

Statutory Document No. 2025/0091



Health and Safety at Work etc. Act 1974 (of Parliament)

MANAGEMENT OF HEALTH AND SAFETY AT WORK (AMENDMENT) REGULATIONS 2025

Approved by Tynwald:

Coming into operation in accordance with regulation 2

The Department of Environment, Food and Agriculture, after consulting in accordance with section 82(4) of the Health and Safety at Work etc. Act 1974 (of Parliament)¹, as it has effect in the Island², makes the following Regulations under sections 15, 47, 52(2), and 82 of, and Schedule 3 to, that Act.

1 Title

These Regulations are the Management of Health and Safety at Work (Amendment) Regulations 2025.

2 Commencement

If approved by Tynwald, these Regulations come into operation the day after Tynwald approval is given³.

3 Amendment of the Management of Health and Safety at Work Regulations 2003

The Management of Health and Safety at Work Regulations 2003⁴ are amended as follows.

4 Preamble amended

(1) The preamble is amended as follows.

¹ P 1974 c. 37.

² SD 2024/0773.

³ Tynwald procedure – approval, in accordance with section 82(5) of the Health and Safety at Work etc. Act 1974 (of Parliament), as applied to the Island.

⁴ SD 877/03.

- (2) For footnote 1 substitute —
- ☞ Provisions of the Health and Safety at Work etc. Act 1974 (of Parliament) were previously applied to the Isle of Man by the Health and Safety at Work Order 1998 [SD 155/98] which was subsequently revoked and replaced by SD 2024/0073. ☞.

5 Regulation 1 amended

- (1) Regulation 1 (citation, commencement and interpretation) is amended as follows.
- (2) In paragraph (2) —
- (a) in the appropriate place, insert —
- ☞ **“Directive 2014/27/EU”** means Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council in order to align them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures⁵; ☞;
- (b) omit the definition of “excepted workplace”;
- (c) for the definition of “new or expectant mother” substitute —
- ☞ **“new or expectant mother”** means an employee who is pregnant, who has given birth within the previous 6 months, or who is breastfeeding; ☞;
- (d) in the definition of “the preventative and protective measures”, for “the Schedule” substitute ☞ Schedule 2 (general principles of prevention) ☞.

6 Regulation 2 amended

- (1) Regulation 2 (disapplication of regulations) is amended as follows.
- (2) For paragraph (1) substitute —
- ☞ (1) These Regulations do not apply to or in relation to the master or crew of a ship or to the employer of such persons in respect of the normal ship-board activities of a ship’s crew which are carried out solely by the crew under the direction of the master. ☞.
- (3) For paragraph (2) substitute —

⁵ OJ L 65, 5.3.2014.

☒(2) Regulations 3(4) and (5) (risk assessment), 9(2) (information for employees) and 16 (protection of children and young persons) do not apply to occasional work or short-term work involving work regarded as not being harmful, damaging or dangerous to young people in a family undertaking. ☒.

(4) After paragraph (2), insert —

☒(3) In this regulation —

“**normal ship-board activities**” include the repair of a ship save repair when carried out in dry dock;

“**ship**” includes every description of a vessel used in navigation, other than a ship belonging to His Majesty which forms part of His Majesty’s Navy. ☒.

7 Regulation 3 amended

(1) Regulation 3 (risk assessment) is amended as follows.

(2) In paragraph (1), in the wording after sub-paragraph (b), after “regulation 17” insert ☒ and the Schedule (fire precautions in the workplace) ☒.

(3) In paragraph (2), after “Every” insert ☒ relevant ☒.

(4) In paragraph (3), in both places it occurs, after “the employer or” insert ☒ relevant ☒.

(5) After paragraph (3), insert —

☒(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 (of Parliament) (as applied to the Isle of Man)⁶. ☒.

(6) In paragraph 5 —

(a) in sub-paragraph (a), after “immaturity of” insert ☒ children and ☒;

(b) in sub-paragraph (f), after “to be provided to” insert ☒ children and ☒; and

(c) For sub-paragraph (g), substitute —

☒(g) risks from agents, processes and work (listed in the Annex to Council Directive 94/33/EC) on the protection of children

⁶ SD 2024/0073.

and young people at work, as amended by Directive 2014/27/EU⁷.²².

