



STATUTORY INSTRUMENTS.

S.I. No. 127 of 2026

SAFETY, HEALTH AND WELFARE AT WORK (CHEMICAL AGENTS)
(AMENDMENT) REGULATIONS 2026

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I, ALAN DILLON, Minister of State at the Department of Enterprise, Tourism 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, Tourism and Employment (Delegation of Ministerial Functions) Order 2025 (S.I. No. 240/2025)), and for the purpose of giving effect to Directive (EU) 2024/869 of the European Parliament and of the Council¹ amending Directive 2004/37/EC of the European Parliament and of the Council² and Council Directive 98/24/EEC³, as regards the limit values for lead and its inorganic compounds and for diisocyanates, and after consultation with the Health and Safety Authority, hereby make the following regulations:

1. These Regulations may be cited as the Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2026.

2. The Principal Regulations, the Regulations of 2015, the Regulations of 2021 and these Regulations may be cited together as the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 to 2026.

3. These Regulations come into operation on 09 April 2026.

4. In these Regulations—

- (a) “Principal Regulations” means the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 (S.I. No. 619/2001)
- (b) “Regulations of 2015” means the Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2015 (S.I. No. 623/2015)
- (c) “Regulations of 2021” means the Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations of 2021 (S.I. No. 231/2021).

¹ OJ L, 2024/869, 19.3.2024

² OJ No. L 158, 30.4.2004, p.50

³ OJ No. L 131, 5.5.1998, p.11

5. Regulation 2 of the Principal Regulations (as amended by Regulation 3 (b) of the 2021 Regulations) is amended as follows:

- (a) by the substitution of the following for the definition of “occupational exposure limit value”:

“occupational exposure limit value” means, unless otherwise specified, 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 out 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 2000^{4a}, as amended from time to time,
- (b) Commission Directive 2006/15/EC of 7 February 2006^{4b}, as amended from time to time,
- (c) Commission Directive 2009/161/EU of 17 December 2009^{4c}, as amended from time to time,
- (d) Commission Directive (EU) 2017/164 of 31 January 2017^{4d}, as amended from time to time,
- (e) Commission Directive (EU) 2019/1831 of 24 October 2019^{4e}, as amended from time to time, and
- (f) Commission Directive (EU) 2024/869 of 13 March 2024^{4f}, as amended from time to time.’

and by the introduction of the following footnotes thereto:

- ‘4a OJ No. L 158, 30.4.2004, p. 50.
- 4b OJ No. L 65, 5.3.2014, p. 1.
- 4c OJ No. L 345, 27.12.2017, p. 87.
- 4d OJ No. L 30, 31.1.2019, p. 112.
- 4e OJ No. L 164, 20.6.2019, p. 23.
- 4f OJ No. L 869, 19.3.2024.’

- (b) by the substitution of the following for the definition of “Code of Practice”:

“Code of Practice” means, for the purposes of these Regulations, a code of practice prepared and published under section 60 of the Act of 2005, including part of such code, and refers to the latest edition published;’

6. Regulation 4 of the Principal Regulations (as amended by regulation 5 of the Regulations of 2015) is amended in paragraph (1) by the substitution of the following for subparagraph (b):

‘(b) information on safety and health that shall be provided by the supplier and which shall include the relevant safety data sheet provided in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006^{10a}, referred to in Article 4 (2) of the Directive and any additional information as may reasonably be required to complete the assessment or from other readily available sources,’

and by the introduction of the following footnote thereto:

‘10a OJ No. L396, 30.12.2006, p.1.’

7. Regulation 10 of the Principal Regulations is amended by the substitution of the following for paragraph (3):

‘(3) Health surveillance shall be mandatory for employees when a biological limit value for hazardous chemical agent is listed in a Code of Practice and it shall be the duty of the employer to ensure that employees are informed of this requirement before being assigned to a task involving risk of exposure to a hazardous chemical agent for which a biological limit value is listed.’

8. Schedule 1 of the Principal Regulations is removed.

9. Schedule 2 of the Principal Regulations, as amended by the Regulations of 2015, is removed.

GIVEN under my hand,
31 March, 2026.

ALAN DILLON,
Minister of State at the Department of Enterprise,
Tourism and Employment.

EXPLANATORY NOTE

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

Directive (EU) 2024/869 of the European Parliament and of the Council introduces amendments to Directive 98/24/EC and Directive 2004/37/EC as regards the limit values for lead and inorganic compounds and for diisocyanates.

Lead and its inorganic compounds are key occupational reprotoxic substances that can cause adverse effects on both fertility and the development of the foetus. Although Directive 2004/37/EC introduced stricter requirements in regard to the regulation of reprotoxins to those previously regulated under Directive 98/24/EC (the Chemical Agents Directive), Directive (EU) 2024/869 reduced both the biological and occupational exposure limit values for lead and its inorganic compounds in order to improve the protection of workers exposed to a potential health risk.

Diisocyanates are skin and respiratory sensitisers (asthmagens) that can have harmful respiratory health effects such as occupational asthma, isocyanate sensitisation and bronchial hyper-responsiveness, as well as dermal occupational disease. A limit value for diisocyanates is established by Directive (EU) 2024/869.

These Regulations, together with changes to the Code of Practice, are necessary to enable national effect to be given to the provisions of Directive (EU) 2024/869.

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