



REPORTING OF INJURIES, DISEASES AND DANGEROUS OCCURRENCES REGULATIONS 2025

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Consultation

Statutory Document No. 20XX/XXXX



Health and Safety at Work etc. Act 1974

REPORTING OF INJURIES, DISEASES AND DANGEROUS OCCURRENCES REGULATIONS 2025

Approved by Tynwald:

Coming into operation in accordance with regulation 2

The Department of Environment, Food and Agriculture makes the following Regulations, having consulted such organisations as it considers represent interests affected by the regulations¹, under section 15(1), (2), (3)(a), (4)(a), (5)(a) and (b), (6)(b), 15(9) and 52(2) of, and paragraphs 15(1), 16 and 20 of Schedule 3 to, the Health and Safety at Work etc. Act 1974 (of Parliament), as it applies to the Island².

1 Title

These Regulations are the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2025.

2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 October 2026³.

3 Interpretation

SI 2013/1471/2 [and drafting]

(1) In these Regulations —

“the 1950 Act” means the Mines and Quarries Regulation Act 1950;

“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;

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 (of Parliament) as it applies to the Island.

⁴ SD XX/XXX.

“**accident**” includes an act of non-consensual physical violence done to a person at work;

“**approved manner**” means published in a form considered appropriate and approved for the time being for the purposes of these Regulations by the Department;

“**biological agent**” has the meaning given by regulation 3(1) (interpretation) of COSHH;

“**carcinogen**” has the meaning given by regulation 3(1) (interpretation) of COSHH;

“**Class 1**” means Class 1 in respect of explosives or the classification of dangerous goods as set out in the United Nations Recommendations;

“**the CLP regulation**” means Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006⁵, as amended from time to time;

“**construction site**” has the meaning given by regulation 3(1) of the Construction (Design and Management) Regulations 202⁶;

“**COSHH**” means the Control of Substances Hazardous to Health Regulations 202⁷;

“**dangerous occurrence**” means an occurrence which arises out of or in connection with work and is of a class specified in —

- (a) Part 1 of Schedule 2;
- (b) Part 2 of Schedule 2 and takes place anywhere except an offshore workplace;
- (c) Part 3 of Schedule 2 and takes place at a mine;
- (d) Part 4 of Schedule 2 and takes place at a quarry;
- (e) Part 5 of Schedule 2 and takes place where a relevant transport system is operated; or
- (f) Part 6 of Schedule 2 and takes place at an offshore workplace;

“**disease**” includes a medical condition;

“**diagnosis**” means a registered medical practitioner’s identification (in writing, where it pertains to an employee) of —

- (a) new symptoms; or
- (b) symptoms which have significantly worsened;

⁵ Retained EU law by virtue of paragraph 67(5) of the Schedule to the European Union and Trade Act 2019 (Retained Direct EU Legislation) (DEFA and OFT) Regulations 2019 (SD 2019/0037).

⁶ SD XX/XXX.

⁷ SD XX/XXX.

“**diving contractor**” and “**diving project**” have the meanings they are given by regulation 3(1) (interpretation) of the Diving at Work Regulations 202X⁸;

“**explosive**” means —

- (a) any explosive article or explosive substance which would —
 - (i) if packaged for transport, be classified in accordance with the United Nations Recommendations as falling within Class 1; or
 - (ii) be classified in accordance with the United Nations Recommendations as —
 - (A) being unduly sensitive or so reactive as to be subject to spontaneous reaction and accordingly too dangerous to transport; and
 - (B) falling within Class 1; or

- (b) a desensitised explosive,

but it does not include an explosive substance produced as part of a manufacturing process which thereafter reprocesses it in order to produce a substance or preparation which is not an explosive substance;

“**explosive article**” means an article containing one or more explosive substances;

“**explosive substance**” means a substance or preparation, not including a substance or preparation in a solely gaseous form or in the form of vapour, which is —

- (a) capable by chemical reaction in itself of producing gas at such a temperature and pressure and at such a speed as could cause damage to surroundings; or
- (b) designed to produce an effect by heat, light, sound, gas or smoke, or a combination of these as a result of a non-detonative, self-sustaining, exothermic chemical reaction;

“**flammable gas**” and “**flammable liquid**” have the meanings associated with those hazard classes in Part 2 of Annex I of the CLP Regulation (physical hazards);

“**mine**” means any mine within the definition of the 1950 Act;

“**mutagen**” has the meaning given by regulation 3(1) (interpretation) of COSHH;

“**nominated person**” means, in relation to a mine or quarry, the person (if any) who is for the time being nominated —

⁸ SD XX/XXX.

- (a) in a case where there is an association or body representative of a majority of the total number of persons employed at a mine or quarry, by that association or body; or
- (b) in any other case, jointly by associations or bodies which are together representative of such a majority,

to receive notices under paragraph 4 of Part 1 of Schedule 1 on behalf of the persons employed at that mine or quarry;

“non-passenger train” means any train except a passenger train;

“offshore installation” has the meaning given by article 5(2) (offshore installations) of the 2025 Order;

“offshore workplace” means any place where activities are carried on, or any premises to which the 1974 Act is applied by article 5 (offshore installations), article 6 (wells) or article 7 (pipelines) of the 2025 Order (which for this purpose are deemed to apply to those activities or premises within the Island which are in tidal waters or on the foreshore or other land intermittently covered by such waters as they apply to activities or premises within the territorial sea);

“operator” means —

- (a) in relation to a pipeline, the person identified as such by regulation 2(1) of the Pipelines Safety Regulations 1996⁹ as they apply to the Island¹⁰;
- (b) in relation to a quarry, the person in overall control of the working of the quarry;

“owner” in relation to a mine means the person who is for the time being entitled to work it;

“passenger train” means a train carrying passengers or made available for that purpose;

“pipeline” and **“pipeline works”** have the meanings given by article 7(2) (pipelines) of the 2025 Order;

“quarry” means a quarry to which the Quarry Regulations apply;

“the Quarry Regulations” means the Quarry (Health and Safety) Regulations 2025¹¹;

“railway” means a system of transport employing parallel rails which —

- (a) provide support and guidance for vehicles carried on flanged wheels; and
- (b) form a track which either is of a gauge of at least 350 millimetres or crosses a carriageway (whether or not on the same level),

⁹ SI 1996/825.

¹⁰ SD 277/95.