8 Regulation 3A inserted

After regulation 3 (risk assessment) insert —

3A Principles of prevention to be applied

Where an employer implements any preventive and protective measures the employer must do so on the basis of the principles specified in Schedule 2 (general principles of prevention).²².

9 Regulation 6 amended

- (1) Regulation 6 (health and safety assistance) is amended as follows —
- (2) In paragraph (1), for “Schedule” substitute **the Schedule** (fire precautions in the workplace)²².
- (3) In paragraph (6), —
 - (a) after “employer” insert **“E”**;
 - (b) for “he himself” substitute **E**²²; and
 - (c) after “paragraph” insert **himself**.²².

10 Regulation 7 amended

- (1) Regulation 7 (procedures for serious and imminent danger and for danger areas) is amended as follows.
- (2) In paragraph (2), for “sub-paragraph (a) of paragraph (1)” substitute **paragraph (1)(a)**²².
- (3) In paragraph (3), for “sub-paragraph (b) of paragraph (1)” substitute **paragraph (1)(b)**²².

11 Regulation 9 amended

- (1) Regulation 9 (information for employees) is amended as follows.
- (2) In paragraphs (1)(c) and (1)(d), in both places it occurs, after “Schedule” insert **(fire precautions in the workplace)**²².
- (3) In paragraph (3), after “responsibility” insert **,** within the meaning of section 2 of the Children and Young Persons Act 2001,²².

⁷ OJ L 216, 20.8.1994.

12 Regulation 11 amended

- (1) Regulation 11 (persons working in host employers' or self-employed persons' undertakings) is amended as follows.
- (2) In paragraph (1)(b), after "regulation 17" insert **66** and the Schedule (fire precautions in the workplace) in **62**.
- (3) In paragraph (2), in the wording before sub-paragraph (a), after "regulation 17" insert **66** and the Schedule (fire precautions in the workplace) **62**.
- (4) In paragraph (5)(b) before "employees from" insert **66** the references in the said paragraph to **62**.

13 Regulation 12 amended

- (1) Regulation 12 (capabilities and training) is amended as follows.
- (2) In paragraph (2) –
 - (a) in the wording before sub-paragraph (a), omit "(taking into account the degree of risk)";
 - (b) in sub-paragraph (a) before "their" insert **66** on **62**.

14 Regulation 15 amended

- (1) Regulation 15 (risk assessment in respect of new or expectant mothers) is amended as follows.
- (2) In paragraph (1) –
 - (a) in sub-paragraph (b), after "that of her baby," insert –

66 from any processes or working conditions, or physical, biological or chemical agents, including those specified in Annexes I and II of Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding⁸ as amended by Directive 2014/27/EU⁹, **62**;
 - (b) in the wording after sub-paragraph (b), after "the assessment" insert **66** required by regulation 3(1) **62**.
- (3) In paragraph (2), for "implement such measures in respect of that individual as it is reasonable to do so to avoid such risks." substitute **66**, if it is reasonable to do so, and would avoid such risks, alter her working conditions or hours of work. **62**.

⁸ OJ L 348, 28.11.1992.

⁹ OJ L 65, 5.3.2014.

- (4) For paragraph (3), substitute —
- ☞(3) If it is not reasonable to alter the working conditions or hours of work, or if it would not avoid such risk, the employer shall, subject to section 75 of the Employment Act 2006, suspend the employee from work for so long as is necessary to avoid such risk. ☞.
- (5) For paragraph (4), substitute —
- ☞(4) In paragraphs (1) to (3) 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. ☞.

15 Regulations 15A to 15J inserted

After regulation 15 (risk assessment in respect of new or expectant mothers), insert —

☞15A Alteration of working conditions in respect of new or expectant mother (agency workers)

- (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 risks referred to in regulation 15(1) (risk assessment in respect of new or expectant mothers) the hirer shall, if it is reasonable to do so, and would avoid such risks, alter her 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 exposed outside the workplace.

15B Certificate from registered medical practitioner in respect of new or expectant mothers

Where —

- (a) a new or expectant mother works at night; and
- (b) a certificate from a registered medical practitioner or a registered midwife shows that it is necessary for her health

or safety that she should not be at work for any period of such work identified in the certificate,

the employer shall, (subject to section 75 of the Employment Act 2006), suspend her from work for so long as is necessary for her health or safety.

