard if a certificate of conformity with that Standard has been issued by the British Standards Institution before these Regulations come into force and the certificate remains in force.

These Regulations also amend regulation 3(3)(b) of the 1986 Regulations by providing that the 1986 Regulations shall apply to a regulated product supplied in packaging which, although it can only be opened with a tool on the first occasion, can be opened subsequently without one.

The British Standards referred to in these Regulations may be obtained from any of the sales outlets operated by the British Standards Institution or by post from the Institution at Linford Wood, Milton Keynes, MK14 6LE.

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