¹¹ SD 2025/0132.

but does not include a tramway;

“relevant transport system” means —

- (a) a railway; or
- (b) a tramway;

except at a construction site, mine or quarry;

“reportable incident” means an incident giving rise to a notification or reporting requirement under these Regulations;

“reporting procedure” means, in relation to —

- (a) an injury, death or dangerous occurrence (except at a mine or quarry), the procedure described in paragraph 1 of Part 1 of Schedule 1;
- (b) an occupational disease or a disease offshore, the procedure described in paragraph 2 of Part 1 of Schedule 1;
- (c) exposure to a carcinogen, mutagen or biological agent, the procedure described in paragraph 3 of Part 1 of Schedule 1; or
- (d) an injury, death or dangerous occurrence at a mine or quarry, the procedure described in paragraph 4 of Part 1 of Schedule 1;

“responsible person” means the person identified in accordance with regulation 4 (responsible person);

“road” has the meaning given by section 72 (general interpretation provisions) of the Road Traffic Act 1985;

“road vehicle” means any vehicle on a road, other than a train;

“routine work” means work which a person might reasonably be expected to do, either under that person’s contract of employment, or, if there is no such contract, in the normal course of that person’s work;

“running line” means any line ordinarily used for the passage of train which is not a siding;

“specified injury” means any injury or condition specified in regulation 5(1)(a) to (h) (non-fatal injuries to workers);

“train” includes a locomotive, tramcar or other power unit, and any vehicle used on a relevant transport system;

“tramway” means a system of transport used wholly or mainly for the carriage of passengers —

- (a) which employs parallel rails which —
 - (i) provide support and guidance for vehicles carried on flanged wheels; and
 - (ii) are laid wholly or partly along a road or in any other place to which the public has access (including a place to which the public has access only on making a payment); and

- (b) on any part of which the permitted maximum speed is such as to enable the driver to stop a vehicle in the distance that the driver can see to be clear ahead;

“United Nations Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods¹² as revised or reissued from time to time;

“well” includes any structures and devices on top of a well;

“workmen’s inspectors” means workmen’s inspectors exercising the powers conferred on them by either regulation 7 (inspections of the workplace) of the Safety Representatives and Safety Committee Regulations 202¹³ in relation to a mine or regulation 40 (participation of persons at work) of the Quarry Regulations; and

“work-related accident” means an accident arising out of or in connection with work.

- (2) In these Regulations, a reference to a work-related accident or dangerous occurrence includes an accident or dangerous occurrence attributable to —
 - (a) the manner of conducting an undertaking;
 - (b) the plant or substances used for the purpose of an undertaking; or
 - (c) the condition of the premises used for the purpose of an undertaking or any part of them.
- (3) For the purpose of these Regulations, a person at an offshore workplace is deemed to be at work at all times when that person is at that workplace in connection with that person’s work.

4 Responsible person

SI 2013/1471/3 [and drafting]

- (1) In these Regulations, the **“responsible person”** is —
 - (a) in relation to an injury, death or dangerous occurrence reportable under regulation 5 (non-fatal injuries to workers), regulation 6 (non-fatal injuries to non-workers), regulation 7 (work-related fatalities) or regulation 8 (dangerous occurrences) or recordable under regulation 13(1)(b) (recording and record-keeping) involving —
 - (i) an employee, that employee’s employer; or

¹² Based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Committee of Experts at its 23rd session Resolution 645G (XXIII) of 26 April 1957, current edition (2023): ISBN 978-92-1-139221-0.

¹³ SD xx/xxx.

- (ii) a person not at work or a self-employed person, or in relation to any other dangerous occurrence, the person who by means of their carrying on any undertaking was in control of the premises where the reportable or recordable incident happened, at the time it happened; or
 - (b) in relation to a diagnosis reportable under regulation 9 (occupational diseases), regulation 10 (exposure to carcinogens, mutagens and biological agents) or regulation 11 (diseases offshore) in respect of —
 - (i) an employee, that employee's employer; or
 - (ii) a relevant self-employed person, that self-employed person.
- (2) Despite paragraph (1), in these Regulations the **“responsible person”** is —
 - (a) in relation to a mine, the mine operator of that mine;
 - (b) in relation to a closed tip, the owner of the mine with which that tip is associated;
 - (c) in relation to a quarry, the operator of that quarry;
 - (d) in relation to a dangerous occurrence —
 - (i) at a pipeline, the operator of that pipeline; or
 - (ii) at a well, the person appointed to organise and supervise the drilling of, and operations using, that well by any person granted a licence under section 2 (licences to search for and get petroleum) of the Petroleum Act 1986, or where no such person is appointed, that licensee; or
 - (e) except in relation to a diagnosis reportable under regulation 9, regulation 10 or regulation 11 —
 - (i) at an offshore installation, the duty holder for the purposes of the Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995¹⁴ as they apply to the Island¹⁵, (provided that for the purposes of this provision regulation 3(2)(c) of those Regulations is deemed not to apply); or
 - (ii) in relation to a diving project, the diving contractor.
- (3) For the purposes of this regulation —
 - (a) **“relevant self-employed person”** means a self-employed person who conducts an undertaking of a prescribed description for the purpose of section 3(2) (general duties of employers and self-

¹⁴ SI 1995/738.

¹⁵ SD 277/95.

employed to persons other than their employees) of the 1974 Act;
and

- (b) **“mine operator”** means —
- (i) in relation to a mine, the person who is in control of the operation of the mine; and
 - (ii) in relation to a mine which is to be constructed or operated, the person who proposes to control its operation or (if that person is not known) the person who in the course of a trade, business or other undertaking carried on by that person has commissioned its design and construction.

5 Non-fatal injuries to workers

SI 2013/1471/4 [and drafting]

- (1) The responsible person must follow the reporting procedure where any person at work, as a result of a work-related accident, suffers —
- (a) any bone fracture diagnosed by a registered medical practitioner, other than to a finger, thumb or toe;
 - (b) amputation of an arm, hand, finger, thumb, leg, foot or toe;
 - (c) any injury diagnosed by a registered medical practitioner as being likely to cause permanent blinding or reduction in sight in one or both eyes;
 - (d) any crush injury to the head or torso causing damage to the brain or internal organs in the chest or abdomen;
 - (e) any burn injury (including scalding) which —
 - (i) covers more than 10% of the whole body’s total surface area; or
 - (ii) causes significant damage to the eyes, respiratory system or other vital organs;
 - (f) any degree of scalping requiring hospital treatment;
 - (g) loss of consciousness caused by head injury or asphyxia; or
 - (h) any other injury arising from working in an enclosed space which —
 - (i) leads to hypothermia or heat-induced illness; or
 - (ii) requires resuscitation or admittance to hospital for more than 24 hours.
- (2) Where any person at work is incapacitated for routine work for more than 3 consecutive days (excluding the day of the accident but including any days which are not, or would not have been, working days) because of an injury resulting from an accident arising out of or in connection with that work, the responsible person must send a report to the

Department in an approved manner as soon as practicable and in any event within 10 days (including any days which are not, or would not have been, working days) of the accident.

- (3) This regulation is subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

6 Non-fatal injuries to non-workers

SI 2013/1471/5

Where any person not at work, as a result of a work-related accident, suffers —

- (a) an injury, and that person is taken from the site of the accident to a hospital for treatment in respect of that injury; or
- (b) a specified injury on hospital premises,

the responsible person must follow the reporting procedure, subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

7 Work-related fatalities

SI 2013/1471/6 [and drafting]

- (1) Where any person dies as a result of a work-related accident, the responsible person must follow the reporting procedure.
- (2) Where any person dies as a result of occupational exposure to a biological agent, the responsible person must follow the reporting procedure.
- (3) Where an employee has suffered an injury reportable under regulation 5 (non-fatal injuries to workers) which is a cause of the death of the employee within one year of the date of the accident, the employer must notify the Department of the death in an approved manner without delay, whether or not the injury has been reported under regulation 5.
- (4) This regulation is subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements), and does not apply to a self-employed person who suffers a fatal accident or fatal exposure on premises controlled by that self-employed person.

