

SCHEDULE

PART IV OF THE PRINCIPAL REGULATIONS AS AMENDED

PART IV

ENFORCEMENT AND OFFENCES

Disapplication of the 1974 Act

9.—(1) For the purposes of sections 16 to 24, 26, 28, 33 to 40, 42, 46 and 47 of the 1974 Act, the provisions of the workplace fire precautions legislation shall be deemed (to the extent they would otherwise be so regarded) not to be provisions of health and safety regulations or provisions forming part of the relevant statutory provisions.

(2) In these Regulations “the workplace fire precautions legislation” means—

(a) Part II of these Regulations except in so far as that Part applies to—

- (i) any workplace which is or is in or on a ship within the meaning of section 313(1) of the Merchant Shipping Act 1995⁽¹⁾ when such a ship is in the course of construction or is in the course of repair by persons who include persons other than the master and crew of the ship;
- (ii) any workplace, other than a building on the surface at a mine, to the extent that it comprises premises to which the Fire Certificates (Special Premises) Regulations 1976⁽²⁾ apply; and

(b) regulations 1 to 4, 6 to 10 and 11(2) and (3) of the 1992 Management Regulations (as amended by Part III of these Regulations), in so far as those regulations—

- (i) impose requirements concerning general fire precautions to be taken or observed by an employer; and
- (ii) have effect in relation to a workplace in Great Britain other than an excepted workplace, and for this purpose “general fire precautions” means measures which are to be taken or observed in relation to the risk to the safety of employees in case of fire in a workplace, other than any special precautions in connection with the carrying on of any manufacturing process.

(3) In this regulation “health and safety regulations” and “the relevant statutory provisions” have the meanings given to them by the 1974 Act⁽³⁾.

(1) 1995 c. 21.

(2) S.I.1976/2003.

(3) See section 53 of the 1974 Act.