1992 No. 513

HEALTH AND SAFETY

Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992

Made . . . . . *2nd December 1992*

Coming into operation . . *1st January 1993*

The Department of Agriculture, the Department of Economic Development and the Department of the Environment acting jointly as the Department concerned(**a**) in exercise of the powers conferred by Articles 17(1), (2), (5) and 55(2) of, and paragraphs 1(1) and (2), 6, 7(1), 8 and 13 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling them in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to them to be appropriate, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Health and Safety (Display Screen Equipment) Regulations (Northern Ireland) 1992 and shall come into operation on 1st January 1993.

Interpretation

2. In these Regulations—

"display screen equipment" means any alphanumeric or graphic display screen, regardless of the display process involved;

"operator" means a self-employed person who habitually uses display screen equipment as a significant part of his normal work;

"use" means use for or in connection with work;

"user" means an employee who habitually uses display screen equipment as a significant part of his normal work;

"workstation" means an assembly comprising—

(*a*) display screen equipment (whether provided with software determining the interface between the equipment and its operator or user, a keyboard or any other input device),

(*b*) any optional accessories to the display screen equipment,

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(**a**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**b**) S.I. 1978/1039 (N.I. 9)

(*c*) any disk drive, telephone, modem, printer, document holder, work chair, work desk, work surface or other item peripheral to the display screen equipment, and

(*d*) the immediate work environment around the display screen equipment.

Application

3. These Regulations shall not apply to or in relation to—

(*a*) drivers' cabs or control cabs for vehicles or machinery;

(*b*) display screen equipment on board a means of transport;

(*c*) display screen equipment intended mainly for public operation;

(*d*) portable systems not in prolonged use;

(*e*) calculators, cash registers or any equipment having a small data or measurement display required for direct use of the equipment; or

(*f*) window typewriters.

Analysis of workstations

4.—(1) Every employer shall perform a suitable and sufficient analysis of those workstations which—

(*a*) (whether or not he has provided them) are used for the purposes of his undertaking by users; or

(*b*) have been provided by him and are used for the purposes of his undertaking by operators,

for the purpose of assessing the health and safety risks to which those persons are exposed in consequence of that use.

(2) Any assessment made by an employer in pursuance of paragraph (1) shall be reviewed by him if—

(*a*) there is reason to suspect that it is no longer valid; or

(*b*) there has been a significant change in the matters to which it relates;

and where as a result of any such review changes to an assessment are required, the employer concerned shall make them.

(3) The employer shall reduce the risks identified in consequence of an assessment to the lowest extent reasonably practicable.

(4) The reference in paragraph (3) to "an assessment" is a reference to an assessment made by the employer concerned in pursuance of paragraph (1) and changed by him where necessary in pursuance of paragraph (2).

Requirements for workstations

5.—(1) Every employer shall ensure that any workstation first put into service on or after 1st January 1993 which—

(*a*) (whether or not he has provided it) may be used for the purposes of his undertaking by users; or

(*b*) has been provided by him and may be used for the purposes of his undertaking by operators,

meets the requirements laid down in the Schedule to the extent specified in paragraph 1 thereof.

(2) Every employer shall ensure that any workstation first put into service on or before 31st December 1992 which—

(*a*) (whether or not he provided it) may be used for the purposes of his undertaking by users; or

(*b*) was provided by him and may be used for the purposes of his undertaking by operators,

meets the requirements laid down in the Schedule to the extent specified in paragraph 1 thereof not later than 31st December 1996.

Daily work routine of users

6. Every employer shall so plan the activities of users at work in his undertaking that their daily work on display screen equipment is periodically interrupted by such breaks or changes of activity as reduce their workload at that equipment.

Eyes and eyesight

7.—(1) Where a person—

(*a*) is already a user on the date of coming into operation of these Regulations; or

(*b*) is an employee who does not habitually use display screen equipment as a significant part of his normal work but is to become a user in the undertaking in which he is already employed,

his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, and that any such test is carried out by a competent person.

(2) Any eye and eyesight test provided in accordance with paragraph (1) shall—

(*a*) in any case to which sub-paragraph (*a*) of that paragraph applies, be carried out as soon as practicable after being requested by the user concerned; and

(*b*) in any case to which sub-paragraph (*b*) of that paragraph applies, be carried out before the employee concerned becomes a user.

(3) At regular intervals after an employee has been provided with an eye and eyesight test in accordance with paragraphs (1) and (2), his employer shall, subject to paragraph (6), ensure that he is provided with a further appropriate eye and eyesight test and that any such test is carried out by a competent person.

(4) Where a user experiences visual difficulties which may reasonably be considered to be caused by work on display screen equipment, his employer shall ensure that he is provided at his request with an appropriate eye and eyesight test, and that any such test is carried out by a competent person as soon as practicable after being so requested.

(5) Every employer shall ensure that each user employed by him is provided with special corrective appliances appropriate for the work being done by the user concerned where—

(*a*) normal corrective appliances cannot be used; and

(*b*) the result of any eye and eyesight test which the user has been given in accordance with this regulation shows such provision to be necessary.

(6) Nothing in paragraph (3) shall require an employer to provide any employee with an eye and eyesight test against that employee's will.

Provision of training

8.—(1) Where a person—

(*a*) is already a user on the date of coming into operation of these Regulations; or

(*b*) is an employee who does not habitually use display screen equipment as a significant part of his normal work but is to become a user in the undertaking in which he is already employed,

his employer shall ensure that he is provided with adequate health and safety training in the use of any workstation upon which he may be required to work.

(2) Every employer shall ensure that each user at work in his undertaking is provided with adequate health and safety training whenever the organisation of any workstation therein upon which he may be required to work is substantially modified.

Provision of information

9.—(1) Every employer shall ensure that operators and users at work in his undertaking are provided with adequate information about—

(*a*) all aspects of health and safety relating to their workstations; and

(*b*) such measures taken by him in compliance with his duties under regulations 4 and 5 as relate to them and their work.

(2) Every employer shall ensure that users at work in his undertaking are provided with adequate information about such measures taken by him in compliance with his duties under regulations 6 and 8(2) as relate to them and their work.

(3) Every employer shall ensure that users employed by him are provided with adequate information about such measures taken by him in compliance with his duties under regulations 7 and 8(1) as relate to them and their work.

Exemption certificates

10.—(1) The Secretary of State for Defence may, in the interests of national security, by a certificate in writing, exempt any of the home forces, any visiting force or any headquarters from 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 by the said Secretary of State by a further certificate in writing at any time.