

SCHEDULE

Article 2

Consequential amendments to regulations made under section 15 of the Health and Safety at Work etc. Act 1974

Health and Safety (First-Aid) Regulations 1981

1. For regulation 5 of the Health and Safety (First-Aid) Regulations 1981⁽¹⁾ (duty of self-employed person to provide first-aid equipment) substitute—

“Duty of relevant self-employed person to provide first-aid equipment

5.—(1) A relevant self-employed person must provide, or ensure that there is provided, such equipment, if any, as is adequate and appropriate in the circumstances to enable that person to render first-aid to himself or herself while at work.

(2) For the purpose of this regulation “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974⁽²⁾.”.

Personal Protective Equipment at Work Regulations 1992

2.—(1) The Personal Protective Equipment at Work Regulations 1992⁽³⁾ are amended as follows.

(2) For “self-employed person” substitute “relevant self-employed person” in each place occurring.

(3) For regulation 2(1) (interpretation) substitute—

“(1) In these Regulations—

(a) unless the context otherwise requires, “personal protective equipment” means all equipment (including clothing affording protection against the weather) which is intended to be worn or held by a person at work and which protects the person against one or more risks to that person’s health or safety, and any addition or accessory designed to meet that objective; and

(b) “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.”.

(4) In the full-out words in regulation 6(3), for “the relevant” substitute “that”.

Manual Handling Operations Regulations 1992

3. In regulation 2 of the Manual Handling Operations Regulations 1992⁽⁴⁾ (interpretation)—

(a) in paragraph (2) for “self-employed person” insert “relevant self-employed person”; and

(b) after paragraph (2) insert—

“(3) For the purposes of paragraph (2) “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.”.

(1) [S.I. 1981/917](#); to which there are amendments not relevant to this Order.

(2) Section 3(2) of the Health and Safety at Work etc. Act [1974 \(c.37\)](#) was amended by section 1 of the Deregulation Act 2015. The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 ([S.I. 2015/1583](#)) prescribe descriptions of undertakings for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974 (as amended).

(3) [S.I. 1992/2966](#); amended by [S.I. 2002/2174](#); there are other amending instruments but none is relevant.

(4) [S.I. 1992/2793](#); to which there are amendments not relevant to this Order.

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Provision and Use of Work Equipment Regulations 1998

4. In regulation 3 of the Provision and Use of Work Equipment Regulations 1998⁽⁵⁾ (application)

- (a) in paragraph (3)(a) for “self-employed person” substitute “relevant self-employed person”; and
- (b) in paragraph (11) after the definition of “merchant shipping requirements” insert—
““relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the 1974 Act;”.

Lifting Operations and Lifting Equipment Regulations 1998

5. In regulation 3 of the Lifting Operations and Lifting Equipment Regulations 1998⁽⁶⁾ (application)—

- (a) in paragraph (3)(a) for “self-employed person” substitute “relevant self-employed person”;
- (b) In paragraph (11) after the definition of “merchant shipping requirements” insert—
““relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the 1974 Act;”.

Management of Health and Safety at Work Regulations 1999

6. In regulation 3 of the Management of Health and Safety at Work Regulations 1999⁽⁷⁾ (risk assessment)—

- (a) in paragraph (2) for “self-employed person” substitute “relevant self-employed person”;
- (b) in paragraph (3) for “self-employed person”, in both places it appears, substitute “relevant self-employed person” and
- (c) after paragraph (3) insert—
“(3A) In this regulation “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.”.

Control of Substances Hazardous to Health Regulations 2002

7.—(1) The Control of Substances Hazardous to Health Regulations 2002⁽⁸⁾ are amended as follows.

(2) In regulation 3 (duties under these Regulations)—

- (a) in paragraph (2) for “self-employed person” substitute “relevant self-employed person” in each place occurring;
- (b) after paragraph (2) insert—
“(2A) For the purposes of this regulation “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the 1974 Act.”.

(5) [S.I. 1998/2306](#); to which there are amendments not relevant to this Order.

(6) [S.I. 1998/2307](#); to which there are amendments not relevant to this Order.

(7) [S.I. 1999/3242](#); to which there are amendments not relevant to this Order.

(8) [S.I. 2002/2677](#); to which there are amendments not relevant to this Order.

- (3) In regulation 20 (modification of section 3(2) of the 1974 Act)—
- (a) after “self-employed person” insert “who conducts an undertaking of a prescribed description”;
 - (b) for “his undertaking” substitute “the undertaking”.

Work at Height Regulations 2005

8. In regulation 3 of the Work at Height Regulations 2005⁽⁹⁾ (application)—
- (a) in paragraph (3)(a) for “self-employed person” substitute “relevant self-employed person”; and
 - (b) in paragraph (3)(b) after “self-employed person” insert “or relevant self-employed person”; and
 - (c) before paragraph (6)(c) insert—
 - “(ba) “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the 1974 Act;”.

Control of Vibration at Work Regulations 2005

9. In regulation 3 of the Control of Vibration at Work Regulations 2005⁽¹⁰⁾ (application and transitional provisions)—
- (a) in paragraph (5) for “self-employed person” substitute “relevant self-employed person” in each place occurring;
 - (b) after paragraph (5) insert—
 - “(5A) For the purposes of this regulation, “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.”.

Control of Noise at Work Regulations 2005

10. In regulation 3 of the Control of Noise at Work Regulations 2005⁽¹¹⁾ (application)—
- (a) in paragraph (3) for “self-employed person” substitute “relevant self-employed person” in each place occurring;
 - (b) after paragraph (3) insert—
 - “(3A) For the purposes of this regulation, “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.”.

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

11. In regulation 3 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013⁽¹²⁾ (responsible person)—
- (a) in paragraph (1)(b)(ii) for “self-employed person” in the first place in which it occurs substitute “relevant self-employed person”;
 - (b) after paragraph (2) insert—

(9) [S.I. 2005/735](#); to which there are amendments not relevant to this Order.

(10) [S.I. 2005/1093](#); to which there are amendments not relevant to this Order.

(11) [S.I. 2005/1643](#); to which there are amendments not relevant to this Order.

(12) [S.I. 2013/1471](#); to which there are amendments not relevant to this Order.

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“(3) For the purposes of this regulation, “relevant self-employed person” means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the 1974 Act.”.

Genetically Modified Organisms (Contained Use) Regulations 2014

12. In regulation 4 of the Genetically Modified Organisms (Contained Use) Regulations 2014⁽¹³⁾ (meaning of “work” and “at work” and modification of the 1974 Act)—

- (a) in paragraph (3)(a) after “self-employed person” insert “who conducts an undertaking of a prescribed description”;
- (b) in sub-paragraph (b) for “that person’s undertaking” substitute “the undertaking”.

⁽¹³⁾ S.I. 2014/1663.