15C Certificate from registered medical practitioner in respect of new or expectant mothers (agency workers)

Where –

- (a) a new or expectant mother works at night; and
- (b) a certificate from a registered medical practitioner or a registered midwife shows that it is necessary for her health or safety that she should not be at work for any period of such work identified in the certificate,

the hirer shall without delay inform the temporary work agency, who shall then end the supply of that agency worker to the hirer.

15D Notification by new or expectant mothers

- (1) Nothing in paragraph (2) or (3) of regulation 15 (risk assessment in respect of new or expectant mothers) shall require the employer to take any action in relation to an employee (“P”) until P has notified the employer in writing that P is pregnant, has given birth within the previous 6 months, or is breastfeeding.
- (2) Nothing in paragraph (2) or (3) of regulation 15 or in regulation 15B (certificate from registered medical practitioner in respect of new or expectant mothers) shall require the employer to maintain action taken in relation to an employee –
 - (a) in any case –
 - (i) to which regulation 15(2) or (3) relates; and
 - (ii) where P has notified the employer that P is pregnant, where P has failed, within a reasonable time of being requested to do so in writing by P’s employer, to produce for the employer’s inspection a certificate from a registered medical practitioner or a registered midwife showing that P is pregnant;
 - (b) once the employer knows that P is no longer a new or expectant mother; or
 - (c) if the employer cannot establish whether P remains a new or expectant mother.

15E Notification by new or expectant mother (agency workers)

- (1) Nothing in regulation 15A(1) or (2) (alteration of working conditions in respect of new or expectant mother (agency workers)) shall require the hirer to take any action in relation to an agency worker (“W”) until W has notified the hirer in writing that W is pregnant, has given birth within the previous 6 months, or is breastfeeding.
- (2) Nothing in regulation 15A(2) shall require the temporary work agency to end the supply of W until W has notified the temporary work agency in writing that W is pregnant, has given birth within the previous 6 months, or is breastfeeding.
- (3) Nothing in relation to 15A(1) shall require the hirer to maintain action taken in relation to W –
 - (a) in any case –
 - (i) to which regulation 15A(1) relates; and
 - (ii) where W has notified the hirer that W is pregnant, where W has failed, within a reasonable time of being requested to do so in writing by the hirer, to produce for the hirer’s inspection a certificate from a registered medical practitioner or a registered midwife showing that W is pregnant; or
 - (b) once the hirer knows that W is no longer a new or expectant mother; or
 - (c) if the hirer cannot establish whether W remains a new or expectant mother.

15F Agency workers: general provisions

- (1) Without prejudice to any other duties of the hirer or temporary work agency under any enactment or rule of law in relation to health and safety at work, regulation 15A (alteration of working conditions in respect of new or expectant mother (agency workers)), 15C (certificate from registered medical practitioner in respect of new or expectant mother (agency workers)) and 15E (notification by new or expectant mother (agency workers)) shall not apply where the agency worker has not completed the qualifying period.
- (2) Nothing in regulations 15A or 15C imposes a duty on the hirer or temporary work agency beyond the intended duration, or likely duration of the assignment, whichever is the longer.
- (3) This regulation, and regulations 15A, 15C and 15E do not apply in circumstances where 15 (risk assessment in respect of new or

expectant mothers), 15B (certificate from registered medical practitioner in respect of new or expectant mothers) and 15D (notification by new or expectant mothers) apply.

15G Meaning of qualifying period

(1) In regulation 15F (agency workers: general provisions) “**qualifying period**” means the agency worker must complete work in the same role with the same hirer for 12 continuous calendar weeks, during one or more assignments.

(2) The agency worker works in “**the same role**” unless —

(a) the agency worker has started a new role with the same hirer, whether supplied by the same or by a different temporary work agency;

(b) the work or duties that make up the whole or the main part of that new role are substantively different from the work or duties that made up the whole or the main part of the previous role; and

(c) the temporary work agency has informed the agency worker in writing of the type of work the agency worker will be required to do in the new role.

(3) Any week during the whole or part of which an agency worker works during an assignment is counted as a calendar week.

