
STATUTORY INSTRUMENTS

1999 No. 860

The Police (Health and Safety) Regulations 1999

Citation and commencement

1. These Regulations may be cited as the Police (Health and Safety) Regulations 1999 and shall come into force on 14th April 1999.

Amendment to the meaning of “employee” and “at work” in regulations made under Part I of the Health and Safety at Work etc. Act 1974

2. For the purposes of regulations made under Part I of the 1974 Act before the coming into force of the Police (Health and Safety) Act 1997—

- (a) a person who, otherwise than under a contract of employment, holds the office of constable or an appointment as police cadet shall be treated as an employee of the relevant officer referred to in section 51A of the 1974 Act; and
- (b) a person holding the office of constable shall be treated as at work throughout the time when he is on duty but not otherwise,

and any reference to an “employee” and “at work” in those regulations shall have effect accordingly.

Amendments to the Safety Representatives and Safety Committees Regulations 1977

3.—(1) The Safety Representatives and Safety Committees Regulations 1977(1) shall be amended in accordance with paragraphs (2) to (6) of this regulation.

(2) In paragraph (1) of regulation 2, in the definition of “recognised trade union”, before the words “means an independent trade union” the words “subject to regulation 2A” shall be inserted.

(3) After regulation 2, the following regulation shall be inserted—

“Bodies to be treated as recognised trade unions

2A. In relation to each of the undertakings listed in column 1 of Schedule 1, each of the bodies specified in the corresponding entries in column 2 shall be treated as a recognised trade union, recognised by the person specified in the corresponding entry in column 3.”

(4) In paragraph (2) of regulation 4, the words “Schedule 2” shall be substituted for the words “the Schedule”.

(5) There shall be inserted as Schedule 1 the contents of the Schedule to these Regulations.

(6) The Schedule shall be numbered Schedule 2.

Amendments to the Personal Protective Equipment at Work Regulations 1992

4.—(1) The Personal Protective Equipment at Work Regulations 1992(2) shall be amended in accordance with paragraphs (2) and (3) of this regulation.

(2) In paragraph (1) of regulation 4, before the words “Every employer”, there shall be inserted the words “Subject to paragraph (1A),”.

(3) After paragraph (1), there shall be added the following paragraph—

“(1A) Where the characteristics of any policing activity are such that compliance by the relevant officer with the requirement in paragraph (1) would lead to an inevitable conflict with the exercise of police powers or performance of police duties, that requirement shall be complied with so far as is reasonably practicable.”.

Amendment to the Provision and Use of Work Equipment Regulations 1998

5.—(1) For paragraph (4) of regulation 4 of the Provision and Use of Work Equipment Regulations 1998(3) there shall be substituted the following paragraph—

“(4) In this regulation “suitable”—

- (a) subject to sub-paragraph (b), means suitable in any respect which it is reasonably foreseeable will affect the health or safety of any person;
- (b) in relation to—
 - (i) an offensive weapon within the meaning of section 1(4) of the Prevention of Crime Act 1953(4) provided for use as self-defence or as deterrent equipment; and
 - (ii) work equipment provided for use for arrest or restraint, by a person who holds the office of constable or an appointment as police cadet, means suitable in any respect which it is reasonably foreseeable will affect the health or safety of such person.”.

Signed by authority of the Secretary of State

Alan Meale
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

17th March 1999

(2) S.I. 1992/2966, amended by S.I. 1994/3017, 1994/3246.

(3) S.I. 1998/2306.

(4) 1953 c. 14. Section 1(4) was amended by the Public Order Act 1986 (c. 64), section 40(2) and Schedule 2, paragraph 2.