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 STATUTORY INSTRUMENTS
 

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1976 No. 955

## HEALTH AND SAFETY

## FACTORIES

**The Operations at Unfenced Machinery (Amendment)  
Regulations 1976**

<i>Made - - - -</i>	<i>17th June 1976</i>
<i>Laid before Parliament</i>	<i>28th June 1976</i>
<i>Coming into Operation</i>	<i>1st August 1976</i>

The Secretary of State in exercise of the powers conferred on him by sections 15(1), (3)(a) and (4)(a) and 49(1) of the Health and Safety at Work etc. Act 1974(a) 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 that 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, commencement and interpretation*

1.—(1) These Regulations may be cited as the Operations at Unfenced Machinery (Amendment) Regulations 1976 and shall come into operation on 1st August 1976; and these Regulations, the Operations at Unfenced Machinery Regulations 1938(b) and the Operations at Unfenced Machinery (Amended Schedule) Regulations 1946(c) may be cited together as the Operations at Unfenced Machinery Regulations 1938 to 1976.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament, and as if these Regulations and the Order hereby revoked were Acts of Parliament.

*Amendments to the Operations at Unfenced Machinery Regulations 1938*

2. The Operations at Unfenced Machinery Regulations 1938, as amended(e), shall have effect subject to the following amendments:—

- (a) in Regulations 1, 2, 3, 5 and 9, the references to a male person, wherever they occur, shall have effect as if they were references to a person, whether male or female;

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(a) 1974 c. 37.

(b) S.R. & O. 1938/641 (Rev. VII, p. 125; 1938 I, p. 1224).

(c) S.R. & O. 1946/156 (1946 I, p. 494).

(d) 1889 c. 63.

(e) The amendment does not relate expressly to the subject-matter of these regulations.

(b) for Regulation 4 there shall be substituted the following Regulation:—

“4.—(1) Every such machinery attendant shall be instructed as to the requirements of these Regulations and supplied with a copy of the precautionary leaflet approved in writing for the time being for the purposes of these Regulations by the Health and Safety Commission.

(2) During the period of 2 months after the Commission has approved and published a leaflet under paragraph (1) above, it shall be a sufficient compliance with the requirement to supply such a leaflet if the attendant has been supplied with a copy of the leaflet previously so approved or in the case of the first such approval with a copy of the leaflet prescribed under the Unfenced Machinery (Prescribed Leaflet) Order 1967. (a)”

(c) in Regulation 10(i), for “6 inches” there shall be substituted “150 millimetres”.

*Revocation*

3. The Unfenced Machinery (Prescribed Leaflet) Order 1967 is hereby revoked.

Signed by order of the Secretary of State.  
17th June 1976.

*John Grant,*  
Joint Parliamentary Under Secretary of State,  
Department of Employment.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Operations at Unfenced Machinery Regulations 1938 so as to enable women to carry out certain operations on unfenced machinery which hitherto could only be carried out by men.

The Regulations of 1938 require a precautionary leaflet in a form prescribed by the Secretary of State to be supplied to persons carrying out such operations; these Regulations amend that provision so as to provide for the leaflet to be approved by the Health and Safety Commission. The Unfenced Machinery (Prescribed Leaflet) Order 1967 is revoked.

The Regulations also substitute a metric unit for an imperial one in the 1938 Regulations.

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(a) S.I. 1967/1183 (1967 II, p. 3478).



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