

1989 No. 1141

HEALTH AND SAFETY

**The Health and Safety (Miscellaneous
Modifications) Regulations 1989**

<i>Made</i> - - - -	<i>6th July 1989</i>
<i>Laid before Parliament</i>	<i>20th July 1989</i>
<i>Coming into force</i>	<i>11th August 1989</i>

The Secretary of State, in exercise of the powers conferred on him by section 15(1) and (3)(a) of the Health and Safety at Work etc. Act 1974^(a) ("the 1974 Act") and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Health and Safety (Miscellaneous Modifications) Regulations 1989 and shall come into force on 11th August 1989.

Modifications

2. The Regulations specified in the Schedule to these Regulations shall be modified to the extent specified in that Schedule.

Signed by order of the Secretary of State.

6th July 1989

Patrick Nicholls
Parliamentary Under Secretary of State,
Department of Employment.

^(a) 1974 c. 37; sections 15 and 50 were amended by the Employment Protection Act 1975 (c.71), Schedule 15, paragraphs 6 and 16 respectively.

THE SCHEDULE
MODIFICATIONS

Regulation 2

1. The Operations at Unfenced Machinery Regulations 1938(a) shall be modified as follows:
 - (a) in regulation 10 (which relates to the mounting or shipping of belts), for the words " or secured by a method approved for the purposes of these regulations by certificate of the Chief Inspector of Factories " substitute " or it is safely secured "; and
 - (b) in regulation 14 (which relates to the revocation of certificates), the words " regulation 10 or " shall be deleted.
2. Regulation 27(2) of the Jute (Safety, Health and Welfare) Regulations 1948(b) (which relates to the construction and guarding of new machinery) shall be modified by deleting the words " ; and for the purposes of that Schedule " approved " means approved for the time being by certificate of the Chief Inspector of Factories ".
3. The First Schedule to the Jute (Safety, Health and Welfare) Regulations 1948 (which relates to requirements as to construction and safeguarding of machines) shall be modified as follows:
 - (a) in the Second Column, in sub-paragraph (b) of the requirements for opening machines, for the words "An automatic safety stopping device of an approved type" substitute "An effective automatic safety stopping device";
 - (b) in the Second Column, in sub-paragraph (a) of the requirements for softening machines, for the words "A safety stopping device of an approved type" substitute "An effective safety stopping device"; and
 - (c) in the Second Column, in sub-paragraph (b) of the requirements for roving frames, for the words "a device of an approved type" substitute "an effective device".
4. Regulation 44(2) of the Shipbuilding and Ship-Repairing Regulations 1960(c) (which relates to knotted chains, etc.) shall be modified by deleting—
 - (a) the colon after the word " used "; and
 - (b) the words " Provided that this does not exclude the use of a chain bolted or jointed to another chain by an approved and properly constructed attachment ".
5. Regulation 47 of the Construction (Lifting Operations) Regulations 1961(d) (which relates to carrying persons by means of lifting appliances) shall be modified as follows:
 - (a) in regulation 47(1)(c), for the words " on an approved suspended scaffold " substitute " on a suspended scaffold which is of good construction, sound material, adequate strength and properly maintained "; and
 - (b) in regulation 47(2)(a), for the words " an approved suspended scaffold " substitute " a suspended scaffold which complies with the requirements of paragraph (1)(c) of this Regulation ".

(a) S.R. & O. 1938/641, to which there are amendments not relevant to these Regulations.

(b) S.I. 1948/1696.

(c) S.I. 1960/1932, to which there are amendments not relevant to these Regulations.

(d) S.I. 1961/1581, to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations modify—

- (a) regulation 10 of the Operations at Unfenced Machinery Regulations 1938 (S.R. & O. 1938/641) by substituting a requirement that the joints on certain belts be safely secured for a requirement that they be secured by an approved method;
- (b) the First Schedule to the Jute (Safety, Health and Welfare) Regulations 1948 (S.I. 1948/1696) by substituting requirements that certain safety stopping devices be effective for requirements that they be of an approved type;
- (c) regulation 44(2) of the Shipbuilding and Ship-Repairing Regulations 1960 (S.I. 1960/1932) by revoking the exception to the prohibition on the use of chains joined to other chains by means of bolts and nuts; and
- (d) regulations 47(1)(a) and 47(2)(a) of the Construction (Lifting Operations) Regulations 1961 (S.I. 1961/1581) by substituting requirements that certain suspended scaffolds be of good construction, sound material, adequate strength and properly maintained for requirements that they be approved.

These Regulations also make consequential amendments to regulation 14 of the Operations at Unfenced Machinery Regulations 1938 and regulation 27(2) of the Jute (Safety, Health and Welfare) Regulations 1948.