



STATUTORY INSTRUMENTS.

S.I. No. 147 of 2020



DANGEROUS SUBSTANCES ACT 1972 (PART IV DECLARATION)
ORDER 2020

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I, PAT BREEN, Minister of State at the Department of Business, Enterprise and Innovation, in exercise of the powers conferred on me by section 24 of the Dangerous Substances Act 1972 (No. 10 of 1972) and the Labour (Transfer of Departmental and Ministerial Functions) Order 1993 (S.I. No. 18 of 1993) (as adapted by the Jobs, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 364 of 2017)) and the Business, Enterprise and Innovation (Delegation of Ministerial Functions) Order 2017 (S.I. No. 569 of 2017), having formed the opinion that flammable liquids constitute a potential source of danger to person or property, hereby make the following order:

1. This Order may be cited as the Dangerous Substances Act 1972 (Part IV Declaration) Order 2020.

2. In this Order “flammable liquid” (and the categories thereof) means flammable liquid as defined and classified by criteria set out in Table 2.6.1 in Annex I to Regulation (EC) No. 1272 of 2008 of the European Parliament and of the Council of 16 December 2008¹, which table is set out below:

Table 2.6.1

Criteria for flammable liquids

Category	Criteria
1	Flash point < 23°C and initial boiling point ≤ 35°C
2	Flash point < 23°C and initial boiling point > 35°C
3	Flash point ≥ 23°C and ≤ 60°C*

* For the purpose of the Regulation gas oils, diesel and light heating oils having a flash point between ≥ 55°C and ≤ 75°C may be regarded as Category 3.

3. Flammable liquids are declared to be a dangerous substance for the purpose of Part IV of the Dangerous Substances Act 1972 (No. 10 of 1972).

¹ OJ No. L 353, 31.12.2008, p. 1.

GIVEN under my hand,
23 April 2020

PAT BREEN,
Minister of State at the Department of Business, Enterprise and Innovation

EXPLANATORY NOTE

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

The purpose of this Order is to declare flammable liquids to be a dangerous substance for the purpose of Part IV of the Dangerous Substances Act 1972.

This Order may be cited as the Dangerous Substances Act 1972 (Part IV Declaration) Order 2020.

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PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2,
D02 DR67.

Tel: 076 110 6834
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