(4) When calculating whether any weeks completed with a particular hirer are continuous, where—

(a) the agency worker has started working during an assignment, and there is a break, either between assignments or during an assignment, when the agency worker is not working;

(b) paragraph (8) applies to that break; and

(c) the agency worker returns to work in the same role with the same hirer,

any continuous weeks during which the agency worker worked for that hirer before the break shall be carried forward and treated as continuous with any weeks during which the agency worker works for that hirer after the break.

(5) When calculating the number of weeks during which the agency worker has worked, where the agency worker has —

(a) started working in a role during an assignment; and

(b) is unable to continue working for a reason described in paragraph (8)(c) or (8)(d)(i), (ii) or (iii),

for the period that is covered by one or more such reasons, that agency worker shall be deemed to be working in that role with the hirer, for the original intended duration, or likely duration of the assignment, whichever is the longer.

(6) Where—

- (a) an assignment ends on grounds which are maternity grounds within the meaning given in paragraph (7); and
- (b) the agency worker is deemed to be working in that role in accordance with paragraph (5),

the fact that an agency worker is actually working in another role, whether for the same or a different hirer during the period mentioned in paragraph (5) or any part of that period, does not affect the operation of that paragraph.

(7) The supply of an agency worker to a hirer is ended on maternity grounds if, in consequence of action taken pursuant to the provisions of regulation 15A(2) (alteration of working conditions in respect of new or expectant mothers (agency workers)) or regulation 15C (certificate from registered medical practitioner in respect of new or expectant mothers (agency workers)), the supply of the agency worker to the hirer is ended on the ground that she is pregnant, has recently given birth or is breastfeeding a child.

(8) This paragraph applies where there is a break between assignments, or during an assignment, when the agency worker is not working, and the break is—

- (a) for any reason and the break is not more than 6 calendar weeks;
- (b) wholly due to the fact that the agency worker is incapable of working in consequence of sickness or injury, and the requirements of paragraph (9) are satisfied;
- (c) related to pregnancy, childbirth or maternity and is at a time in a protected period;
- (d) wholly for the purpose of taking time off or leave, whether statutory or contractual, to which the agency worker is otherwise entitled which is—
 - (i) ordinary, compulsory or additional maternity leave;
 - (ii) ordinary or additional adoption leave;
 - (iii) paternity leave;
 - (iv) time off or other leave not listed in sub-paragraph (d)(i), (ii) or (iii); or

- (v) for more than one of the reasons listed in subparagraph (d)(i) to (iv);
 - (e) wholly due to the fact that the agency worker is required to attend at any place in pursuance of being summoned for service as a juror under the Jury Act 1980 or Coroners of Inquests Act 1987, and the break is 28 calendar weeks or less;
 - (f) wholly due to a temporary cessation in the hirer's requirement for any worker to be present at the establishment and work in a particular role, for a pre-determined period of time according to the established custom and practices of the hirer; or
 - (g) wholly due to a strike, lock-out or other industrial action at the hirer's establishment; or
 - (h) wholly due to more than one of the reasons listed in subparagraphs (b), (c), (d), (e), (f) or (g).
- (9) Paragraph (8)(b) only applies where —
- (a) the break is 28 calendar weeks or less;
 - (b) paragraph (8)(c) does not apply; and
 - (c) if required to do so by the temporary work agency, the agency worker has provided such written medical evidence as may reasonably be required.
- (10) For the purposes of paragraph (8)(c), a protected period begins at the start of the pregnancy, and the protected period associated with any particular pregnancy ends at the end of the 26 weeks beginning with childbirth or, if earlier, when the agency worker returns to work.
- (11) For the purposes of paragraph (11) “**childbirth**” means the birth of a living child or the birth of a child whether living or dead after 24 weeks of pregnancy.
- (12) Time spent by an agency worker working during an assignment before these Regulations come into operation does not count for the purposes of this regulation.

