

# Health and Safety Legislation Consultation

## Control of Noise at Work Regulations 2025

Department of Environment, Food and Agriculture

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**Isle of Man**  
Government

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**Closes 31 Mar 2026**

Opened 17 Oct 25

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## Overview

The Department of Environment, Food and Agriculture (DEFA) is reviewing and updating specific legislation to align with UK best practice. This consultation continues the process of updating IOM Health and Safety legislation and refers directly to the following draft legislation:

- **Control of Noise at Work Regulations 2025**

Recognising the potential impact on IOM businesses, DEFA will implement a phased approach designed to give businesses sufficient time to prepare for compliance. Following public consultation and incorporation of any necessary amendments, the Department aims to submit the proposed legislation to Tynwald in early 2026, with a target commencement date of 1 Oct 2026.

DEFA welcomes stakeholder and public feedback on the updated and proposed health and safety legislation, and where appropriate any associated guidance documentation, through this public consultation process.

The end date for this consultation has been extended to 31<sup>st</sup> March 2026.

## What these Regulations do

The Control of Noise Regulations aim to protect workers from harmful noise levels in the workplace. They set legal limits on how much noise workers can be exposed to and require employers to:

- Assess noise risks.
- Reduce noise exposure.
- Provide hearing protection.
- Monitor workers' hearing health.
- Train staff on noise risks and safety.

## How do they relate to the previous applicable IOM Regulations?

These are new regulations for the IOM are based on the UK **Control of Noise at Work Regulations 2005**. Previously, the Island relied on general health and safety duties under the **Health and Safety at Work etc. Act 1974**, but no specific noise-at-work regulations were in place.

## How do these Regulations compare with the current UK Legislation?

They are closely aligned with the UK's **Control of Noise at Work Regulations 2005**, including:

- Same exposure limits (e.g., 87 dB daily/weekly max)
- Same structure (risk assessment, hearing protection zones, health surveillance)
- Same exemptions (e.g., emergency services, national security)

The IOM version is tailored to local governance and Tynwald approval, with references to Island-specific statutory documents.

## Summary of Practical Implications of the new legislation

- For employers:
  - Must measure noise levels and assess risks
  - Must reduce noise where possible (e.g., quieter equipment, better layout)
  - Must provide hearing protection if noise exceeds certain levels
  - Must train staff and keep records
  - Must monitor hearing health of exposed workers
- For employees:
  - Must use hearing protection properly

- Must report defects in equipment
- May be required to attend hearing tests
- For self-employed:
  - Treated as both employer and employee under these rules.

## Key provisions of the Legislation

### 1. Exposure Action and Limit Values

- Lower Action Value: 80 dB(A) daily/weekly or 135 dB(C) peak
- Upper Action Value: 85 dB(A) daily/weekly or 137 dB(C) peak
- Exposure Limit: 87 dB(A) daily/weekly or 140 dB(C) peak
- Employers must not exceed exposure limits, even with hearing protection.

### 2. Risk Assessment (Regulation 6)

- Required if noise may reach or exceed the lower action value.
- Must consider duration, type, peak levels, vulnerable groups, and interactions with substances or vibration.
- Findings must be recorded and reviewed regularly.

### 3. Noise Control Measures (Regulation 7)

- Employers must eliminate or reduce noise at source where reasonably practicable.
- Organisational and technical measures must be implemented before relying on hearing protection.

### 4. Hearing Protection (Regulation 8)

- Must be made available at the lower action value and provided at the upper action value.
- Hearing Protection Zones must be designated and marked where required.

### 5. Health Surveillance (Regulation 10)

- Required if risk assessment indicates potential hearing damage.
- Includes hearing tests and maintenance of health records.

### 6. Information, Instruction and Training (Regulation 11)

- Must be provided to employees exposed to noise at or above the lower action value.
- Includes risks, control measures, use of protection, and health surveillance.

### 7. Exemptions (Regulations 12-14)

- May be granted by the Department for specific work situations, emergency services, or national security, subject to conditions and consultation.

