
STATUTORY INSTRUMENTS

2009 No. 693

HEALTH AND SAFETY

**The Health and Safety (Miscellaneous
Amendments and Revocations) Regulations 2009**

<i>Made</i>	- - - -	<i>11th March 2009</i>
<i>Laid before Parliament</i>		<i>16th March 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Secretary of State makes these Regulations in exercise of the powers conferred upon him by section 143(2) of the Mines and Quarries Act 1954(1), section 2(2) of the European Communities Act 1972(2) and sections 15(1), (2), (3)(c), (5)(a) and (9), 18(2)(a) and 82(3)(a) of, and paragraphs 1(1), 4, 5, 6(1), 7, 9, 11, 13(2), 14 and 16, of Schedule 3 to, the Health and Safety at Work etc. Act 1974(3) (“the 1974 Act”).

The Secretary of State is a Minister designated in relation to the control and regulation of genetically modified organisms(4).

In making these Regulations, and save as is referred to below, he gives effect without modifications to proposals submitted to him by the Health and Safety Executive under section 11(3) of the 1974 Act.

Before submitting those proposals to the Secretary of State, the Health and Safety Executive consulted the bodies that appeared to it to be appropriate as required by section 50(3) of the 1974 Act.

The Secretary of State makes sub-paragraphs (4)(a) and (c), (9)(a), (b)(ii), (d) and (e) and (10) (a) of paragraph 4 of Schedule 1 to these Regulations independently of those proposals to the extent that those provisions relate to, or are connected with, the insertion by these Regulations of regulation 13(4)(f) of the Manufacture and Storage of Explosives Regulations 2005(5).

In relation to the provisions made independently of the Health and Safety Executive’s proposals and in accordance with section 50(1AA) of the 1974 Act, the Secretary of State has consulted the Health and Safety Executive and the other body which appeared to him to be appropriate to consult, namely, the Local Government Association.

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- (1) 1954 c. 70 (2 & 3 Eliz. 2); subsections (1) to (4) of section 141, which included the power to make regulations, were repealed by S.I. 1974/2013, with a saving for regulations made and in force under that section; section 143(2) provides an express power to revoke special regulations.
- (2) 1972 c.68. As regards Scotland, see also section 57(1) of the Scotland Act 1998 (c. 46), which provides that, despite the transfer to the Scottish Ministers by virtue of that Act of functions in relation to the observing and implementing obligations under community law, any function of a Minister of the Crown in relation to any matter shall continue to be exercisable by him as regards Scotland for the purposes specified in section 2(2) of the European Communities Act 1972.
- (3) 1974 c.37. Section 11 is substituted by S.I. 2008/960; sections 15(1) and 50(3) are amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 6 and 16 respectively; section 50(3) is further amended by the Health Protection Agency Act 2004, Schedule 3, paragraph 5(1) and (3) and S.I. 2008/960, which also inserts section 50(1AA).
- (4) S.I. 1991/755.
- (5) S.I. 2005/1082, amended by S.I. 2007/2598.

Status: *This is the original version (as it was originally made).*
