

Summary of other changes in the draft Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2005

1. The main change is deletion of regulation 13 in its entirety. The Joint Committee on Statutory Instruments was critical of this regulation, saying that it provided an exemption facility where one does not exist in the Directive and, therefore, should be removed.
2. The exemption that appears in regulation 13 is something of an historical anomaly from the days when CHIP also incorporated transport labelling and packaging and the latter were determined nationally. HSE had also believed that an exemption would provide a means to allow suppliers (the duty holders in this case) to bring in new classification and labelling requirements ahead of the entry into force of the revised CHIP regulations. However, we now believe that discretionary enforcement and compliance advice are sufficient. In practice, HSE has not used the exemption since 1999 (CHIP 2), and we are content to follow the instruction from the JCSI and remove the regulation.
3. An additional change is an amendment to Regulation 8A(4)(b)(v) to update the RID reference. The regulation will be amended to read:

“(v) the Regulation concerning the International Carriage of Dangerous Goods by Rail, including its Annex (“RID”), which together form Appendix C to the Convention concerning the International Carriage by Rail, as revised or reissued from time to time (“COTIF”) (footnote to be inserted ref: for COTIF)*. * For information

*** For information:**

COTIF – Convention concerning International Carriage by Rail

RID – Regulations concerning the International Carriage of Dangerous Goods by Rail. RID is a transport equivalent to CHIP and is a United Nations system.