

SCHEDULE 2
CONSEQUENTIAL AMENDMENTS

PART 2
OTHER LEGISLATION

The Management of Health and Safety at Work Regulations 1999

17.—(1) The Management of Health and Safety at Work Regulations 1999(1) are amended as follows.

(2) After regulation 16 insert—

“Alteration of working conditions in respect of new or expectant mothers (agency workers)

16A.—(1) Where, in the case of an individual agency worker, the taking of any other action the hirer is required to take under the relevant statutory provisions would not avoid the risk referred to in regulation 16(1) the hirer shall, if it is reasonable to do so, and would avoid such risks, alter her working conditions or hours of work.

(2) If it is not reasonable to alter the working conditions or hours of work, or if it would not avoid such risk, the hirer shall without delay inform the temporary work agency, who shall then end the supply of that agency worker to the hirer.

(3) In paragraphs (1) and (2) references to risk, in relation to risk from any infectious or contagious disease, are references to a level of risk at work which is in addition to the level to which a new or expectant mother may be expected to be exposed outside the workplace.