

S.I. No. 103 of 1995.

DANGEROUS SUBSTANCES (AMENDMENT), REGULATIONS, 1995.

WHEREAS, the National Authority for Occupational Safety and Health has submitted proposals to the Minister for Enterprise and Employment for the making of regulations under the Dangerous Substances Act, 1972 (No. 10 of 1972), being a relevant statutory provision within the meaning of section 2 (1) of the Safety, Health and Welfare at Work Act, 1989 (No. 7 of 1989);

NOW THEREFORE, I, EITHNE FITZGERALD, Minister of State at the Department of Enterprise and Employment, for the purpose of giving effect to those proposals, hereby, in exercise of the powers conferred on me by Sections 22 (2) of the Dangerous Substances Act, 1972 (No. 10 of 1972), the Labour (Transfer of Departmental and Ministerial Functions) Order, 1993 (S.I. No. 18 of 1993), the Industry and Commerce (Alteration of Name of Department and Title of Minister) Order, 1993 (S.I. No. 19 of 1993), and the Enterprise and Employment (Delegation of Ministerial Functions) (No. 2) Order, 1995 (S.I. No. 43 of 1995), make the following Regulations:—

1. (1) These Regulations may be cited as the Dangerous Substances (Amendment) Regulations, 1995.

(2) These Regulations shall come into operation on the 2nd day of May, 1995.

2. (1) Regulation 2 of each of the following Regulations, that is to say—

(i) The Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 (S.I. No. 311 of 1979),

(ii) the Dangerous Substances (Oil Jetties) Regulations, 1979 (S.I. No. 312 of 1979),

(iii) the Dangerous Substances (Petroleum Bulk Stores) Regulations, 1979 (S.I. No. 313 of 1979), and

(iv) the Dangerous Substances (Conveyance of Petroleum by Road) Regulations, 1979 (S.I. No. 314 of 1979),

is hereby amended by the insertion of the following definition:

"ADR Agreement' means the European Agreement concerning the international carriage of dangerous goods by road (ADR) done at Geneva on 30 September 1957, as amended and extended;"

(2) (a) The definition of "container" in regulation 2 of each of the following regulations, that is to say—

(i) the Dangerous Substances (Oil Jetties) Regulations, 1979 (S.I. No. 312 of 1979),

(ii) the Dangerous Substances (Petroleum Bulk Stores) Regulations, 1979 (S.I. No. 313 of 1979), and

(iii) the Dangerous Substances (Conveyance of Petroleum by Road) Regulations, 1979 (S.I. No. 314 of 1979),

is hereby amended by the insertion of the following paragraph after paragraph (a):

"(aa) packaging specified in Marginals 2305, 2306 and 2307 of the ADR Agreement and complying with the requirements of Appendix A.5 or Appendix A.6 to the said agreement as appropriate.", and

(b) The definition of "container" in regulation 2 of the Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 (S.I. No. 311 of 1979), is hereby amended by the insertion of the following paragraph before paragraph (d):

1Published by the United Nations in 1995 (ECE Trans/110 Volume I and Volume II).

"(cc) packaging specified in Marginals 2305, 2306 and 2307 of the ADR Agreement and complying with the requirements of Appendix A.5 or Appendix A.6 to the said agreement as appropriate, or".

GIVEN under my hand, this 28th day of April, 1995.

EITHNE FITZGERALD T.D.,

Minister of State at the Department of Enterprise and Employment.
EXPLANATORY NOTE.

These Regulations extend the definition of container used in the Dangerous Substances (Retail and Private Petroleum Stores) Regulations, 1979 (S.I. No. 311 of 1979), the Dangerous Substances (Oil Jetties) Regulations, 1979 (S.I. No. 312 of 1979), the Dangerous Substances (Petroleum Bulk Stores) Regulations, 1979 (S.I. No. 313 of 1979) and the Dangerous Substances (Conveyance of Petroleum By Road) Regulations, 1979 (S.I. No. 314 of 1979). The Regulations provide for the use of any packaging that is referred to in Marginals 2305, 2306 and 2307 of the ADR Agreement and meets the relevant requirements of Appendix A.5 or Appendix A.6 of that Agreement, as published by the UN in 1995 (ECE Trans/110 Vols. I & II).