
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations implement as respects Northern Ireland Council Directive [2002/44/EC](#) (O.J. No. L177, 6.7.2002, p. 13) on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive [89/391/EEC](#)). The Regulations impose duties on employers to protect employees who may be exposed to risk from exposure to vibration at work, and other persons who might be affected by the work, whether they are at work or not.

2. The Regulations apply to both hand-arm and whole-body vibration. They make provision for—

- (a) action values and limit values for daily exposure to vibration (regulation 4);
- (b) risk assessment (regulation 5);
- (c) elimination or, where elimination is not reasonably practicable, reduction of exposure to vibration to as low a level as is reasonably practicable (regulation 6(1));
- (d) a programme of measures to be taken at the action values to reduce exposure to vibration as low as reasonably practicable (regulation 6(2));
- (e) actions to be taken at the limit values and prohibition on exceeding the limit values (regulation 6(4));
- (f) weekly averaging of exposure to vibration in specified circumstances (regulation 6(5));
- (g) health surveillance (regulation 7); and
- (h) information, instruction and training (regulation 8).

3. There are transitional periods for the commencement of the operation of regulation 6(4) concerning limit values. In the case of work equipment first provided before 6th July 2007 commencement is postponed for all vibration until 6th July 2010 (regulation 3(2)), and for whole-body vibration in the agriculture and forestry sectors only until 6th July 2014 (regulation 3(3)).

4. The Regulations give powers to the Health and Safety Executive for Northern Ireland to grant exemptions from regulation 6(4) on limit values in respect of the activities of emergency services (regulation 9) and in respect of whole-body vibration in the case of air transport (regulation 10), and to the Secretary of State for Defence in respect of activities carried out in the interests of national security (regulation 11).

5. The Regulations amend—

- (a) the Offshore Installations and Wells (Design and Construction etc.) Regulations (Northern Ireland) 1996 ([S.R. 1996 No. 228](#)) by removing paragraph 67 of Schedule 1, which concerns measures to prevent or control exposure to risk from vibration of plant; and
- (b) the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999 ([S.R. 1999 No. 305](#)) by adding these Regulations to the list in regulation 12(5) of those Regulations of rules whose application excludes the application of regulation 12(1) to (4) of those Regulations.

6. Copies of British Standard BS EN ISO 5349-1:2001, relating to measurement and evaluation of human exposure to hand-transmitted mechanical vibration, referred to in Schedule 1, and International Standard ISO 2631-1:1997, relating to measurement and evaluation of human exposure

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

to whole-body mechanical vibration and shock, referred to in Schedule 2, are obtainable from British Standards Institution, BSI House, 389 Chiswick High Road, London W4 4AL.

7. In Great Britain the corresponding Regulations are the Control of Vibration at Work Regulations 2005 (S.I.2005/1093). The Great Britain Health and Safety Executive has prepared a regulatory impact assessment in respect of those Regulations and a copy of that assessment together with a Northern Ireland supplement prepared by the Health and Safety Executive for Northern Ireland, are held at the offices of that Executive at 83 Ladas drive, Belfast, BT6 9FR from where copies may be obtained. A copy of the Transposition Note in relation to the implementation of Council Directive 2002/44/EC can be obtained from the Health and Safety Executive, International Branch, Rose Court, 2 Southwark Bridge, London SE1 9HS.