1991 No. 472

HEALTH AND SAFETY

Notification of New Substances (Amendment) Regulations (Northern Ireland) 1991

Made . . . . . *23rd October 1991*

Coming into operation . . *2nd December 1991*

The Department of Agriculture, the Department of Economic Development, the Department of the Environment and the Department of Health and Social Services being Departments designated by the European Communities (Designation) (No. 3) Order 1981(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the notification and control of substances, acting jointly in exercise of the power conferred on them by the said section 2(2) and acting jointly as the Department concerned(**c**) in exercise of the powers conferred by Articles 17(1) and (2) of, and paragraph 14(1) of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**d**) and of every other power enabling them in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to them to be appropriate, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Notification of New Substances (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 2nd December 1991.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendments to the Notification of New Substances Regulations (Northern Ireland) 1985

3. The Notification of New Substances Regulations (Northern Ireland) 1985(**f**) shall be amended as provided in regulations 4 to 7.

(a) S.I. 1981/1536
(b) 1972 c. 68
(c) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(d) S.I. 1978/1039 (N.I. 9)
(e) 1954 c. 33 (N.I.)
(f) S.R. 1985 No. 63, as amended by S.R. 1986 No. 188

Interpretation

4. In regulation 2—

(*a*) for the definition of ''new substance'' in paragraph (1) there shall be substituted—

' ''new substance'' means any substance except a substance which appears in the inventory referred to in Article 13.1. of the Directive;' and

(*b*) after paragraph (2) there shall be inserted—

''(3) In these Regulations any reference to the principles of good current laboratory practice shall be construed as meaning the principles of good laboratory practice as referred to in Article 1 of Council Directive 87/18/EEC(**a**) on the application of the principles of good laboratory practice and the verification of their application for tests on chemical substances.''.

Notification of new substances

5. In regulation 4, after paragraph (1), there shall be inserted—

''(1A) The notification referred to in paragraph (1) shall be accompanied by a certificate in writing from the body which carried out the tests for the purposes of the technical dossier included in the notification stating that those tests were carried out in accordance with the principles prescribed in regulation 11(1).''.

Requirement for further testing

6. In regulation 6, after paragraph (3), there shall be inserted—

''(4) Any report made in pursuance of paragraph (1) shall be accompanied by a certificate in writing, from the body that carried out the tests referred to in the report, stating that those tests were carried out in accordance with the principles prescribed in regulation 11(1).''.

Tests under principal Regulations to conform to the principles of good current laboratory practice

7. In regulation 11, for paragraph (2), there shall be substituted—

''(2) The person having control of a laboratory in which tests are carried out for the purposes of these Regulations—

(*a*) shall ensure that those tests are carried out in accordance with the principles of good current laboratory practice; and

(*b*) where the manufacturer or importer who required the tests to be carried out so requests, shall provide him with a certificate in writing to that effect.''.

(**a**) O.J. No. L15, 7.1.87, p. 15

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 23rd October 1991.

(L.S.) *I. C. Henderson*
Assistant Secretary

Sealed with the Official Seal of the Department of Economic Development on 23rd October 1991.

(L.S.) *Suzanna Cooper*
Assistant Secretary

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 23rd October 1991.

(L.S.) *Trevor Pearson*
Assistant Secretary

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 23rd October 1991.

(L.S.) *W. F. T. Green*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Notification of New Substances Regulations (Northern Ireland) 1985 (''the principal Regulations'') to implement, as respects Northern Ireland, Council Directive No. 87/18/EEC (O.J. No. L15, 7.1.87, p. 15) on the application of the principles of good laboratory practice and the verification of their application for tests on chemical substances, in so far as it relates to the tests required to be carried out under the principal Regulations and the verification of the application for those tests (regulations 4(*b*) and 5 to 7).

The Regulations also amend the definition of a ''new substance'' in regulation 2(1) of the principal Regulations following the publication of the inventory referred to in Article 13.1 of Council Directive 79/831/EEC (O.J. No. L259, 15.10.79, p. 10) amending for the sixth time Council Directive 67/548/EEC (O.J. No. L196, 16.8.67, p. 1 (O.J./SE 1967, p. 234)) on the classification, packaging and labelling of dangerous substances and known as ''the European Inventory of Existing Commercial Chemical Substances (EINECS)'' as required by Article 1.4(a) of that Directive (regulation 4(*a*)).

The Principles of Good Laboratory Practice is obtainable from the Organisation for Economic Co-operation and Development, Chemicals Division (Environment Directorate), 2, Rue Andre-Pascal, 75775 Paris, Cedex 16, and EINECS is available from Her Majesty's Stationery Office, 80 Chichester Street, Belfast, BT1 4JY, ISBN 0 11 967896 9.