
STATUTORY INSTRUMENTS

1999 No. 3242

The Management of Health and Safety at Work Regulations 1999

Risk assessment

- 3.—(1) Every employer shall make a suitable and sufficient assessment of—
- (a) the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
 - (b) the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking,

for the purpose of identifying the measures he needs to take to comply with the requirements and prohibitions imposed upon him by or under the relevant statutory provisions ^{F1}....

- (2) Every [^{F2}relevant self-employed person] shall make a suitable and sufficient assessment of—
- (a) the risks to his own health and safety to which he is exposed whilst he is at work; and
 - (b) the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking,

for the purpose of identifying the measures he needs to take to comply with the requirements and prohibitions imposed upon him by or under the relevant statutory provisions.

(3) Any assessment such as is referred to in paragraph (1) or (2) shall be reviewed by the employer or [^{F3}relevant self-employed person] who made it if—

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the matters to which it relates;

[^{F4}and where as a result of any such review changes to an assessment are required, the employer or [^{F3}relevant self-employed person] concerned shall make them.]

[^{F5}(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.]

(4) An employer shall not employ a young person unless he has, in relation to risks to the health and safety of young persons, made or reviewed an assessment in accordance with paragraphs (1) and (5).

(5) In making or reviewing the assessment, an employer who employs or is to employ a young person shall take particular account of—

- (a) the inexperience, lack of awareness of risks and immaturity of young persons;
- (b) the fitting-out and layout of the workplace and the workstation;
- (c) the nature, degree and duration of exposure to physical, biological and chemical agents;
- (d) the form, range, and use of work equipment and the way in which it is handled;
- (e) the organisation of processes and activities;
- (f) the extent of the health and safety training provided or to be provided to young persons; and

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Changes to legislation: There are currently no known outstanding effects for the The Management of Health and Safety at Work Regulations 1999, Section 3. (See end of Document for details)

- [^{F6}(g) risks from agents, processes and work listed in the Annex to Council Directive 94/33/EC on the protection of young people at work, as amended by Directive 2014/27/EU.]
- (6) Where the employer employs five or more employees, he shall record—
- (a) the significant findings of the assessment; and
 - (b) any group of his employees identified by it as being especially at risk.

- F1** Words in reg. 3(1) revoked (E.W.) (1.10.2006) by [The Regulatory Reform \(Fire Safety\) Order 2005](#) (S.I. 2005/1541), art. 1(3), **Sch. 5** (with arts. 49, 51) (as amended by [The Regulatory Reform \(Fire Safety\) Subordinate Provisions Order 2006](#) (S.I. 2006/484), arts. 1(1), **2**); and (S.) (1.10.2006) by [The Fire \(Scotland\) Act 2005 \(Consequential Modifications and Savings\) \(No. 2\) Order 2006](#) (S.I. 2006/457), art. 1, **sch. 2**
- F2** Words in reg. 3(2) substituted (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015](#) (S.I. 2015/1637), art. 1, **Sch. para. 6(a)**
- F3** Words in reg. 3(3) substituted (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015](#) (S.I. 2015/1637), art. 1, **Sch. para. 6(b)**
- F4** Words in reg. 3(3) repositioned (27.10.2003) by [The Management of Health and Safety at Work and Fire Precautions \(Workplace\) \(Amendment\) Regulations 2003](#) (S.I. 2003/2457), regs. 1, **4**
- F5** Reg. 3(3A) inserted (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015](#) (S.I. 2015/1637), art. 1, **Sch. para. 6(c)**
- F6** Reg. 3(5)(g) substituted (1.6.2015) by [The Classification, Labelling and Packaging of Chemicals \(Amendments to Secondary Legislation\) Regulations 2015](#) (S.I. 2015/21), regs. 1(3), **8(3)**

Modifications etc. (not altering text)

- C1** Reg. 3 applied (W.) (22.8.2020) by [S.I. 2020/725, reg. 14A\(5\)\(a\)](#) (as inserted by [The Health Protection \(Coronavirus Restrictions\) \(No. 2\) \(Wales\) \(Amendment\) \(No. 6\) Regulations 2020](#) (S.I. 2020/884), regs. 1, **2(5)** (with reg. 3))

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Changes to legislation:

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