15H Meaning of agency worker

In Regulations 15A to 15G, “**agency worker**” means —

- (a) an individual who —
 - (i) is supplied by a temporary work agency to work temporarily for and under the supervision and direction of a hirer; and

- (ii) has a contract with the temporary work agency which is —
 - (A) a contract of employment with the agency, or
 - (B) any other contract with the agency to perform work or services personally;
- (b) but an individual is not an agency worker if —
 - (i) the contract the individual has with the temporary work agency has the effect that the status of the agency is that of a client or customer of a profession or business undertaking carried on by the individual; or
 - (ii) there is a contract, by virtue of which the individual is available to work for the hirer, having the effect that the status of the hirer is that of a client or customer of a profession or business undertaking carried on by the individual;
- (c) for the purposes of sub-paragraph (a)(i) an individual shall be treated as having been supplied by a temporary work agency to work temporarily for and under the supervision and direction of a hirer if —
 - (i) the temporary work agency initiates or is involved as an intermediary in the making of the arrangements that lead to the individual being supplied to work temporarily for and under the supervision and direction of the hirer, and
 - (ii) the individual is supplied by an intermediary, or one of a number of intermediaries, to work temporarily for and under the supervision and direction of the hirer;
- (d) an individual treated by virtue of sub-paragraph (c) as having been supplied by a temporary work agency, shall be treated, for the purposes of sub-paragraph (a)(ii), as having a contract with the temporary work agency;
- (e) an individual is not prevented from being an agency worker because —
 - (i) the temporary work agency supplies the individual through one or more intermediaries;
 - (ii) one or more intermediaries supply that individual;
 - (iii) the individual is supplied pursuant to any contract or other arrangement between the temporary work agency, one or more intermediaries and the hirer;

- (iv) the temporary work agency pays for the services of the individual through one or more intermediaries; or
- (v) the individual is employed by or otherwise has a contract with one or more intermediaries;
- (f) sub-paragraph (e) does not prejudice the generality of paragraphs (a) to (d).


15I Meaning of temporary work agency

- (1) In Regulations 15A to 15H, “**temporary work agency**” means a person engaged in the economic activity, public or private, whether or not operating for profit, and whether or not carrying on such activity in conjunction with others, of –
 - (a) supplying individuals to work temporarily for and under the supervision and direction of hirers; or
 - (b) paying for, or receiving or forwarding payment for, the services of individuals who are supplied to work temporarily for and under the supervision and direction of hirers.
- (2) Notwithstanding paragraph (1)(b) a person is not a temporary work agency if the person is engaged in the economic activity of paying for, or receiving or forwarding payments for, the services of individuals regardless of whether the individuals are supplied to work for hirers.

15J Other definitions

In Regulations 15A to 15J –

“**assignment**” means a period of time during which an agency worker is supplied by one or more temporary work agencies to a hirer to work temporarily for and under the supervision and direction of the hirer;

“**hirer**” means a person engaged in economic activity, public or private, whether or not operating for profit, to whom individuals are supplied, to work temporarily for and under the supervision and direction of that person. .

16 Regulation 16 amended

- (1) Regulation 16 (protection of children and young persons) is amended as follows.
- (2) In paragraph (2) –

- (a) in the wording before sub-paragraph (a), after “employ” insert **“a”**;
 - (b) in sub-paragraph (d), omit “as the case may be,”.
- (3) In paragraph (3) —
- (a) in the wording before sub-paragraph (a), after “person” insert **“who is no longer a child”**; and
 - (b) in sub-paragraph (b), for “he” substitute **“the young person”**.
- (4) For paragraph (4), substitute —
- (4)** The provisions contained in this regulation are without prejudice to —
 - (a) the provisions contained elsewhere in these Regulations; and
 - (b) any prohibition or restriction, arising otherwise than by this regulation, on the employment of any person. **“”**.

17 Regulations 16A to 16C inserted

After regulation 16 (protection of children and young persons), insert —

“16A Exemption certificates

- (1) The Department may, in the interests of national security, by a certificate in writing exempt —
 - (a) any of the home forces and any visiting force from those requirements of these Regulations which impose obligations other than those in regulations 15 to 15I on employers; or
 - (b) any member of the home forces and any member of a visiting force from the requirements imposed by regulation 13 (employees’ duties),
 and any exemption such as is specified in sub-paragraph (a) or (b) of this paragraph may be granted subject to conditions and to a limit of time and may be revoked by the Department by a further certificate in writing at any time.
- (2) In this regulation —

“the home forces” has the same meaning as in section 12(1) of the Visiting Forces Act 1952 (of Parliament) as applied to the Island by the Visiting Forces Act (Application To the Isle of Man) Order 1962¹⁰;

¹⁰ S.I. 1962/170.

