STATUTORY RULES OF NORTHERN IRELAND

2000 No. 87

HEALTH AND SAFETY

Police (Health and Safety) Regulations (Northern Ireland) 2000

Made - - - -	*14th March 2000*
Coming into operation	*24th April 2000*

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), in exercise of the powers conferred on it by Articles 4(4), 17(1) and (2) and 47A(4) of, and paragraphs 1(1) and (2) and 10 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**3**) ("the 1978 Order") and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1)(**4**) of the 1978 Order with the Health and Safety Executive for Northern Ireland and such other bodies as appeared to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Police (Health and Safety) Regulations (Northern Ireland) 2000 and shall come into operation on 24th April 2000.

Amendment of the meaning of "employee" and "at work" in Regulations made under Part II of the 1978 Order

2. For the purposes of Regulations made under Part II of the 1978 Order before the coming into operation of the Police (Health and Safety) (Northern Ireland) Order 1997(**5**)—

(a) a person who, otherwise than under a contract of employment, holds the office of constable shall be treated as an employee of the relevant officer referred to in Article 47A of the 1978 Order; and

(b) a person holding the office of constable shall be treated as at work throughout the time when he is on duty but not otherwise,

and any reference to an "employee" and "at work" in those Regulations shall have effect accordingly.

(**1**) Formerly the Department of Economic Development; *see* Article 3(5) of S.I. 1999/283 (N.I. 1)
(**2**) See Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**3**) S.I. 1978/1039 (N.I. 9); Article 47A was inserted by Article 3, and Article 2 was amended by Articles 4 and 8, of S.I. 1997/1774 (N.I. 16)
(**4**) Article 46(1) was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraph 8
(**5**) S.I. 1997/1774 (N.I. 16)

Amendment of the Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979

3.—(1) The Safety Representatives and Safety Committees Regulations (Northern Ireland) 1979(**6**) shall be amended in accordance with paragraphs (2) to (6).

(2) In regulation 2(1), in the definition of "recognised trade union", before the words "means an independent trade union" there shall be inserted the words ", subject to regulation 2A,".

(3) After regulation 2, the following regulation shall be inserted:

"**Body to be treated as a recognised trade union**

2A. In relation to the undertaking listed in column 1 of Schedule 1, the body specified in column 2 shall be treated as a recognised trade union, recognised by the person specified in column 3.".

(4) In regulation 4(2), for the words "the Schedule" there shall be substituted the words "Schedule 2".

(5) The Schedule shall be numbered as Schedule 2 and before that Schedule there shall be inserted as Schedule 1 the Schedule set out as follows—

"SCHEDULE 1 Regulation 2A

Body to be treated as a recognised trade union

Column 1 *Name of undertaking*	Column 2 *Name of body*	Column 3 *Specified person*
National Criminal Intelligence Service	Police Association for Northern Ireland	Director General of the National Criminal Intelligence Service.".

Amendment of the Personal Protective Equipment at Work Regulations (Northern Ireland) 1993

4.—(1) The Personal Protective Equipment at Work Regulations (Northern Ireland) 1993(**7**) shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 4(1), for the words "Every employer", there shall be substituted the words "Subject to paragraph (1A), every employer".

(3) After paragraph (1), there shall be inserted the following paragraph—

"(1A) Where the characteristics of any policing activity are such that compliance by the relevant officer with the requirement in paragraph (1) would lead to an inevitable conflict with the exercise of police powers or performance of police duties, that requirement shall be complied with so far as is reasonably practicable.".

Amendment of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999

5. For regulation 4(4) of the Provision and Use of Work Equipment Regulations (Northern Ireland) 1999(**8**) there shall be substituted the following paragraph—

"(4) In this regulation "suitable"—

(**6**) S.R. 1979 No. 437; the relevant amending Regulations are S.R. 1992 No. 459
(**7**) S.R. 1993 No. 20; to which there are amendments not relevant to these Regulations
(**8**) S.R. 1999 No. 305