8 Dangerous occurrences

SI 2013/1471/7 [and drafting]

Where there is a dangerous occurrence, the responsible person must follow the reporting procedure, subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

9 Occupational diseases

SI 2013/1471/8 [and drafting]

Where, in relation to a person at work, the responsible person receives a diagnosis of —

- (a) Carpal Tunnel Syndrome, where the person's work involves regular use of percussive or vibrating tools;
- (b) cramp in the hand or forearm, where the person's work involves prolonged periods of repetitive movement of the fingers, hand or arm;
- (c) occupational dermatitis, where the person's work involves significant or regular exposure to a known skin sensitizer or irritant;
- (d) Hand Arm Vibration Syndrome, where the person's work involves regular use of percussive or vibrating tools, or the holding of materials which are subject to percussive processes, or processes causing vibration;
- (e) occupational asthma, where the person's work involves significant or regular exposure to a known respiratory sensitizer; or
- (f) tendonitis or tenosynovitis in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements,

the responsible person must follow the reporting procedure, subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

10 Exposure to carcinogens, mutagens and biological agents

SI 2013/1471/9 [and drafting]

Where, in relation to a person at work, the responsible person receives a diagnosis of —

- (a) any cancer attributed to an occupational exposure to a known human carcinogen or mutagen (including ionising radiation); or
- (b) any disease attributed to an occupational exposure to a biological agent,

the responsible person must follow the reporting procedure, subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

11 Diseases offshore

SI 2013/1471/10 [and drafting]

Where, in relation to a person at an offshore workplace, the responsible person receives a diagnosis of any of the diseases listed in Schedule 3, the responsible

person must follow the reporting procedure, subject to regulation 15 (restrictions on the application of regulations 5 to 11) and regulation 16 (restriction on parallel requirements).

12 Gas-related injuries and hazards

SI 2013/1471/11 [and drafting]

- (1) Where a conveyer of flammable gas through a fixed pipe distribution system, or a filler, importer or supplier (except by retail) of a refillable container containing liquefied petroleum gas, receives notification of the death, loss of consciousness or taking to hospital of a person because of an injury arising in connection with that gas, that person must —
 - (a) notify the Department of the incident without delay; and
 - (b) send a report of the incident to the Department in an approved manner within 14 days of the incident.
- (2) Where an approved person has sufficient information to decide that the design, construction, manner of installation, modification or servicing of a gas fitting is or could have been likely to cause the death, loss of consciousness or taking to hospital of a person because of —
 - (a) the accidental leakage of gas;
 - (b) the incomplete combustion of gas; or
 - (c) the inadequate removal of the products of combustion of gas,the approved person must send a report of that information to the Department in an approved manner within 14 days of acquiring that information.
- (3) Nothing is reportable —
 - (a) under this regulation, if it is notifiable or reportable elsewhere in these Regulations;
 - (b) under paragraph (2), in relation to any gas fitting undergoing testing or examination at a place set aside for that purpose; or
 - (c) under paragraph (2), if the approved person has previously reported that information.
- (4) In this regulation —

“approved person” means an employer or self-employed person who is a member of a class of persons approved by the Department for the purposes of regulation 3(3) (qualification and supervision) of the Gas Safety (Installation and Use) Regulations 1998¹⁶ (of Parliament), as it applies to the Island¹⁷;

¹⁶ SI 1998/2451.

¹⁷ SD 2023/0189.

“**gas fitting**” means a gas fitting defined in those Regulations or any flue or ventilation used in connection with that fitting; and

“**liquefied petroleum gas**” means a commercial butane (that is, a hydrocarbon mixture consisting predominantly of butane, butylene or any mixture of them) or commercial propane (that is, a hydrocarbon mixture consisting predominantly of propane, propylene or any mixture of them) or any mixture of commercial butane and commercial propane.

13 Recording and record-keeping

SI 2013/1471/12 [and drafting]

- (1) The responsible person must keep a record of any —
 - (a) reportable incident under —
 - (i) regulation 5 (non-fatal injuries to workers);
 - (ii) regulation 6 (non-fatal injuries to non-workers);
 - (iii) regulation 7 (work-related fatalities); or
 - (iv) regulation 8 (dangerous occurrences),which contains the particulars specified in paragraph 5 of Part 2 of Schedule 1;
 - (b) diagnosis reportable under —
 - (i) regulation 9 (occupational diseases);
 - (ii) regulation 10 (exposure to carcinogens, mutagens and biological agents); or
 - (iii) regulation 11 (diseases offshore),which contains the particulars specified in paragraph 6 of Part 2 of Schedule 1;
 - (c) injury to a person at work resulting from an accident arising out of or in connection with that work, incapacitating that person for routine work for more than 3 consecutive days (excluding the day of the accident but including any days which are not, or would not have been, working days), which contains the particulars specified in paragraph 7 of Part 2 of Schedule 1; and
 - (d) other particulars approved by the Department for demonstrating compliance with the approved manner of reporting under Part 1 of Schedule 1.
- (2) An entry in the record referred to in paragraph (1) must be kept for at least 3 years from the date on which it was made, and the record must be —
 - (a) kept at the place where the work to which it relates is carried on, or at the usual place of business of the responsible person; and

- (b) in the case of a mine or quarry, available for inspection by any nominated person and workmen's inspectors (excluding any health record of an identifiable individual).
- (3) The responsible person must send to the Department such extracts from the record required to be kept under paragraph (1) as the Department may require.
- (4) Any record of injuries, deaths, dangerous occurrences or diseases which the responsible person keeps for any other purpose satisfies the requirements of paragraph (1) if it covers the injuries recordable under these Regulations and includes the particulars specified in Part 2 of the Schedule 1.

14 Mines, quarries and offshore site disturbance

SI 2013/1471/13 [and drafting]

- (1) Where there is a reportable incident under regulation 5 (non-fatal injuries to workers), regulation 6 (non-fatal injuries to non-workers) or regulation 7 (work-related fatalities) at a mine, quarry or offshore workplace, or where there is a dangerous occurrence at a mine or quarry, then the place where it happened must not be disturbed, or anything at that place tampered with before —
 - (a) the expiration of 3 working days after the matter has been notified in accordance with these Regulations; or
 - (b) the place has been visited by an inspector and, in the case of a mine or quarry, by workmen's inspectors, if that is sooner.
- (2) Nothing in this regulation prohibits any person doing anything by or with the consent of an inspector, or which was necessary —
 - (a) in the case of a mine or quarry, to secure the safety of the mine or quarry, or of any person; or
 - (b) in the case of an offshore workplace, to secure the safety or integrity of the workplace or of any person, plant, vessel or well.
- (3) In relation to a mine or quarry, this regulation does not apply if an appropriate person —
 - (a) has taken adequate steps to ascertain that disturbing the site —
 - (i) is unlikely to prejudice any investigation by an inspector into the circumstances of the reportable incident; and
 - (ii) is necessary to secure the safety of any person at the mine or quarry;
 - (b) has notified any nominated person, or any person designated in writing by a nominated person to receive any such notification, of the proposed disturbance, and gives such a person a reasonable opportunity to visit the site before it is disturbed (except in the case of a non-fatal accident or dangerous occurrence where any

- nominated person or person designated by them cannot be contacted within a reasonable time);
- (c) has taken adequate steps to ensure that such information is obtained as will enable the preparation, without delay, of a full and accurate plan showing the position of any equipment or item relevant to the reportable incident immediately after it happened;
 - (d) ensures that the plan is signed by the person who prepared it and bears the date on which it was prepared, and that a copy of that plan is supplied on request to any nominated person or any inspector; and
 - (e) ensures that any equipment or item relevant to the reportable incident is kept as it was immediately after the incident, until an inspector agrees that it may be disposed of.
- (4) In paragraph (3), “**appropriate person**” means the responsible person or, in the case of a quarry, a person appointed in the management structure of that quarry established pursuant to regulation 9(1) (management structure) of the Quarry Regulations.