“visiting force” has the same meaning as it does for the purposes of any provision of Part I of the Visiting Forces Act 1952 (of Parliament) as applied to the Island.

16B Provisions as to liability

Nothing in the relevant statutory provisions shall operate so as to afford an employer a defence in any criminal proceedings for a contravention of those provisions by reason or of any act or default of —

- (a) an employee of his; or
- (b) a person appointed by him under regulation 6 (health and safety assistance).

16C Restriction of civil liability for a breach of statutory duty

- (1) Breach of a duty imposed by regulation 15, 15A, 15B or 15C shall, so far as it causes damage, be actionable by the new or expectant mother.
- (2) Any term of an agreement which purports to exclude or restrict any liability for such a breach is void. ¹¹

18 Regulation 17 amended

- (1) Regulation 17 (fire precautions in the workplace) is amended as follows.
- (2) In paragraph (1) after “Schedule” insert ¹¹(fire precautions in the workplace) ¹¹.
- (3) After paragraph (4), insert —
 - ¹¹(4A) For the purposes of these Regulations, an “excepted workplace” is —
 - (a) any workplace which is or is in or on a ship within the meaning of section 68 of the Merchant Shipping (Masters and Seamen) Act 1979 other than a ship which is —
 - (i) in the course of construction; or
 - (ii) in the course of repair by persons who include persons other than the master and crew of the ship;
 - (b) any workplace which is or is on an offshore installation within the meaning of regulation 3 of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (of Parliament)¹¹ as

¹¹ S.I. 1995/738.

- applied to the Island by the Submarine Pipe-lines and Installations (Application and Amendment) Order 1995¹²;
- (c) any workplace which is or is in or on an aircraft, trailer or semi-trailer used as a means of transport or a vehicle for which a licence is in force under the Licensing and Registration of Vehicles Act 1985 or a vehicle exempted from duty under that Act; and
 - (d) any workplace which is in fields, woods or other land forming part of an agricultural or forestry undertaking but which is not inside a building and is situated away from the undertaking's main buildings. **22**.

- (4) In paragraph (6) after “Schedule” insert **23**(fire precautions in the workplace) **22**.

19 Regulation 18 omitted

Omit regulation 18 (exclusion of civil liability).

20 Schedule amended

- (1) The Schedule (fire precautions in the workplace) is amended as follows.
- (2) In paragraph 1 (fire-fighting and fire detection) —
 - (a) in sub-paragraph (1), after “employees” insert **23**and other persons **22**;
 - (b) in sub-paragraph (2), in the wording before sub-subparagraph (a), after “employees” insert **23**and other persons **22**.
- (3) In paragraph 2 (emergency routes and exits) in all places it occurs, after “employees” insert **23**and other persons **22**.
- (4) In paragraph 3 (maintenance) after “employees” insert **23**and other persons **22**.

21 Schedule 2 inserted

After the Schedule, insert —


23 SCHEDULE 2

GENERAL PRINCIPLES OF PREVENTION

[Regulation 3A]

¹² SD 277/95.

The general principles of prevention set out in Article 6(2) of Council Directive 89/391/EEC¹³ are —

- (a) avoiding risks;
- (b) evaluating the risks which cannot be avoided;
- (c) combating the risks at source;
- (d) adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health;
- (e) adapting to technical progress;
- (f) replacing the dangerous by the non-dangerous or the less dangerous;
- (g) developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- (h) giving collective protective measures priority over individual protective measures; and
- (i) giving appropriate instructions to employees. .

MADE

CLARE BARBER

Minister for Environment, Food and Agriculture

¹³ OJ L 183, 29.6.1989.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Management of Health and Safety at Work Regulations 2003 [SD 877/03] (“the principal Regulations”) to align with UK equivalent legislation.

The amendments:

- provide protections for new or expectant mothers whether or not they are agency workers;
- provide powers to the Department, in the interests of national security, to exempt armed forces from some obligations of the regulations; and
- extend provisions to waters and offshore installations in territorial waters and outside of the Island.

The inclusion of a new Schedule into the principal Regulations provides for general principles of prevention in relation to health and safety at work.