

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4497 of 16 August, 2018

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LEGAL NOTICE NO.181 OF 2018

## FACTORIES ACT 1956

### CONTROL OF CHEMICAL AGENTS AT WORK (AMENDMENT) REGULATIONS 2018

In exercise of the powers conferred on him by section 58 of the Factories Act 1956 and of all other enabling powers, and for the purpose of transposing into the law of Gibraltar Commission Directive (EU) 2017/164 of 31 January 2017 establishing a fourth list of indicative occupational exposure limit values pursuant to Council Directive 98/24/EC, and amending Commission Directive 91/322/EEC, 2000/39/EC and 2009/161/EU, the Minister has made the following Regulations—

#### Title and commencement.

1. These Regulations may be cited as the Control of Chemical Agents at Work (Amendment) Regulations 2018 and come into operation on the day of publication.

#### Amendment of Regulations.

2.(1) In Schedule 1 to the Control of Chemical Agents at Work Regulations 2003 (“the Principal Regulations”)-

(a) after the entry-

“

200-193-3	54-11-5	Nicotine	0,5	-	-	-	Skin
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”

insert-

“

200-240-8	55-63-0	Glycerol trinitrate	0,095	0,01	0,19	0,02	Skin
200-262-8	56-23-5	Carbon tetrachloride; Tetrachlorome thane	6,4	1	32	5	Skin

”;

(b) after the entry-

“

200-467-2	60-28-7	Diethylether	308	100	616	200	-
-----------	---------	--------------	-----	-----	-----	-----	---

”

insert-

“

200-521-5	61-82-5	Amitrole	0,2	-	-	-	-
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”;

(c) after the entry-

“

200-579-1	64-18-6	Formic acid	9	5	-	-	-
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”

insert-

“

200-580-7	54-19-7	Acetic acid	25	10	50	20	-
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”;

(d) after the entry-

“

200-756-3	71-55-6	1,1,1-Trichloroethane	555	100	1110	200	-
-----------	---------	-----------------------	-----	-----	------	-----	---

”

insert-

“

200-821-6	74-90-8	Hydrogen cyanide (as cyanide)	1	0,9	5	4,5	Skin
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”;

(e) after the entry-

“

200-835-2	75-05-8	Acetonitrile	70	40	-	-	Skin
-----------	---------	--------------	----	----	---	---	------

”

insert-

“

200-838-9	75-09-2	Methylene chloride; Dichloromethane	353	100	706	200	Skin
-----------	---------	--	-----	-----	-----	-----	------

”;

(f) after the entry-

“

200-863-5	75-34-3	1,1-Dichloroethane	412	100	-	-	Skin
-----------	---------	--------------------	-----	-----	---	---	------

”

insert-

“

200-864-0	75-35-4	Vinylidene chloride; 1,1-Dichloroethylene	8	2	20	5	-
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”;

(g) after the entry-

“

200-871-9	75-45-6	Chlorodifluoromethane	3600	1000	-	-	-
-----------	---------	-----------------------	------	------	---	---	---

”

insert-

“

201-083-8	78-10-4	Tetraethyl orthosilicate	44	5	-	-	-
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”;

(h) after the entry-

“

201-176-3	79-09-4	Propionic acid	31	10	62	20	-
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”

insert-

“

201-177-9	79-10-7	Acrylic acid; Prop-2-enoic acid	29	10	59 <sup>(10)</sup>	20 <sup>(10)</sup>	-
201-188-9	79-24-3	Nitroethane	62	20	312	100	Skin
201-245-8	80-05-7	Bisphenol A; 4,4'-Isopropylidenediph enol	2 <sup>(8)</sup>	-	-	-	-

”;

(i) after the entry-

“

202-849-4	100-41-4	Ethylbenzene	442	100	884	200	Skin
-----------	----------	--------------	-----	-----	-----	-----	------

”

insert-

“

202-981-2	101-84-8	Diphenyl ether	7	1	14	2	-
203-234-3	104-76-7	2-ethylhexan-1-ol	5,4	1	-	-	-

”;

(j) after the entry-

“

203-396-5	106-24-3	p-Xylene	221	50	442	100	Skin
-----------	----------	----------	-----	----	-----	-----	------

”

insert-

“

203-400-5	106-46-7	1,4-Dichlorobenzene; <i>p</i> -Dichlorobenzene	2,5	2	-	-	-
time	107-02-8	Acrolein; Acrylaldehyde; Prop-2-enal	0,05	0,02	0,12	0,05	-

”;

(k) after the entry-

“

203-473-3	107-21-1	Ethylene glycol	52	20	104	40	Skin
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”

insert-

“

203-481-7	107-31-3	Methyl formate	125	50	250	100	Skin
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”;

(l) after the entry-

“

203-777-6	110-54-3	n-Hexane	72	20	-	-	-
-----------	----------	----------	----	----	---	---	---

”

insert-

“

203-788-6	110-65-6	But-2-yne-1,4-diol	0,5	-	-	-	-
-----------	----------	--------------------	-----	---	---	---	---

”;

(m) after the entry-

“

204-697-4	124-40-3	Dimethylamine	3,8	2	9,4	5	-
-----------	----------	---------------	-----	---	-----	---	---

”

insert-

“

204-825-9	127-18-4	Tetrachloroethylene	138	20	275	40	Skin
-----------	----------	---------------------	-----	----	-----	----	------

”;