15 Restrictions on the application of regulations 5 to 11

SI 2013/1471/14 [and drafting]

- (1) Where the injury or death of a person arises out of the conduct of any operation on, or any examination or other medical treatment of, that person (such operation, examination or other treatment being conducted by or under the supervision of a registered medical practitioner or a registered dentist), the requirements of the following regulations do not apply —
 - (a) regulation 5 (non-fatal injuries to workers);
 - (b) regulation 6 (non-fatal injuries to non-workers);
 - (c) regulation 7(1) (work related fatalities); and
 - (d) regulation 13(1)(b) (recording and record-keeping).
- (2) In paragraph (1), “**registered dentist**” has the meaning given by section 11 (interpretation) of the Dental Act 1985.
- (3) Where the injury or death of a person arises out of or in connection with the movement of a vehicle on a road, the requirements of regulations 5, 6, 7 and 13(1)(b) do not apply, unless that person —
 - (a) was injured or killed by an accident involving a train;
 - (b) was injured or killed by exposure to a substance being conveyed by the vehicle;
 - (c) was engaged in work connected with the loading or unloading of any article or substance onto or off the vehicle at the time of the accident, or was injured or killed by the activities of another person who was so engaged; or

- (d) was engaged in, or was injured or killed by the activities of another person who was at the time of the accident engaged in, work on or alongside a road.
- (4) In paragraph (3)(d), “**work on or alongside a road**” means work concerned with the construction, demolition, alteration, repair or maintenance of —
 - (a) the road or the markings or equipment on the road;
 - (b) the verges, fences, hedges or other boundaries of the road;
 - (c) pipes or cables on, under, over or adjacent to the road; or
 - (d) buildings or structures adjacent to or over the road.
- (5) The injury, death or diagnosis of a member of the armed forces of the Crown or of a visiting force, on duty at the time, is not subject to the requirements of —
 - (a) regulation 5 (non-fatal injuries to workers);
 - (b) regulation 7 (work-related fatalities);
 - (c) regulation 9 (occupational diseases);
 - (d) regulation 10 (exposure to carcinogens, mutagens and biological agents);
 - (e) regulation 11 (diseases offshore); or
 - (f) regulation 13(1)(b) (recording and record keeping),and for the purpose of this paragraph, a “**visiting force**” has the meaning given by section 12(1) (interpretation of Part I) of the Visiting Forces Act 1952 (of Parliament), as it applies to the Island¹⁸.
- (6) Except in relation to an offshore workplace, regulations 5 to 10 do not apply to anything which must be notified under —
 - (a) the Merchant Shipping (Accident Reporting and Investigation) Regulations 2001¹⁹;
 - (b) the Ionising Radiations Regulations 2017²⁰, as they apply to the Island²¹;
 - (c) Article 9 of Regulation (EU) No. 996/2010 of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC²² (obligation to notify accidents and serious incidents), as it applies to the Island²³.

¹⁸ SI 1962/0170.

¹⁹ SD 815/01.

²⁰ SI 2017/1075.

²¹ SD 2019/0281.

²² OJ No L 295, 12.11.10, p35.

²³ SD 2019/0267.

16 Restriction on parallel requirements

SI 2013/1471/15 [and drafting]

- (1) Where the responsible person is under more than one requirement to make a notification under these Regulations, only one notification is required if the conditions in paragraph (3) are met.
- (2) Where the responsible person is under more than one requirement to make a report under these Regulations, only one report is required if the conditions in paragraph (3) are met.
- (3) The conditions referred to in paragraph (1) and (2) are —
 - (a) the facts giving rise to each requirement are identical;
 - (b) the information required to be provided by each requirement is provided;
 - (c) where the requirements have different time limits —
 - (i) in any case where any of those requirements is a requirement to make a report in relation to a reportable incident falling within paragraph 1(3) of Part 1 of Schedule 1, the time limit in relation to that incident is complied with;
 - (ii) in any other case, the shortest time limit is complied with; and
 - (d) in the case of a mine or quarry, all steps referred to in paragraph 4 of Part 1 of Schedule 1 are complied with.
- (4) Where the responsible person is under more than one requirement to keep a record under these Regulations, only one record is required if the facts giving rise to each requirement are identical and the particulars required by each requirement are contained in the record.
- (5) Where the responsible person is under a requirement to make a report under —
 - (a) these Regulations; and
 - (b) regulation 9 (reporting of danger to an installation) of the Offshore Installations and Wells (Design and Construction, etc.) Regulations 1997²⁴, in respect of an installation in tidal waters and parts of the sea around the Island to the seaward limits of the Island's territorial sea,only one report is required if the conditions in paragraph (6) are met.
- (6) The conditions referred to in paragraph (5) are —
 - (a) the facts giving rise to each requirement are identical;
 - (b) the information required to be provided by each requirement is provided; and

²⁴ SD 168/97.

- (c) the report is made within 10 working days.

17 Defence

SI 2013/1471/16

In proceedings against any person for failing to comply with a requirement of these Regulations, it is a defence for that person to prove that they were not aware of the circumstances which gave rise to that requirement, so long as that person has taken all reasonable steps to be made aware, in sufficient time, of such circumstances.

18 Certificates of exemption

SI 2013/1471/17 [and drafting]

- (1) Subject to paragraph (2), the Department may exempt any person or class of persons from any requirement of these Regulations by a certificate in writing, and any such exemption may be granted subject to conditions and with or without limit of time and may be revoked by a certificate in writing at any time.
- (2) Such an exemption may not be granted by the Department 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 relevant enactments,

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

19 Amendment of the Gas Safety (Installation, Use and Management) (Application) Order 2023

- (1) The Gas Safety (Installation, Use and Management) (Application) Order 2023²⁵ is amended as follows.
- (2) In article 4 (Gas Safety (Management) Regulations 1996 modified), in sub-paragraph (6)(b) for “regulation (6)(1) of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 as they have effect in the Island by virtue of the Health and Safety (Reporting of Injuries Etc. Order 1992”, substitute **the** regulation 12(1) of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2025²⁶ **and**.

20 Amendment of the Quarry Regulations

- (1) The Quarry Regulations are amended as follows.

²⁵ SD 2023/0189.

²⁶ SD 2025/xxx.

- (2) In regulation 40 (participation of persons at work), in paragraph 3 for “the Health and Safety (Reporting of Injuries etc.) Order 1992” substitute **the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2025**.

21 Extension to the territorial sea

SI2013/1471/19 [and drafting]

These Regulations apply to and in relation to premises and activities in the territorial sea to which the 1974 Act applies by virtue of the 2025 Order as it applies to the Island excluding the territorial sea.

22 Revocation

The following instruments are revoked —

- (a) the Health and Safety (Reporting of Injuries etc.) Order 1992²⁷; and
- (b) the Offshore Installations (Reporting of Injuries, Diseases and Dangerous Occurrences) Regulations 1999²⁸.

