STATUTORY INSTRUMENTS

2015 No. 1637

HEALTH AND SAFETY

The Deregulation Act 2015 (Health and Safety at Work) (General Duties of Self-Employed Persons) (Consequential Amendments) Order 2015

Made - - - -	*31st August 2015*
Laid before Parliament	*7th September 2015*
Coming into force - -	*1st October 2015*

The Secretary of State makes the following Order in exercise of the powers conferred by section 112 of the Deregulation Act 2015(**1**):

Citation and commencement

1. This Order may be cited as the Deregulation Act 2015 (Health and Safety at Work) (General Duties of Self-Employed Persons) (Consequential Amendments) Order 2015 and comes into force on 1st October 2015.

Consequential amendments to regulations made under section 15 of the Health and Safety at Work etc. Act 1974

2. The Schedule, which contains amendments to regulations made under section 15 of the Health and Safety at Work etc. Act 1974(**2**) in consequence of the provisions of section 1 of the Deregulation Act 2015, has effect.

Review

3.—(1) Before the end of each review period, the Secretary of State must—

(a) carry out a review of this Order;

(b) set out the conclusions of the review in a report; and

(c) publish the report.

(2) The report must in particular—

(**1**) 2015 c. 20.
(**2**) 1974 c. 37.

(a) set out the objectives intended to be achieved by the regulatory system established by this Order;

(b) assess the extent to which those objectives are achieved; and

(c) assess whether those objectives remain appropriate, and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(3) "Review period" means the period of five years beginning with the day on which this Order comes into force.

Signed by authority of the Secretary of State for Work and Pensions.

Justin Tomlinson
Parliamentary Under Secretary of State,
Department for Work and Pensions

31st August 2015

SCHEDULE Article 2

Consequential amendments to regulations made under section 15 of the Health and Safety at Work etc. Act 1974

Health and Safety (First-Aid) Regulations 1981

1. For regulation 5 of the Health and Safety (First-Aid) Regulations 1981(**3**) (duty of self-employed person to provide first-aid equipment) substitute—

"**Duty of relevant self-employed person to provide first-aid equipment**

5.—(1) A relevant self-employed person must provide, or ensure that there is provided, such equipment, if any, as is adequate and appropriate in the circumstances to enable that person to render first-aid to himself or herself while at work.

(2) For the purpose of this regulation "relevant self-employed person" means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974(**4**).".

Personal Protective Equipment at Work Regulations 1992

2.—(1) The Personal Protective Equipment at Work Regulations 1992(**5**) are amended as follows.

(2) For "self-employed person" substitute "relevant self-employed person" in each place occurring.

(3) For regulation 2(1) (interpretation) substitute—

"(1) In these Regulations—

(a) unless the context otherwise requires, "personal protective equipment" means all equipment (including clothing affording protection against the weather) which is intended to be worn or held by a person at work and which protects the person against one or more risks to that person's health or safety, and any addition or accessory designed to meet that objective; and

(b) "relevant self-employed person" means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.".

(4) In the full-out words in regulation 6(3), for "the relevant" substitute "that".

Manual Handling Operations Regulations 1992

3. In regulation 2 of the Manual Handling Operations Regulations 1992(**6**) (interpretation)—

(a) in paragraph (2) for "self-employed person" insert "relevant self-employed person"; and

(b) after paragraph (2) insert—

"(3) For the purposes of paragraph (2) "relevant self-employed person" means a self-employed person who conducts an undertaking of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974.".

(**3**) S.I. 1981/917; to which there are amendments not relevant to this Order.
(**4**) Section 3(2) of the Health and Safety at Work etc. Act 1974 (c.37) was amended by section 1 of the Deregulation Act 2015. The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015 (S.I. 2015/1583) prescribe descriptions of undertakings for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974 (as amended).
(**5**) S.I. 1992/2966; amended by S.I. 2002/2174; there are other amending instruments but none is relevant.
(**6**) S.I. 1992/2793; to which there are amendments not relevant to this Order.