



HEALTH AND SAFETY INFORMATION FOR EMPLOYEES REGULATIONS 2025

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Statutory Document No. 20XX/XXXX

*Health and Safety at Work etc. Act 1974*

HEALTH AND SAFETY INFORMATION FOR EMPLOYEES REGULATIONS 2025

*Approved by Tynwald:**Coming into operation in accordance with regulation 2*

The Department of Environment, Food and Agriculture makes the following Regulations, after consulting such organisations as it considers represent the interests affected by the Regulations¹, under sections 15(1), (2), (3)(a), (4)(a), (5)(b) and (6)(b), and 82(3)(a) of, and paragraph 15(1) of Schedule 3 to, the Health and Safety at Work etc. Act 1974 (of Parliament²) as those provisions apply to the Island.

1 Title

These Regulations are the Health and Safety Information for Employees Regulations 2025.

2 Commencement

If approved by Tynwald³, these Regulations come into operation [date tbc].

3 Interpretation and application

(1) In these Regulations, unless the context otherwise requires —

“the 1974 Act” means the Health and Safety at Work etc. Act 1974 as it applies to the Island;

“the 2025 Order” means the Health and Safety at Work etc. Act 1974 (Application to the Territorial Sea) Order 2025⁴;

“approved poster” and “approved leaflet” have the meanings given by regulation 4; and

¹ As required by section 82(4) of the Health and Safety at Work etc. Act 1974 as it applies to the Island.

² 1974 c.37: currently applied by virtue of SD 2024/0073.

³ Tynwald approval is required under section 82(5) of the Health and Safety at Work etc. Act 1974 as it applies to the Island.

⁴ SD tbc

“ship” includes every description of vessel used in navigation not propelled by oar.

- (2) These Regulations have effect for the purpose of providing information to employees relating to health, safety and welfare but they do not apply in relation to the master and crew of a sea-going ship (except to the extent that the master and crew are engaging in activities falling within articles 5, 6 or 7 of the 2025 Order).
- (3) These Regulations apply, subject to paragraph (2), to and in relation to the premises and activities in the territorial sea to which the Health and Safety at Work etc. Act 1974 applies by virtue of the 2025 Order as it applies to premises and activities in the Island, excluding the territorial sea.

4 Meaning of and revisions to the approved poster and leaflet

SI 1989/682/3

- (1) In these Regulations “**approved poster**” or “**approved leaflet**” means, respectively, a poster or leaflet in the form approved and published for the purposes of these Regulations by the Department, as revised from time to time in accordance with paragraph (2).
- (2) The Department may approve a revision (in whole or in part) to the form of poster or leaflet; and where it does so it must publish the revised form of poster or leaflet and issue a notice in writing specifying the date the revision was approved.
- (3) Such a revision must not take effect until 5 years after the date of its approval, but during that time the employer may use the approved poster or the approved leaflet incorporating that revision for the purposes of regulation 5(1).
- (4) The Department may approve a particular form of poster or leaflet for use in relation to a particular employment or class of employment and where any such form has been approved the Department must publish it and issue a notice in writing specifying the date that form was approved and the particular employment or class of employment in respect of which it is approved.
- (5) Where a particular form of poster or leaflet has been approved under paragraph (4) then paragraphs (2) and (3) apply to the revision of that particular form as they apply to the revision of an approved poster or an approved leaflet save that the notice in writing issued under paragraph (2) in respect of the revised form must also specify the employment or class of employment in respect of which the revised form is approved.
- (6) An employer may, in respect of employment for which a particular poster or leaflet has been approved under paragraph (4), comply with the requirements of regulation 5(1) by displaying that particular form of poster or giving that particular form of leaflet and in connection with any

such compliance regulation 5 is to be construed as if the references to the approved poster and the approved leaflet in that regulation were references to the particular form of poster and the particular form of leaflet approved under paragraph (4) and as if the reference in regulation 5(3) to revision pursuant to paragraph (2) were a reference to a revision pursuant to paragraph (5).

5 Provision of poster or leaflet

SI 1989/682/4

- (1) An employer must, in relation to each of his or her employees —
 - (a) ensure that the approved poster is kept displayed in a readable condition —
 - (i) at a place which is reasonably accessible to the employee while the employee is at work; and
 - (ii) in such a position in that place as to be easily seen and read by the employee; or
 - (b) give to the employee the approved leaflet.
- (2) An employer is treated as having complied with paragraph (1)(b) from the date these Regulations come into operation, or from the date the employee commences employment with the employer (if later), if the employer gives to the employee the approved leaflet as soon as is reasonably practicable after that date.
- (3) Where the form of poster or leaflet is revised pursuant to regulation 4(2), then on or before the date the revision takes effect —
 - (a) an employer relying on compliance with paragraph (1)(a) must ensure that the approved poster displayed is the revised one;
 - (b) an employer relying on compliance with paragraph (1)(b) must either give to the employees concerned fresh approved leaflets (as so revised) or bring the revision to their notice in writing.

6 Provision of further information

SI 1989/682/5 [and drafting]

- (1) An employer relying on compliance with regulation 5(1)(a) must, subject to paragraph (2), ensure that the name and address of the Department is clearly and indelibly written on the poster in the appropriate space.
- (2) Where there is a change in the name or address of the Department, in order to comply with that paragraph the poster must be amended accordingly within 6 months of the change occurring.
- (3) An employer who gives to an employee a leaflet pursuant to regulation 5(1)(b) must give with the leaflet a written notice containing the name and address of the Department.

- (4) Where an employer relies on compliance with regulation 5(1)(b) and there is a change in the name or address of the Department the employer must give to the employee a written notice specifying the change within 6 months of the change occurring.

7 Exemption certificates

SI 1989/682/6

- (1) Subject to paragraph (2) the Department may, by a certificate in writing, exempt any person or class of persons from all or any of the requirements imposed by these Regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked in writing at any time.
- (2) The Department must not grant any such exemption unless, having regard to the circumstances of the case, and in particular to —
- (a) the conditions if any, which it proposes to attach to the exemption; and
 - (b) any other requirements imposed by or under any enactment which apply to the case,

it is satisfied that the health, safety and welfare of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

8 Defence

SI 1989/682/7

In any proceedings for an offence for a contravention of these Regulations it is a defence for the accused to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of that offence.

9 Revocation

The Offshore Installations (Health and Safety Information for Employees) Regulations 1998⁵ are revoked.

MADE

CLARE BARBER

Minister for Environment, Food and Agriculture

⁵ SD 687/98.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require information relating to health, safety and welfare to be furnished to employees by means of posters or leaflets in the form approved and published for the purposes of the Regulations by the Department of Environment, Food and Agriculture (regulations 4 and 5). The Regulations are drawn from the Health and Safety Information for Employees Regulations 1989 [SI 1989/682] (of Parliament).

The Regulations also require the name and address of the Department to be written in the appropriate space on the poster (regulation 6(1)); and where the leaflet is given the same information should be specified in a written notice accompanying it (regulation 6(3)).

The Regulations provide for the issue of certificates of exemption by the Department (regulation 7), provide for a defence for contravention of the regulations (regulation 8) and revoke the Offshore Installations (Health and Safety Information for Employees) Regulations 1998 [SD 687/99] (regulation 9).

The Regulations do not apply in relation to the master and crew of a sea going ship unless the master and crew are engaging in activities falling within articles 5, 6 or 7 of the 2025 Order (which relate to offshore installations, wells and pipelines) (regulation 3(2)).