MADE

CLARE BARBER

Minister for Environment, Food and Agriculture

²⁷ GC 518/92.

²⁸ SD 25/99.

SCHEDULE 1

REPORTING AND RECORDING PROCEDURE

PART 1 – REPORTING PROCEDURE

[Regulations 5 to 11]

1 Injuries, fatalities and dangerous occurrences

SI 2013/1471/Sch1/1 [and drafting]

- (1) Where required to follow the reporting procedure by regulation 5 (non-fatal injuries to workers), regulation 6 (non-fatal injuries to non-workers), regulation 7 (work-related fatalities) or regulation 8 (dangerous occurrences) (except in relation to a mine or quarry), the responsible person must —
 - (a) notify the Department of the reportable incident by the quickest practicable means without delay; and
 - (b) send a report of that incident in an approved manner to the Department within 10 days of the incident or, in the case of an incident falling within sub-paragraph (3), within 10 working days of the incident.
- (2) Sub-paragraph (1)(a) does not apply to a self-employed person who is injured at premises owned or occupied by that self-employed person, and it is sufficient compliance with sub-paragraph (1)(b) for a self-employed person to make arrangements for the report to be sent to the Department by some other person.
- (3) A reportable incident falls within this sub-paragraph if it relates to a dangerous occurrence of a class specified in —
 - (a) paragraph 12 of Part 1 of Schedule 2 in relation to an offshore workplace; or
 - (b) Part 6 of Schedule 2.
- (4) For the purposes of sub-paragraph (3), “**offshore workplace**” has the meaning given in regulation 3(1) (interpretation), but as if the words in the last set of parenthesis in that definition had no effect.

2 Diseases

SI 2013/1471/Sch1/2 [and drafting]

- (1) Where required to follow the reporting procedure by regulation 9 (occupational diseases) or regulation 11 (diseases offshore), the responsible person must send a report of the diagnosis in an approved manner to the Department without delay.

- (2) It is sufficient compliance with sub-paragraph (1) for a self-employed person to make arrangements for the report to be sent to the Department by some other person.

3 Carcinogens, mutagens and biological agents

SI 2013/1471/Sch1/3 [and drafting]

Where required to follow the reporting procedure by regulation 10 (exposure to carcinogens, mutagens or biological agents), the responsible person must notify the Department in an approved manner.

4 Mines and quarries

SI 2013/1471/Sch1/4 [and drafting]

- (1) Where required to follow the reporting procedure by regulation 5 (non-fatal injuries to workers), regulation 6 (non-fatal injuries to non-workers), regulation 7 (work-related fatalities) or regulation 8 (dangerous occurrences) in the case of a mine or quarry, the responsible person must —
- (a) notify the Department and any nominated person of the reportable incident by the quickest practicable means without delay; and
 - (b) send a report of that incident in an approved manner to —
 - (i) any nominated person within 7 days of the incident; and
 - (ii) the Department within 10 days of the incident.
- (2) Where the responsible person becomes aware of a person subsequently dying as the result of an accident which gave rise to an injury reported in accordance with sub-paragraph (1), the responsible person must notify any nominated person of the death.

PART 2 – RECORDS

[Regulation 13]

5 Particulars to be kept in records of any reportable incident under regulations 5 to 8

SI 2013/1471/Sch1/5-11

- (1) The date and time of the accident or dangerous occurrence.
- (2) In respect of an accident injuring a person at work, that person's —
- (a) full name;
 - (b) occupation; and
 - (c) injury.
- (3) In respect of an accident injuring a person not at work, that person's —

- (a) full name;
 - (b) status (for example, “passenger”, “customer”, “visitor” or “bystander”); and
 - (c) injury,
unless these are not known, and it is not reasonably practicable to ascertain them.
- (4) The place where the accident or dangerous occurrence happened.
 - (5) A brief description of the circumstances in which the accident or dangerous occurrence happened.
 - (6) The date on which the accident or dangerous occurrence was first notified or reported to the Department.
 - (7) The method by which the accident or dangerous occurrence was first notified or reported.

6 Particulars to be kept in records of any diagnosis reportable under regulation 9 to 11

SI 2013/1471/Sch1/12-17

- (1) The date of diagnosis of the disease.
- (2) The name of the person affected.
- (3) The occupation of the person affected.
- (4) The name or nature of the disease.
- (5) The date on which the disease was first reported to the Department.
- (6) The method by which the disease was reported.

7 Particulars to be kept in records of any injuries to be recorded under regulation 13(1)(c)

SI 2013/1471/Sch1/18-21

- (1) The date and time of the accident.
- (2) The following particulars of the injured person —
 - (a) full name;
 - (b) occupation; and
 - (c) injury.
- (3) The place where the accident happened.
- (4) A brief description of the circumstances in which the accident happened.

SCHEDULE 2

DANGEROUS OCCURRENCES

[Regulation 8]

PART 1 – GENERAL

1 Lifting equipment

SI 2013/1471/Sch2/1

The collapse, overturning or failure of any load-bearing part of any lifting equipment, other than an accessory for lifting.

2 Pressure systems

SI 2013/1471/Sch2/2 [and drafting]

The failure of any closed vessel or of any associated pipework (other than a pipeline) forming part of a pressure system as defined by regulation 2(1) (interpretation) of the Pressure Systems Safety Regulations 2000²⁹ (of Parliament), where that failure could cause the death of any person.

3 Overhead electric lines

SI 2013/1471/Sch2/3

Any plant or equipment unintentionally coming into —

- (a) contact with an uninsulated overhead electric line in which the voltage exceeds 200 volts; or
- (b) close proximity with such an electric line, such that it causes an electrical discharge.

4 Electrical incidents causing explosion or fire

SI 2013/1471/Sch2/4

Any explosion or fire caused by an electrical short circuit or overload (including those resulting from accidental damage to the electrical plant) which either —

- (a) results in the stoppage of the plant involved for more than 24 hours; or
- (b) causes a significant risk of death.

²⁹ SI 2000/128.

5 Explosives

SI 2013/1471/Sch2/5-9 [and drafting]

- (1) Any unintentional —
 - (a) fire, explosion or ignition at a site where the storage of explosives requires a licence under Regulations made under section 4 (power of Department to make regulations) of the Dangerous Goods Act 1928; or
 - (b) explosion or ignition of explosives (unless caused by the unintentional discharge of a weapon, where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to),

except where a fail-safe device or safe system of work prevented any person being endangered as a result of the fire, explosion or ignition.
- (2) The misfire of explosives (other than at a mine or quarry, inside a well or involving a weapon) except where a fail-safe device or safe system of work prevented any person being endangered as a result of the misfire.
- (3) Any explosion, discharge or intentional fire or ignition which causes any injury to a person requiring first-aid or medical treatment, other than at a mine or quarry.
- (4) The projection of material beyond the boundary of the site on which the explosives are being used, or beyond the danger zone of the site, which caused or might have caused injury, except at a quarry.
- (5) The failure of shots to cause the intended extent of collapse or direction of fall of a structure in a demolition operation.
- (6) In sub-paragraph (4), “**danger zone**” means the area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives.

