
STATUTORY INSTRUMENTS

2018 No. 1370

**The Health and Safety (Amendment)
(EU Exit) Regulations 2018**

PART 2

AMENDMENT OF SUBORDINATE LEGISLATION

Amendment of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995

2.—(1) The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995(1) are amended as follows.

(2) In regulation 20 (certificates of exemption), in paragraph (1), after “the European Union” insert “(as they had effect immediately before exit day)”.

Amendment of the Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995

3.—(1) The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995(2) are amended as follows.

(2) In regulation 22 (certificates of exemption), in paragraph (1), after “the European Union” insert “(as they had effect immediately before exit day)”.

Amendment of the Borehole Sites and Operations Regulations 1995

4.—(1) The Borehole Sites and Operations Regulations 1995(3) are amended as follows.

(2) In regulation 6 (notice of the commencement of drilling operations and the abandonment of boreholes), in paragraph (8), after “the European Union” insert “(as they had effect immediately before exit day)”.

Amendment of the Health and Safety (Safety Signs and Signals) Regulations 1996

5.—(1) The Health and Safety (Safety Signs and Signals) Regulations 1996(4) are amended as follows.

(2) In Schedule 1—

- (a) in Part II (minimum general requirements concerning signboards: conditions of use), in paragraph 2.1, for “[Directive 89/654/EEC](#)” substitute “regulation 8 of the Workplace (Health, Safety and Welfare) Regulations 1992(5)”;

(1) [S.I.1995/738](#); relevant amending instrument is [S.I. 2015/398](#).

(2) [S.I.1995/743](#); relevant amending instruments are [S.I. 2011/1043](#) and [2015/398](#).

(3) [S.I.1995/2038](#); relevant amending instrument is [S.I. 2011/1043](#).

(4) [S.I. 1996/341](#); relevant amending instrument [S.I. 2015/21](#).

(5) [S.I. 1992/3004](#).

- (b) in Part IX (minimum requirements for hand signals), in paragraph 3 (coded signals to be used), omit “applicable at Community level”.

Amendment of the Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996

6.—(1) The Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996⁽⁶⁾ are amended as follows.

(2) In regulation 23 (certificates of exemption), in paragraph (1), after “the European Union” insert “(as they had effect immediately before exit day)”.

Amendment of the Control of Substances Hazardous to Health Regulations 2002

7.—(1) The Control of Substances Hazardous to Health Regulations 2002⁽⁷⁾ are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1), for the definition of “the Agreement” substitute—

““the Agreement” means the EEA agreement;”.

(3) In regulation 4, (prohibitions relating to certain substances), in paragraph (2), for “another member State” substitute “a member State”.

(4) In regulation 7 (prevention or control of exposure to substances hazardous to health), in paragraph (12) omit “(OJ No.L181, 31.3.2016, p.51)”.

(5) In regulation 15 (exemption certificates), after paragraph (1) insert—

“(1A) Article 9 of Council [Directive 98/24/EC](#) has effect for the purpose of paragraph (1) as if for the references to “Member States” there were substituted references to “the Executive”.”.

Amendment of the Control of Artificial Optical Radiation at Work Regulations 2010

8.—(1) The Control of Artificial Optical Radiation at Work Regulations 2010⁽⁸⁾ are amended as follows.

(2) In regulation 3 (assessment of the risk of adverse health effects to the eyes or skin created by exposure to artificial optical radiation at the workplace), at the end of paragraph (5)(j) insert “as they had effect immediately before exit day”;

(3) In regulation 4 (obligations to eliminate or reduce risks), at the end of paragraph (4)(h) insert “as they had effect immediately before exit day”.

Amendment of the Genetically Modified Organisms (Contained Use) Regulations 2014

9.—(1) The Genetically Modified Organisms (Contained Use) Regulations 2014⁽⁹⁾ are amended as follows.

(2) In regulation 3 (application), in paragraph (2)(b)—

- (a) at the end of paragraph (i) insert “or”;
- (b) at the end of paragraph (ii) omit “; or”;
- (c) omit paragraph (iii).

⁽⁶⁾ [S.I. 1996/913](#); relevant amending instrument is [S.I. 2015/398](#).

⁽⁷⁾ [S.I. 2002/2677](#); relevant amending instruments are [S.I. 2015/21](#) and [2018/390](#).

⁽⁸⁾ [S.I. 2010/1140](#): there are amending instruments but none are relevant.

⁽⁹⁾ [S.I. 2014/1663](#).

- (3) In regulation 27 (duties of competent authority on receipt of information about accidents)—
- (a) insert “and” at the end of paragraph (a);
 - (b) omit—
 - (i) paragraph (b);
 - (ii) “; and” at the end of paragraph (c); and
 - (iii) paragraph (d).

Amendment of the Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015

10.—(1) The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015(**10**) are amended as follows.

(2) In regulation 32 (standards and guidance on best practice), in paragraph (3), for the words from “with authorities” to the end of that paragraph substitute “with other authorities having such knowledge, information or experience”.

(3) In regulation 34 (information on operations), in both the heading and paragraph (1), after “the European Union” insert “, Great Britain and external waters”.

Amendment of the Control of Major Accident Hazards Regulations 2015

11.—(1) The Control of Major Accident Hazards Regulations 2015(**11**) are amended as follows.

(2) In regulation 17 (provision of information to the public), in paragraph (2)(d), for “Member State” substitute “country”.

(3) In regulation 20 (trans-boundary consequences)—

- (a) in paragraph (1), for “Member State” in both places substitute “country”;
- (b) omit paragraph (2).

(4) In regulation 26 (action to be taken following a major accident)—

- (a) in paragraph (3), for the words from the beginning to “information” substitute “Following a major accident, the competent authority may, where appropriate, provide international organisations with some, or all, of the following information”;
- (b) omit paragraph (4);
- (c) at the end insert—

“**(6)** For the purposes of paragraph (3), an organisation is an international organisation if it, and its subordinate bodies, are governed by international law or it is set up by, or on the basis of, an agreement between two or more countries.”.

(5) In paragraph (g) of Part 2 of Schedule 4, for “Member States” substitute “countries”.

(6) Omit Schedule 5.

Amendment of the Ionising Radiations Regulations 2017

12.—(1) The Ionising Radiations Regulations 2017(**12**) are amended as follows.

(2) In the provisions specified in paragraph (3), for “another member State” substitute “a member State”.

(10) [S.I. 2015/398](#).

(11) [S.I. 2015/483](#).

(12) [S.I. 2017/1075](#).

- (3) Those provisions are—
- (a) in regulation 2(1) (interpretation), the definitions of “classified person”, “controlled area” and “radiation passbook”;
 - (b) regulation 3(5) (application) in both places; and
 - (c) regulation 22(3)(i) (dose assessment and recording).