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STATUTORY INSTRUMENTS

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**1999 No. 1749**

**The Scotland Act 1998 (Modifications  
of Schedules 4 and 5) Order 1999**

**Health and safety at work**

**6.—(1)** In Part II of Schedule 5 to the Act, in Section H2, for the words from “the following” to “not reserved” there is substituted

“Part I of the Health and Safety at Work etc. Act 1974<sup>(1)</sup>

The Health and Safety Commission, the Health and Safety Executive and the Employment Medical Advisory Service.

**Interpretation**

For the purposes of the reservation of the subject-matter of Part I of the Health and Safety at Work etc. Act 1974—

- (a) “work” and “at work” in that Part are to be taken to have the meaning they have on the principal appointed day;
- (b) that subject-matter includes—
  - (i) process fire precautions;
  - (ii) fire precautions in relation to petroleum and petroleum spirit;
  - (iii) fire safety on construction sites, ships and hovercraft, in mines and on offshore installations; and
  - (iv) fire safety on any other premises which, on the principal appointed day, are of a description specified in Part I of Schedule 1 to the Fire Certificates (Special Premises) Regulations 1976<sup>(2)</sup>but does not include any other aspect of fire safety.”.

(2) In section 13 of the Health and Safety at Work etc. Act 1974 (other powers of the Health and Safety Commission), any reference in subsection (1)(b) or (2) to a Minister of the Crown (other than the reference in subsection (1)(b) to the Secretary of State) includes the Scottish Ministers.

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(1) 1974 c. 37.  
(2) S.I.1976/2003.