6 Biological agents

SI 2013/1471/Sch2/10

- (1) Any accident or incident which results or could have resulted in the release or escape of a biological agent likely to cause severe human infection or illness.
- (2) For the purposes of this paragraph, “**severe human infection or illness**” means any infection or illness caused by biological agents in Hazard Groups 3 and 4 as defined in Schedule 4 (additional provisions relating to work with biological agents) of COSHH.

7 Radiation generators and radiography

SI 2013/1471/Sch2/11

- (1) The malfunction of —

- (a) a radiation generator or its ancillary equipment used in fixed or mobile industrial radiography, the irradiation of food or the processing of products by irradiation, which causes it to fail to de-energise at the end of the intended exposure period; or
 - (b) equipment used in fixed or mobile industrial radiography or gamma irradiation, which causes a radioactive source to fail to return to its safe position by the normal means at the end of the intended exposure period.
- (2) In sub-paragraph (1)(a), “**radiation generator**” means any electrical equipment emitting ionising radiation and containing components operating at a potential difference of more than 5kV.

8 Breathing apparatus

SI 2013/1471/Sch2/12 [and drafting]

Other than at a mine, the malfunction of breathing apparatus —

- (a) where the malfunction causes a significant risk of personal injury to the user; or
- (b) during testing immediately prior to use, where the malfunction would have caused a significant risk to the health or safety of the user had it occurred during use.

9 Diving operations

SI 2013/1471/Sch2/13-17

- (1) The failure, damaging or endangering of —
 - (a) any life support equipment, including control panels, hose and breathing apparatus; or
 - (b) the dive platform, or any failure of the dive platform to remain on station,which causes a significant risk of personal injury to a diver.
- (2) The failure or endangering of any lifting equipment associated with a diving operation.
- (3) The trapping of a diver.
- (4) Any explosion in the vicinity of a diver.
- (5) Any uncontrolled ascent or any omitted decompression which causes a significant risk of personal injury to a diver.

10 Collapse of scaffolding

SI 2013/1471/Sch2/18

The complete or partial collapse (including falling, buckling or overturning) of —

- (a) a substantial part of any scaffold more than 5 metres in height;

- (b) any supporting part of any slung or suspended scaffold which causes a working platform to fall (whether or not in use); or
- (c) any part of any scaffold in circumstances such that there would be a significant risk of drowning to a person falling from the scaffold.

11 Train collisions

SI 2013/1471/Sch2/19

The collision of a train with any other train or vehicle, other than a collision reportable under Part 5 of Schedule 2, which could have caused the death, or specified injury, of any person.

12 Wells

SI 2013/1471/Sch2/20

In relation to a well (other than a well sunk for the purpose of the abstraction of water) —

- (a) a blow-out (which includes any uncontrolled flow of well-fluids from a well);
 - (b) the coming into operation of a blow-out prevention or diversion system to control flow of well-fluids where normal control procedures fail;
 - (c) the detection of hydrogen sulphide at a well or in samples of well-fluids where the responsible person did not anticipate its presence in the reservoir drawn on by the well;
 - (d) the taking of precautionary measures additional to any contained in the original drilling programme where a planned minimum separation distance between adjacent wells was not maintained;
- or
- (e) the mechanical failure of any part of a well whose purpose is to prevent or limit the effect of the unintentional release of fluids from a well or a reservoir being drawn on by a well, or whose failure would cause or contribute to such a release.

13 Pipelines or pipeline works

SI 2013/1471/Sch2/21-22

(1) In relation to a pipeline or pipeline works —

- (a) any damage to, accidental or uncontrolled release from or inrush of anything into a pipeline;
- (b) the failure of any pipeline isolation device, associated equipment or system; or
- (c) the failure of equipment involved with pipeline works;

which could cause personal injury to any person, or which results in the pipeline being shut down for more than 24 hours.

- (2) The unintentional change in position of a pipeline, or in the subsoil or seabed in the vicinity, which requires immediate attention to safeguard the pipeline's integrity or safety.

PART 2 – DANGEROUS OCCURRENCES REPORTABLE EXCEPT IN RELATION TO AN OFFSHORE WORKPLACE

14 Structural collapse

SI 2013/1471/Sch2/23-24

- (1) The unintentional collapse or partial collapse of —
 - (a) any structure, which involves a fall of more than 5 tonnes of material; or
 - (b) any floor or wall of any place of work,
arising from, or in connection with, ongoing construction work (including demolition, refurbishment and maintenance), whether above or below ground.
- (2) The unintentional collapse or partial collapse of any falsework.

15 Explosion or fire

SI 2013/1471/Sch2/25

Any unintentional explosion or fire in any plant or premises which results in the stoppage of that plant, or the suspension of normal work in those premises, for more than 24 hours.

16 Release of flammable liquids and gases

SI 2013/1471/Sch2/26

The sudden, unintentional and uncontrolled release —

- (a) inside a building —
 - (i) of 100 kilograms or more of a flammable liquid;
 - (ii) of 10 kilograms or more of a flammable liquid at a temperature above its normal boiling point;
 - (iii) of 10 kilograms or more of a flammable gas; or
- (b) in the open air, of 500 kilograms or more of a flammable liquid or gas.

17 Hazardous escapes of substances

SI 2013/1471/Sch2/27

The unintentional release or escape of any substance which could cause personal injury to any person other than through the combustion of flammable liquids or gases.

PART 3 – DANGEROUS OCCURRENCES REPORTABLE IN RELATION TO A MINE

18 Fire or ignition of gas

SI 2013/1471/Sch2/28-32 [and drafting]

- (1) Any outbreak of fire below ground.
- (2) Any person being caused to leave a mine as a result of smoke or other indication that a fire may have broken out below ground.
- (3) Any fire on the surface which endangers the operation of any winding or haulage apparatus installed at a shaft or unwalkable outlet or of any mechanically operated apparatus for producing ventilation below ground.
- (4) The ignition of any gas (other than in a safety lamp) or dust below ground.
- (5) The unintentional ignition of any gas in part of a firedamp drainage system on the surface or in an exhauster house.

19 Escape of gas with solid matter

SI 2013/1471/Sch2/33

The violent unintentional escape of gas together with coal or other solid matter into the mine workings.

20 Failures of plant or equipment

SI 2013/1471/Sch2/34-38

- (1) The breakage or unintentional uncoupling of any belt, rope, chain, coupling, balance rope, guide rope, rope tensioning system, suspension gear or other gear used for or in connection with —
 - (a) carrying persons through any shaft or staple shaft;
 - (b) transporting persons below ground; or
 - (c) a belt conveyor designated by the mine manager as a man-riding conveyor.
- (2) The overwinding of —
 - (a) any conveyance being used for the carriage of persons; or
 - (b) any other conveyance, which becomes detached from its winding rope.
- (3) The bringing to rest of any conveyance operated using the friction of a rope on a winding sheave by the apparatus provided —
 - (a) in the headframe of the shaft; or
 - (b) in the part of the shaft below the lowest landing for the time being in use,

for the purpose of bringing the conveyance to rest in the event of it being overwound.

- (4) The stoppage of any ventilating apparatus (other than an auxiliary fan) for over 30 minutes, except for planned maintenance, which causes a reduction in mine ventilation resulting in dangerous levels of noxious or flammable gases.
- (5) The collapse of any headframe, winding engine house, fan house or storage bunker.