### 8. Application

- Applies to employers, employees, and relevant self-employed persons.
- Excludes shipboard activities of crew under the master's direction.

## What other Legislation is referred to within the Draft IOM Regulation

The following table lists all external legislation and instruments referenced in the draft IOM **Control of Noise at Work Regulations 2025**, along with the regulation numbers where they are cited and a brief description of their purpose. Note that there is legislation referred to that still requires introduction, but these Regulations will also be drafted and consulted upon before being sent to Tynwald, and will be in force at the point these Regulations come into force.

Legislation / Instrument	Referenced In	Details / Purpose
Health and Safety at Work etc. Act 1974	Regulations 1, 3, 4, 5, 15	Basis for making the regulations; applied to the Isle of Man
<b>The UK Control of Noise at Work Regulations 2005</b>	Regulation 3 and throughout	UK regulations used as the model for the Isle of Man draft.
<b>The IOM Management of Health and Safety at Work Regulations 2003</b>	Regulation 7(3)	General principles of prevention referenced for noise control measures.
<b>The draft IOM Health and Safety (Safety Signs and Signals) Regulations 2025</b>	Regulation 8(3)(b)	Once drafted and consulted on will specify signage for Hearing Protection Zones.
<b>The IOM Personal Protective Equipment Regulations 2025</b>	Regulation 8(5)	Once drafted and consulted on will specify legal requirements for hearing protectors.
ISO 1999:1990	Schedule 1	International standard used to calculate daily and weekly personal noise exposure levels.
<b>The IOM Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025</b>	Regulation 15	Extends the application of the regulations to the territorial sea.

## Consultation Objectives

The following are the objectives of this consultation:

### 1. Legislative alignment:

Assess stakeholder support for aligning Manx health & safety legislation with UK standards, ensuring consistency and regulatory compatibility.

**2. Regulatory scope and clarity:**

Identify specific areas within health & safety regulation that may require additional focus, clarification, or enhancement to meet industry needs and best practices.

**3. Industry impact and readiness:**

Understand potential challenges for IOM-based businesses in adapting to the new framework, including operational, financial, or compliance-related concerns.

**4. Support mechanisms:**

Identify the support needs of stakeholders (e.g., guidance, training, transitional arrangements) to facilitate effective implementation and compliance with the new regime.

**5. Feedback on draft legislation:**

Collect stakeholder input on the draft legislative instruments for each stage of consultation.

**6. General feedback:**

Provide an open channel for additional comments, concerns, or suggestions to inform the development of a robust and responsive health & safety framework.

## IOM Health & Safety at Work Inspectorate

When any new legislation is introduced the Department is conscious of the need to ensure that the best guidance documentation is available. The current [IOM HSWI website](#) states the following:

*"UK legislation and their associated codes of practice is best viewed as an illustration of good practice which may be helpful in explaining the general duties imposed by the Health and Safety at Work etc. Act 1974".*

## Differences between UK HSE ACOPs and UK HSE Guidance

When referring to UK codes of practice, better known as "Approved Codes of Practice (ACOPs)" it is important to note and be aware of the differences between UK Health and Safety Executive (HSE) guidance and a UK HSE issued ACOP. UK HSE clarifies the differences here: [Legal status of HSE guidance and ACOPs](#).

When reading a UK HSE published ACOP, individuals and organisations should be aware of the presentation convention; which is normally explained within the documentation. A common standard is that ACOP text is set out in bold, accompanying guidance in normal type, with the text of the actual Regulations in italics.

It should also be noted that whilst certain UK Regulations have an associated ACOP, others only have guidance. As an example there is no longer an ACOP for the UK Construction (Design and Management) Regulations (CDM) 2015; it was replaced by guidance when the regulations were last updated.

## Using UK HSE Guidance Documents with IOM legislation

When referring to UK ACOPs and guidance to assist with compliance of IOM legislation, individuals and organisations must be aware that whilst the intent is to align with the UK best practice, there may still be specific elements of the IOM legislation that are different to UK legislation. Examples being different paragraph and section/article numbering or elements of the UK legislation being omitted (e.g. if UK is referring to legislation not currently in place or applicable on the IOM).

