

Health and Safety Legislation Consultation

Control of Substances Hazardous to Health Regulations 2025

Department of Environment, Food and Agriculture

Rheynn Chymmyltaght, Bee as Eirinys,



Closes 31 Mar 2026

Opened 15 Dec 2025

Contact

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Overview

The Isle of Man (IOM) has jurisdiction over its territorial waters but currently does not have a comprehensive offshore health, safety, and environmental framework to regulate work activities offshore.

To address this gap, the Department of Environment, Food and Agriculture (DEFA) is reviewing and updating specific legislation to align with UK Health and Safety Executive (HSE) standards. This will enable offshore work to proceed under internationally recognised safety regulations, supporting future offshore energy developments.

To ensure consistent health and safety standards across both land and sea, the updated legislation will apply to work undertaken onshore and offshore within the Island and its territorial waters. This process has the added advantage of updating legislation in key areas to align with the latest UK legislation.

This consultation specifically relates to the following draft legislation:

- **Control of Substances Hazardous to Health Regulations 2025**

DEFA will implement a phased approach to the overall legislative update program, which is designed to give businesses sufficient time to prepare for compliance for the full suite of updated legislation. Following public consultation and incorporation of any necessary amendments, the Department aims to submit this particular 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 31st March 2026.

What these Regulations do

The proposed IOM **Control of Substances Hazardous to Health Regulations (COSHH) 2025** introduce a comprehensive framework to protect workers and others from health risks caused by hazardous substances. They require employers to assess risks, prevent or control exposure, maintain and test safety measures, monitor workplace conditions, provide health surveillance, and ensure training and emergency preparedness. These measures aim to reduce occupational illness and improve workplace safety through systematic risk management.

Currently, the IOM relies on **the Health and Safety at Work etc. Act 1974** as it is applied on Island and general duties under that Act, with some specific regulations such as asbestos

control, but it does not have a dedicated COSHH framework. In contrast, the UK enforces the **UK Control of Substances Hazardous to Health Regulations 2002**, which set out detailed requirements for risk assessment, exposure control, health surveillance, and management of hazardous substances. The proposed Manx Regulations will align Manx legislation with these UK standards, closing a significant gap in workplace health protection.

Practical implications of the proposed Regulations

Based on the draft regulations, practical implications for workplaces include:

- **Mandatory Risk Assessments**: Employers must carry out and regularly review detailed assessments for any work involving hazardous substances, including chemicals, dusts, and biological agents.
- **Exposure Control Measures**: Businesses will need to implement engineering controls, safe systems of work, and, where necessary, personal protective equipment to prevent or minimize exposure.
- **Monitoring and Record-Keeping**: Regular air monitoring and maintenance of control equipment will be required, with records kept for up to 40 years in some cases.
- **Health Surveillance**: Employers must provide medical checks for workers exposed to certain substances, including annual medical surveillance for high-risk processes.
- **Training and Information**: Staff must receive clear instruction on hazards, safe handling, and emergency procedures.
- **Emergency Preparedness**: Workplaces must have documented plans and drills for dealing with accidents or incidents involving hazardous substances.
- **Compliance Costs**: Businesses may face additional costs for equipment upgrades, specialist health services, and administrative record-keeping.
- **Alignment with UK Standards**: The changes will bring Isle of Man requirements in line with UK COSHH standards, improving consistency for companies operating across jurisdictions.

Other legislation mentioned in the proposed legislation

Legislation / Standard	Where Mentioned (Regulation / Schedule)	Reason for Inclusion
IOM Health and Safety at Work etc. Act 1974	Reg. 1, Reg. 3, Reg. 20	Provides enabling powers and general duties; COSHH is made under this Act as applied to the Island.
UK Control of Asbestos Regulations 2012	Reg. 6(1)(a)	Excludes asbestos from COSHH because it is covered by separate regulations.

CLP Regulation (EC No 1272/2008)	Reg. 3 (Interpretation), Schedule 8	Defines classification, labelling and packaging of substances; essential for hazard identification.
REACH Regulation (EC No 1907/2006) (as it applies in England)	Reg. 3 (Interpretation – safety data sheet)	Governs chemical registration and safety data sheets referenced in risk assessments.
IOM Personal Protective Equipment Regulations 2026 (draft)	Reg. 8(11)	Ensures PPE provided under COSHH meets legal standards.
IOM Management of Health and Safety at Work Regulations 2003	Reg. 14	Links emergency arrangements to general management duties.
UK Visiting Forces Act 1952 & Related Orders	Reg. 17	Allows exemptions for national security and visiting forces.
IOM Customs and Excise Management Act 1986	Reg. 5(2)	Governs prohibition on importation of matches made with white phosphorus.
European Union and Trade Act 2019 (Retained EU Legislation)	Reg. 3 footnotes	Provides basis for retaining CLP and Regulation (EC) No 1223/2009 in Manx law.
IOM Highways Act 1986, Dental Act 1985, Health Care Professionals Act 2014	Reg. 3 (Interpretation)	Defines terms like ‘public road,’ ‘registered dentist,’ and ‘registered medical practitioner.’
IOM Safety Signs and Signals Regulations 2026 (draft)	Schedule 8	Governs labelling of containers and pipes for hazardous substances.

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 for COSHH

1. ACOP (Approved Code of Practice):

- [L5 – Control of Substances Hazardous to Health \(Sixth edition\)](#)
- This is the official ACOP for COSHH Regulations 2002. It provides authoritative guidance on compliance, including risk assessment, exposure control, health surveillance, and handling carcinogens and biological agents.

2. Guidance:

- [EH40/2005 – Workplace Exposure Limits](#)
- Guidance document listing legally binding exposure limits for hazardous substances.
- [COSHH Essentials](#)
- Practical task-specific guidance sheets for controlling exposure in common processes (e.g., welding, woodworking, silica handling).
- [Operational Circular \(OC 273/20\)](#)
- Enforcement guidance for inspectors, explaining key COSHH provisions and enforcement principles.

Summary

The proposed IOM **Control of Substances Hazardous to Health Regulations 2025** establish a clear framework to protect workers and others from harmful exposure to chemicals, dust, and biological agents. They require employers to assess risks, prevent or control exposure, monitor workplace conditions, and provide health surveillance, training, and emergency arrangements.

These measures are being introduced to close gaps in current IOM law, align with UK standards, and ensure safer, healthier workplaces. By reducing occupational illness and improving risk management, the regulations promote a proactive approach to employee welfare and modern safety practices.

Why your views matter

This consultation gives stakeholders, industry, and the public the chance to provide feedback on the proposed “draft 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.

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 or post it to:

The Offshore Team

Department of Environment Food and Agriculture,
Regulation Directorate,

Thie Slieau Whallian, 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 IOM **Control of Substances Hazardous to Health 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 IOM **Control of Substances Hazardous to Health 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)