21 Breathing apparatus

SI 2013/1471/Sch2/39

The malfunction of, or development of a defect in, breathing apparatus or a smoke helmet or other apparatus serving the same purpose or a self-rescuer where —

- (a) the malfunction or defect causes, or is likely to cause, a significant risk of personal injury to the user; or
- (b) immediately after use and as a result of its use any person receives first-aid or medical treatment because of the unfitness or suspected unfitness of that person.

22 Emergency escape apparatus

SI 2013/1471/Sch2/40 [and drafting]

Other than for the purpose of training and practice, the use of any apparatus used to leave a mine when apparatus and equipment normally so used is unavailable.

23 Inrush of gas or flowing material

SI 2013/1471/Sch2/41-42

- (1) The inrush of noxious or flammable gas from old workings.
- (2) The inrush of water or material which flows when wet from any source.

24 Locomotives

SI 2013/1471/Sch2/44

The bringing to rest of an underground locomotive by means other than its safety circuit protective devices or normal service brakes, when not used for testing purposes.

25 Falls of ground

SI 2013/1471/Sch2/45 [and drafting]

Other than one which is part of the normal operations at a mine, any fall of ground which —

- (a) results from a failure of an underground support system; and

- (b) prevents persons travelling through the area affected by the fall, or otherwise exposes them to danger.

26 Accidents causing specified injuries

SI 2013/1471/Sch2/46

Any accident in which any person suffers a specified injury.

**PART 4 – DANGEROUS OCCURRENCES WHICH ARE
REPORTABLE IN RELATION TO A QUARRY**

27 Collapse of storage bunkers

SI 2013/1471/Sch2/47

The collapse of any storage bunker.

28 Sinking of craft

SI 2013/1471/Sch2/48

The sinking of any water-borne craft or hovercraft.

29 Projection of substances outside quarry

SI 2013/1471/Sch2/49 [and drafting]

- (1) Following a blasting operation, the projection of any material beyond the designated danger zone or the projection of any material which caused or might have caused injury.
- (2) In sub-paragraph (1), “**danger zone**” means an area determined for each blast under the shotfiring rules required by regulation 26(2)(a)(i) and (b) (operator’s duties) of the Quarry Regulations.

30 Misfires

SI 2013/1471/Sch2/50 [and drafting]

Any misfire, as defined by regulation 3(1) (interpretation) of the Quarry Regulations.

31 Insecure tips

SI 2013/1471/Sch2/51 [and drafting]

Any event (including any movement of material or any fire) which indicates that a tip to which the Quarry Regulations apply is or is likely to become insecure.

32 Movement of slopes or faces

SI 2013/1471/Sch2/52

Any movement or failure of an excavated slope or face which —

- (a) could cause the death of any person; or
- (b) adversely affects any building, contiguous land, transport system, footpath, public utility or service, watercourse, reservoir or area of public access.

33 Explosion or fire in vehicles or mobile plant

SI 2013/1471/Sch2/53

An explosion or fire in —

- (a) a dump truck with a load capacity of at least 50 tonnes; or
- (b) an excavator with a bucket capacity of at least 5 cubic metres, which results in the stoppage of that vehicle or plant for more than 24 hours, and which affects —
 - (i) a place where persons normally work; or
 - (ii) the route of egress from such a place.

**PART 5 – DANGEROUS OCCURRENCES WHICH ARE
REPORTABLE IN RESPECT OF A RELEVANT TRANSPORT
SYSTEM**

34 Collision or derailment of passenger trains

SI 2013/1471/Sch2/54-55

- (1) Any collision between a passenger train and another train.
- (2) The derailment of the whole or part of a passenger train.

35 Collision or derailment not involving passenger trains

SI 2013/1471/Sch2/56-57

- (1) Any collision between non-passenger trains —
 - (a) on a running line, which causes damage to a train; or
 - (b) in a siding, which causes damage to a train and an obstruction to a running line.
- (2) The derailment of a non-passenger train —
 - (a) on a running line, except a derailment during shunting operations which does not obstruct any other running line; or
 - (b) in a siding, which causes an obstruction to a running line.

36 Accidents involving any train

SI 2013/1471/Sch2/58-62

- (1) Any collision between a train and a buffer stop which causes damage to the train, except a collision in a siding.

- (2) A train striking any cattle or horse, whether or not damage is caused to the train, or striking any other animal which causes damage necessitating immediate temporary or permanent repair (including damage to the windows of the driver's cab but excluding other damage consisting solely in the breakage of glass).
- (3) A train on a running line striking or being struck by any object which causes damage necessitating immediate temporary or permanent repair (including damage to the window of the driver's cab but excluding other damage consisting solely in the breakage of glass) or which might have been liable to derail the train.
- (4) A train, other than one on a railway, striking or being struck by a road vehicle.
- (5) A passenger train, or a non-passenger train not fitted with continuous self-applying brakes, becoming unintentionally divided.

37 Failure of train parts

SI 2013/1471/Sch2/63 [and drafting]

Occurring or is discovered whilst the train is on a running line, the failure of —

- (a) an axle;
- (b) a wheel or tyre, including a tyre loose on its wheel;
- (c) a rope or the rope's fastenings;
- (d) a winding plant or equipment involved in working an incline; or
- (e) any part of a train which is likely to cause an accident to that or any other train, or to cause personal injury to any person.

38 Fire

SI 2013/1471/Sch2/64 [and drafting]

Any fire —

- (a) in or on any part of a passenger train;
- (b) in or on any part of a non-passenger train which was extinguished by a firefighting service;
- (c) seriously affecting the functioning of signalling equipment;
- (d) affecting the permanent way or works of a relevant transport system which necessitates the suspension of services over any line, or the closure of any part of a station or signal box or other premises, for a period —
 - (i) of more than 30 minutes in the case of any part of a relevant transport system below ground; and
 - (ii) in any other case, of more than one hour; or
- (e) causing damage which could affect the running of a relevant transport system.

39 Severe electrical arcing or fusing

SI 2013/1471/Sch2/65

Severe electrical arcing or fusing —

- (a) in or on any part of a train; or
- (b) which seriously affects the functioning of signalling equipment.

40 Level crossings

SI 2013/1471/Sch2/66-68

- (1) Any train striking a road vehicle or gate at a level crossing.
- (2) Any train running onto a level crossing when not authorised to do so.
- (3) The failure of equipment at a level crossing which could cause a significant risk of personal injury to users of the road or path crossing the railway.

41 The permanent way and other works

SI 2013/1471/Sch2/69-73

- (1) The failure of a rail in a running line or of a rack rail, which results in —
 - (a) a complete fracture of the rail through its cross-section; or
 - (b) in a piece becoming detached from the rail which requires the immediate stoppage of traffic or the immediate imposition of a lower speed restriction.
- (2) The buckle of a running line which requires the immediate stoppage of traffic or the immediate imposition of a lower speed restriction.
- (3) An aircraft or vehicle of any kind either landing on, running onto or coming to rest across the line, or damaging the line, so as to cause damage —
 - (a) which obstructs the line; or
 - (b) to any railway equipment at a level crossing.
- (4) The runaway of an escalator, lift or passenger conveyor.
- (5) The following classes of accident where they are likely to cause an accident to a train or a significant risk of personal injury to any person —
 - (a) the failure of a tunnel, bridge, viaduct, culvert, station or other structure or any part of it including the fixed electrical equipment of an electrified relevant transport system;
 - (b) any failure in the signalling system which could cause a significant risk to the safe passage of trains other than a failure of a traffic light controlling the movement of vehicles on a road;
 - (c) a slip of a cutting or of an embankment;
 - (d) flooding of the permanent way;

- (e) the striking of a bridge by a vessel or by a road vehicle or its load;
or
- (f) the failure of any other portion of the permanent way or works.

