

**2005 No. 228**

**HEALTH AND SAFETY**

**The Anthrax Prevention Order 1971 etc. (Revocation)  
Regulations 2005**

<i>Made</i> - - - -	<i>6th February 2005</i>
<i>Laid before Parliament</i>	<i>14th February 2005</i>
<i>Coming into force</i> - -	<i>6th April 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 15(1) and 15(3)(a) 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 Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Anthrax Prevention Order 1971 etc. (Revocation) Regulations 2005, and shall come into force on 6th April 2005.

**Revocations and amendments**

2.—(1) The following instruments are revoked—

- (a) the Anthrax Prevention Order 1971(b);
- (b) the Anthrax Prevention Act 1919 (Repeals and Modifications) Regulations 1974(c);
- (c) the Anthrax Prevention Order 1971 (Exemptions) Regulations 1982(d); and
- (d) the Health and Safety (Miscellaneous Modifications) Regulations 1993(e).

(2) In Schedule 1 to the Health and Safety at Work etc. Act 1974, omit the reference to the Anthrax Prevention Act 1919(f).

Signed by authority of the Secretary of State for Work and Pensions.

6th February 2005

*Jane Kennedy*  
Minister of State,  
Department for Work and Pensions

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(a) 1974 c. 37; sections 11(2), 15(1) and 50(3) were amended by the Employment Protection Act 1975 (c. 71), section 116 and Schedule 15, paragraphs 4, 6, and 16(3) respectively.  
(b) S.I. 1971/1234, as continued in force, with modifications, by S.I. 1974/1775 and amended by S.I. 1993/745.  
(c) S.I. 1974/1775.  
(d) S.I. 1982/1418.  
(e) S.I. 1993/745, as amended by S.I. 1994/3246.  
(f) 1919 c. 23, repealed by S.I. 1974/1775.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations revoke the Anthrax Prevention Order 1971 (S.I. 1971/1234), the Anthrax Prevention Act 1919 (Repeals and Modifications) Regulations 1974 (S.I. 1974/1775), the Anthrax Prevention Order 1971 (Exemptions) Regulations 1982 (S.I. 1982/1418), and the Health and Safety (Miscellaneous Modifications) Regulations 1993 (S.I. 1993/745, as amended by S.I. 1994/3246). They also revoke a reference to the Anthrax Prevention Act 1919 in the Health and Safety at Work etc. Act 1974 (1974 c.37) (regulation 2).

2. The Control of Substances Hazardous to Health Regulations 2002 (S.I. 2002/2677) (COSHH) now provides the regulatory framework in health and safety law for the purposes of the three instruments referred to in regulation 2(1)(a) to (c). The bacillus anthracis bacterium is a biological agent and a substance hazardous to health within the meaning of regulation 2(1) of COSHH. COSHH imposes duties on employers to protect employees and other persons who may be exposed to substances hazardous to health, and also imposes certain duties on employees concerning their own protection from exposure. Imports of products covered by the three instruments are subject to the Products of Animal Origin (Third Country Imports)(England)(No. 3) Regulations 2004 (S.I. 2004/2640), the Products of Animal Origin (Third Country Imports)(Wales) Regulations 2004 (S.I. 2004/1430), and the Products of Animal Origin (Third Country Imports)(Scotland) Regulations 2002 (S.S.I. 2002/445, as amended by S.S.I. 2002/565, S.S.I. 2003/165, S.S.I. 2003/225, and S.S.I. 2003/333). In the light of this, it is not necessary to retain the four instruments.

3. A copy of the regulatory impact assessment in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy of this document has been placed in the Libraries of each House of Parliament.

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