



STATUTORY INSTRUMENTS.

S.I. No. 231 of 2021

SAFETY, HEALTH AND WELFARE AT WORK (CHEMICAL AGENTS)
(AMENDMENT) REGULATIONS 2021

SAFETY, HEALTH AND WELFARE AT WORK (CHEMICAL AGENTS)
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I, DAMIEN ENGLISH, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 58 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 519 of 2020)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) Order 2020 (S.I. No. 579 of 2020) and for the purpose of giving further effect to Council Directive 98/24/EC of 7 April 1998¹, Commission Directive 2000/39/EC of 8 June 2000², Commission Directive 2006/15/EC of 7 February 2006³, Commission Directive 2009/161/EU of 17 December 2009⁴, Commission Directive (EU) 2017/164 of 31 January 2017⁵ and Commission Directive (EU) 2019/1831 of 24 October 2019⁶, after consultation with the Health and Safety Authority, hereby make the following regulations:

1. (1) These Regulations may be cited as the Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2021.

(2) The Principal Regulations, the Regulations of 2015 and these Regulations may be cited together as the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 to 2021.

2. In these Regulations—

“Principal Regulations” means the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 (S.I. No. 619 of 2001);

“Regulations of 2015” means the Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2015 (S.I. No. 623 of 2015).

3. Regulation 2(1) (as amended by Regulation 3 of the Regulations of 2015) of the Principal Regulations is amended—

- (a) in the definition of “Code of Practice”, by substituting “section 60 of the Act of 2005” for “section 30 of the Act”, and
- (b) by substituting for the definition of “occupational exposure limit value” the following:

¹ OJ No. L 131, 5.5.1998, p. 11.

² OJ No. L 142, 16.6.2000, p. 47.

³ OJ No. L 38, 9.2.2006, p. 36.

⁴ OJ No. L 338, 19.12.2009, p. 87.

⁵ OJ No. L 27, 1.2.2017, p. 115.

⁶ OJ No. L 279, 31.10.2019, p. 31.

“‘occupational exposure limit value’ means the limit of the time-weighted average of the concentration of a chemical agent in the air within the breathing zone of a worker in relation to a specified reference period, as set by the Authority in a Code of Practice, taking into account the relevant indicative occupational exposure limit value as set down in—

- (a) Commission Directive 2000/39/EC of 8 June 2000², as amended from time to time,
- (b) Commission Directive 2006/15/EC of 7 February 2006³, as amended from time to time,
- (c) Commission Directive 2009/161/EU of 17 December 2009⁴, as amended from time to time,
- (d) Commission Directive (EU) 2017/164 of 31 January 2017⁵, as amended from time to time, and
- (e) Commission Directive (EU) 2019/1831 of 24 October 2019⁶, as amended from time to time,

and, in the case of a chemical agent for which a binding occupational exposure limit value is established in Annex I to Council Directive 98/24/EC of 7 April 1998¹ and Schedule 1, not exceeding that binding value;”.

GIVEN under my hand,
12 May 2021

DAMIEN ENGLISH,
Minister of State at the Department of Enterprise, Trade and
Employment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The purpose of these Regulations is to amend the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 to give further effect to Council Directive 98/24/EC of 7 April 1998, Commission Directive 2000/39/EC of 8 June 2000, Commission Directive 2006/15/EC of 7 February 2006, Commission Directive 2009/161/EU of 17 December 2009, Commission Directive (EU) 2017/164 of 31 January 2017 and Commission Directive (EU) 2019/1831 of 24 October 2019.

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