42 Incidents of signals passed without authority

SI 2013/1471/Sch2/74

Any train, travelling on a running line or entering a running line from a siding, passing a signal displaying a stop aspect without authority, unless the stop aspect was not displayed in sufficient time for the driver to stop safely at the signal.

PART 6 – DANGEROUS OCCURRENCES WHICH ARE REPORTABLE IN RESPECT OF AN OFFSHORE WORKPLACE

43 Release of petroleum hydrocarbon

SI 2013/1471/Sch2/75

The unintentional release of petroleum hydrocarbon on or from an offshore installation which —

- (a) results in —
 - (i) a fire or explosion; or
 - (ii) the taking of action to prevent or limit the consequences of a potential fire or explosion; or
- (b) could cause a specified injury to, or the death of, any person.

44 Fire or explosion

SI 2013/1471/Sch2/76

Any fire or explosion at an offshore installation, other than one caused by the release of petroleum hydrocarbon, which results in the stoppage of plant or the suspension of normal work.

45 Release or escape of dangerous substances

SI 2013/1471/Sch2/77

The unintentional or uncontrolled release or escape of any substance (other than petroleum hydrocarbon) on or from an offshore installation which could cause a significant risk of personal injury to any person.

46 Collapses

SI 2013/1471/Sch2/78

Any unintentional collapse or partial collapse of an offshore installation or of any plant on an offshore installation which jeopardises the overall structural integrity of the installation.

47 Equipment

SI 2013/1471/Sch2/79

The failure of equipment required to maintain a floating offshore installation on station which could cause a specified injury to, or the death of, any person.

48 Dropping objects

SI 2013/1471/Sch2/80

The dropping of any object on an offshore installation or on an attendant vessel or into the water adjacent to an installation or vessel which could cause a specified injury to, or the death of, any person.

49 Weather damage

SI 2013/1471/Sch2/81

Any damage to or on an offshore installation caused by adverse weather conditions and which could cause a specified injury to, or the death of, any person.

50 Collisions

SI 2013/1471/Sch2/82-83

- (1) Any collision between a vessel or aircraft and an offshore installation which causes damage to the installation, the vessel or the aircraft.
- (2) Any occurrence with the potential for a collision between a vessel and an offshore installation where, had a collision occurred, it might have jeopardised the overall structural integrity of the installation.

51 Subsidence or collapse of seabed

SI 2013/1471/Sch2/84

Any subsidence or collapse of the seabed likely to affect the foundation or the overall structural integrity of an offshore installation.

52 Loss of stability or buoyancy

SI 2013/1471/Sch2/85

Any incident which causes the loss of stability or buoyancy of a floating offshore installation.

53 Evacuation

SI 2013/1471/Sch2/86

The partial or complete evacuation of an offshore installation in the interests of safety.

54 Falls into water

SI 2013/1471/Sch2/87

Any fall of a person into water from more than 2 metres.

Consultation

SCHEDULE 3

DISEASES REPORTABLE OFFSHORE

[Regulation 11]

1. Chickenpox
2. Cholera
3. Diphtheria
4. Dysentery (amoebic or bacillary)
5. Acute encephalitis
6. Erysipelas
7. Food poisoning
8. Legionellosis
9. Malaria
10. Measles
11. Meningitis
12. Meningococcal septicaemia (without meningitis)
13. Mumps
14. Paratyphoid fever
15. Plague
16. Acute poliomyelitis
17. Rabies
18. Rubella
19. Scalet Fever
20. Tetanus
21. Tuberculosis

SCHEDULE 3

- 22. Typhoid fever
- 23. Typhus
- 24. Viral haemorrhagic fevers
- 25. Viral hepatitis

Consultation

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are derived from the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (of Parliament), and revoke and replace the Health and Safety (Reporting of Injuries etc.) Order 1992 (GC 518/92).

Regulation 4 (responsible person) requires a responsible person (defined in regulation 3) to notify, and subsequently send a report to, the Department by an approved means in relation to fatal and certain non-fatal work-related accidents, specified diseases contracted by a person at work and certain specified dangerous occurrences.

Regulation 5 (non-fatal injuries to workers), regulation 6 (non-fatal injuries to non-workers) and regulation 7 (work-related fatalities) identify reportable accidents arising out of or in connection with work. Accidents involving workers which give rise to certain specified injuries, accidents after which non-workers are taken to hospital and any accident resulting in a fatality are all reportable. Regulation 8 (dangerous occurrences) further provides that the “dangerous occurrences” specified in Schedule 2 are reportable.

Regulation 9 (occupational diseases), regulation 10 (exposure to carcinogens, mutagens and biological agents) and regulation 11 (diseases offshore) identify diseases which are reportable where a person undertakes specific kinds of work, where they are attributable to an occupational exposure to a biological agent, carcinogen or mutagen, or where they occur at an offshore workplace.

Regulation 12 (gas-related injuries and hazards) describes situations in which deaths, losses of consciousness or injuries resulting in any person being taken to hospital in connection with gas that has been distributed, filled, imported or supplied are reportable by the gas worker involved in the distribution, filling, import or supply of that gas. It further provides that a person approved under the Gas Safety (Installation and Use) Regulations 1998, as they have effect in the Island, must report any information leading them to believe that the design, construction, installation, modification or servicing of a gas fitting might have caused the death, loss of consciousness or taking to hospital of a person.

Regulation 13 (recording and record-keeping) establishes that the responsible person must keep a record of reportable incidents containing the particulars specified in Part 2 of Schedule 1.

Regulation 14 (mines, quarries and offshore site disturbance) maintains that the site of a reportable incident occurring at a mine, quarry or offshore workplace should not be disturbed until certain steps have been taken – unless necessary to ensure the safety of a person or of the workplace.

Regulation 15 (restrictions on the application of regulations 5-11) contains certain restrictions on the application of these Regulations, and regulation 16 (restriction on parallel requirements) further establishes that parallel requirements do not apply more than once where the same incident gives rise to more than one requirement. The defence in regulation 17 (defence) provides that a person who has failed to comply with these Regulations because of a lack of knowledge of the facts giving rise to the requirements. The defence only applies where the person upon whom the requirement is imposed has taken all reasonable steps to have been made aware of such facts.

Regulation 18 (certificates of exemption) allows the Department to grant individual certificates of exemption from any requirement of these Regulations to any person or class of persons.

Regulation 19 amends the Gas Safety (Installation, Use and Management) Application Order 2023.

Regulation 20 amends the Quarry (Health and Safety) Regulations 2025.

Regulation 21 provides for the application of these Regulations to the territorial sea in accordance with the provisions of the Health and Safety at Work etc Act 1974 (Application to the Territorial Sea) Order 2025 [SD 2025/xxxx].

Regulation 22 revokes the Health and Safety (Reporting of Injuries etc.) Order 1992 and the Offshore Installations (Reporting of Injuries, Diseases and Dangerous Occurrences) Regulations 1999.