STATUTORY INSTRUMENTS

2015 No. 1583

HEALTH AND SAFETY

The Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015

Made - - - -	*3rd August 2015*
Coming into force - -	*1st October 2015*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 3(2) and (2A), 53(1) and 82(3)(a) of the Health and Safety at Work etc. Act 1974 ("the 1974 Act")(**1**).

These Regulations give effect without modification to proposals submitted to the Secretary of State by the Health and Safety Executive under section 11(3) of the 1974 Act(**2**).

Before submitting those proposals to the Secretary of State, the Health and Safety Executive consulted the Office for Nuclear Regulation and such other bodies that appeared to it to be appropriate as required by section 50(3) of the 1974 Act(**3**).

A draft of these Regulations has been laid before and approved by resolution of each House of Parliament in accordance with section 82(3B) of the 1974 Act(**4**).

Citation and commencement

1.—(1) These Regulations may be cited as the Health and Safety at Work etc. Act 1974 (General Duties of Self-Employed Persons) (Prescribed Undertakings) Regulations 2015.

(2) These Regulations come into force on 1st October 2015.

Prescribed descriptions of undertakings

2. An undertaking is of a prescribed description for the purposes of section 3(2) of the Health and Safety at Work etc. Act 1974 if it involves the carrying out of any activity which—

(**1**) 1974 c.37; section 3(2) was amended, and section 3(2A) was inserted, by section 1 of the Deregulation Act 2015 (c.20). Section 53(1) defines "prescribed" for the purposes of Part 1 of the 1974 Act.
(**2**) Section 11 was substituted by S.I. 2008/960, and amended by paragraph 2 of Schedule 12 to the Energy Act 2013 (c.32) and section 1 of the Deregulation Act 2015.
(**3**) Section 50(3) was amended by paragraph 16(3) of Schedule 15 to the Employment Protection Act 1975 (c.71); it was further amended by paragraph 6 of Schedule 7 to the Health and Social Care Act 2012 (c.7), paragraph 11 of Schedule 12 to the Energy Act 2013 and S.I. 2008/960.
(**4**) Section 82(3B) was inserted by section 1 of the Deregulation Act 2015.

(a) is listed in the Schedule; or

(b) where not listed in the Schedule, may pose a risk to the health and safety of another person (other than the self-employed person carrying it out or their employees).

Review

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

(a) carry out a review of these Regulations;

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

(c) publish the report.

(2) The report must in particular—

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

(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 these Regulations come 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

3rd August 2015