(n) after the entry-

“

205-483-3	141-43-5	2-Aminoethanol	2,5	1	7,6	3	Skin
-----------	----------	----------------	-----	---	-----	---	------

”

insert-

“

205-500-4	141-78-6	Ethyl acetate	734	200	1468	400	-
-----------	----------	---------------	-----	-----	------	-----	---

”;

(o) after the entry-

“

205-563-8	142-82-5	n-Heptane	2085	500	-	-	-
-----------	----------	-----------	------	-----	---	---	---

”

insert-

“

205-599-4	143-33-9	Sodium cyanide (as cyanide)	1	-	5	-	Skin
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”;

(p) after the entry-

“

205-634-3	144-62-7	Oxalic acid	1	-	-	-	-
-----------	----------	-------------	---	---	---	---	---

”

insert-

“

205-792-3	151-50-8	Potassium cyanide (as cyanide)	1	-	5	-	Skin
-----------	----------	-----------------------------------	---	---	---	---	------

”;

(q) after the entry-

“

206-992-3	420-04-2	Cyanamide	1	0,58	-	-	Skin
-----------	----------	-----------	---	------	---	---	------

”

insert-

“

207-069-8	431-03-8	Diacetyl; Butanedione	0,07	0,02	0,36	0,1	-
-----------	----------	--------------------------	------	------	------	-----	---

”;

(r) after the entry-

“

	625-16-1	Amylacetate, tert	270	50	540	100	-
--	----------	-------------------	-----	----	-----	-----	---

”

insert-

“

211-128-3	630-08-0	Carbon monoxide	23	20	117	100	-
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”;

(s) after the entry-

“

-	872-50-4	n-Methyl-2- pyrrolidone	40	10	80	20	Skin
---	----------	----------------------------	----	----	----	----	------

”

insert-

“

215-137-3	1305-62-0	Calcium dihydroxide	1 <sup>(9)</sup>	-	4 <sup>(9)</sup>	-	-
215-138-9	1305-78-8	Calcium oxide	1 <sup>(9)</sup>	-	4 <sup>(9)</sup>	-	-

”;

(t) after the entry-

“

231-131-3		Silver (soluble compounds as Ag)	0,01	-	-	-	-
		Barium (soluble	0,5	-	-	-	-

		compounds as Ba)						
		Chromium Metal, Inorganic Chromium (II) Compounds and Inorganic Chromium (III) Compounds (Insoluble)	2	-	-	-	-	-
231-484-3	7580-67-8	Lithium hydride	-	-	0,02 <sup>(s)</sup>	-	-	-

”

insert-

“

231-195-2	7446-09-5	Sulphur dioxide	1,3	0,5	2,7	1	-	-
-----------	-----------	-----------------	-----	-----	-----	---	---	---

”

;

(u) after the entry-

“

233-113-0	10035-10-6	Hydrogen bromide	-	-	6,7	2	-	-
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”

insert-

“

233-271-0	10102-43-9	Nitrogen monoxide	2,5	2	-	-	-	-
233-272-6	10102-44-0	Nitrogen dioxide	0,96	0,5	1,91	1	-	-

”

;

(v) after the entry-

“

252-104-2	34590-94-8	(2-Methoxymethylethoxy)-propanol	308	50	-	-	Skin	-
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”

insert-

“

262-967-7	61788-32-7	Terphenyl, hydrogenated	19	2	48	5	-	-
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”

;

(w) after the entry-

“

-	-	Mercury and divalent inorganic mercury compounds including mercuric oxide and mercuric chloride (measured as mercury) <sup>(11)</sup>	0,02	-	-	-	-
---	---	---	------	---	---	---	---

”

insert-

“

-	-	Manganese and inorganic manganese compounds (as manganese)	25	10	50	20	-
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”

(2) Schedule 1 to the Principal Regulations is amended by deleting the following entries in their entirety-

(a)

“

2 005 807	64-19-7	Acetic acid	25	10	-	-	-
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”;

(b)

“

2 151 373	1305-62-0	Calcium dihydroxide <sup>(8)</sup>	5	-	-	-	-
-----------	-----------	------------------------------------	---	---	---	---	---

”;

(c)

“

2 314 843	7580-67-8	Lithium hydride	0,025	-	-	-	-
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”;

(d)

“

2 332 710	10102-43-9	Nitrogen monoxide	30	25	-	-	-
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”;

(e)

“

203-400-5	106-46-7	1,4-Dichlorobenzene	122	20	306	50	-
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”;

(f)

“

	80-05-7	Bisphenol A (inhalable dust)	10	-	-	-	-
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”

**Transitional Period.**

3.(1) This Regulation applies to underground mining and tunnelling.

(2) A person to whom this Regulation applies is exempt from complying with obligations as regards the limit values for nitrogen monoxide, nitrogen dioxide and carbon monoxide until 21 August 2023.

(3) During the transitional period referred to in sub regulation 2, the following values may continue to be applied, instead of applying the limit values set by these Regulations:

- (a) in respect of nitrogen monoxide: the existing limit values established in accordance with the Annex to Directive 91/322/EEC;
- (b) in respect of nitrogen dioxide and carbon monoxide: national limit values in force on 1 February 2017.

Dated 16th August, 2018.

G H LICUDI QC,  
Minister with responsibility for Employment.

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**EXPLANATORY MEMORANDUM**

These Regulations incorporate the fourth list of indicative occupational exposure limit values as required by Commission Directive 2017/164/EU.

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