
STATUTORY INSTRUMENTS

2005 No. 1643

The Control of Noise at Work Regulations 2005

Exemption certificates from hearing protection

11.—(1) Subject to paragraph (2), the Executive may, by a certificate in writing, exempt any person or class of persons from the provisions of regulation 6(4) and regulation 7(1) and (2) where because of the nature of the work the full and proper use of personal hearing protectors would be likely to cause greater risk to health or safety than not using such protectors, and any such exemption may be granted subject to conditions and to a limit of time and may be revoked by a certificate in writing at any time.

(2) The Executive shall not grant such an exemption unless—

- (a) it consults the employers and the employees or their representatives concerned;
- (b) it consults such other persons as it considers appropriate;
- (c) the resulting risks are reduced to as low a level as is reasonably practicable; and
- (d) the employees concerned are subject to increased health surveillance.