## Relevant UK ACOP or Guidance

The UK Health and Safety Executive (HSE) ACOP and guidance for the equivalent of the IOM **Control of Noise at Work Regulations 2025** is found on the UK HSE website here titled: [Controlling Noise at Work](#) where UK HSE document L108 is available which provides detailed interpretation of each regulation, and practical advice. The UK HSE website also provides links to other advice and industry good practice.

## Summary

The **Control of Noise at Work Regulations 2025** set out legal duties for employers and self-employed persons to protect workers from risks to health and safety arising from exposure to noise in the workplace. The regulations are closely aligned with the UK's **Control of Noise at Work Regulations 2005** and its associated ACOP (L108).

## Why your views matter

This consultation gives stakeholders, industry, and the public the chance to provide feedback on the proposed Regulations. Your views will help ensure that the legislation is clear, practical, and effective in protecting workers' health.

## Reasonable adjustments and alternative formats

The Department is committed to equal opportunities and our aim is to make our documents easy to use and accessible to all. The Department will take steps to accommodate any reasonable adjustments and provide such assistance as may reasonably be required to enable access or reply to this consultation. If this document is required in another format or assistance is required with accessing or replying to this consultation, please email [DEFAOffshore@gov.im](mailto:DEFAOffshore@gov.im).

## Responding to this consultation and questions

This consultation can be responded to by clicking on the 'Online Survey' link below. Alternatively you can download a paper version of this consultation from the links on the consultation hub and email it to [DEFAOffshore@gov.im](mailto:DEFAOffshore@gov.im) or post it to:

The Offshore Team  
Department of Environment Food and Agriculture,  
Regulation Directorate,  
The Isle of Man, Foxdale Road,  
St Johns,  
Isle of Man, IM4 3AS.

## About you

### 1. Which option best describes your interest in responding to this consultation?

- Member of public
- Isle of Man Government
- Business owner or Stakeholder
- Member of Tynwald
- Other (please specify)

Other:

### 2. Are you responding on behalf of an organisation or industry?

- Yes
- No

Organisation / industry:

Number of people or organisations represented:

### 3. Are you happy for us to contact you regarding your response if we need to?

- Yes
- No

If yes then please add your name and contact email address.

Name: Email:

### 4. May we publish your response?

Please read our Privacy Policy for more details and your rights.

#### More Information:

- **Publish in full** – your organisation name, or the industry you represent, along with full answers will be published on the hub (your email will not be published)
- **Publish anonymously** – only your responses will be published on the hub (your organisation name, or the industry you represent, and email will not be published)
- **Do not publish** – nothing will be published publically on the hub (your response will only be part of a larger summary response document)

(An answer is required)

- Yes, you can publish my response in full
- Yes, you may publish my response anonymously
- No, please do not publish my response

## Consultation Questions

1. Do you agree that the Isle of Man should follow UK standards and processes for health and safety laws and its regulation?  
*(Yes/No – Please tell us why you agree or disagree).*
2. Are there any parts of the legislation being consulted upon that require more clarity to aid understanding and assist with compliance?  
*(Yes/No – If yes, please tell us which areas and why).*
3. Is the proposed implementation strategy and timescale for the introduction of the **Control of Noise at Work Regulations 2025** appropriate for industry readiness?  
*(Yes/No – Please add any comments you may have).*
4. Are there any specific support mechanisms (e.g., guidance, training, transitional arrangements) that would help you or your organisation prepare for the new legislation? *(Yes/No – If yes, please tell us what kind of support would be most helpful).*
5. Do you have any other comments on the draft **Control of Noise at Work Regulations 2025** legislation attached to this stage of the overall consultation process?  
*(Comment Box)*
6. Is there anything else you'd like to tell us about the proposed changes or the consultation process?  
*(Comment Box)*