

Draft of

REGULATIONS

entitled

**Safety, Health and Welfare at Work (General Application) (Amendment) Regulations
2019**

S.I. No. XX of 2019

To be made by the Minister of State

at the Department of Business,

Enterprise and Innovation

I, Pat Breen, Minister of State at the Department of Business, Enterprise and Innovation, in exercise of the powers conferred on me by section 58 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) (as adapted by the Jobs, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 364 of 2017)) and the Business, Enterprise and Innovation (Delegation of Ministerial Functions) Order 2017 (No. 569 of 2017), after consultation with the Health and Safety Authority, hereby make the following regulations:

1. These Regulations may be cited as the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2019.

2. The “Principal Regulations” as amended by the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007 (S.I. No. 732 of 2007), the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2010 (S.I. No. 176 of 2010), the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2012 (S.I. No. 445 of 2012), the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2016 (S.I. No. 36 of 2016), the Safety, Health and Welfare at Work (General Application) (Amendment) (No. 2) Regulations 2016 (S.I. No. 70 of 2016) and the Safety, Health and Welfare at Work (General Application) (Amendment) (No. 3) Regulations 2016 (S.I. No. 370 of 2016) and these Regulations may be cited together as the Safety, Health and Welfare at Work (General Application) 2007 to 2019.

3. These Regulations come into operation six months from the date of signature.

4. In these Regulations “Principal Regulations” means the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007)

5. Regulation 27 of the Principal Regulations is amended by inserting before “carrier” the following –

““all-terrain vehicle” means a motorised vehicle, propelled by an internal combustion engine with liquid fuel, intended primarily to travel on unpaved surfaces on four wheels with low-pressure tyres, having a seat designed to be straddled by the rider and handlebars for steering.””

6. The Principal Regulations are amended by the insertion after Regulation 61 of the following –

“All-terrain vehicles

61A. An employer or person in control of a place of work shall ensure that the operator of an all-terrain vehicle has successfully completed an appropriate all-terrain vehicle safety training course provided by a registered training provider.”

7. Regulation 62(3) of the Principal Regulations is amended by inserting after “European Community Directives” the following text - “and European Union Regulations”.

8. Part A of Schedule 2 to the Principal Regulations is amended by inserting after “Work in slaughterhouses” “Operation of, or passenger on, all-terrain vehicles” into Guide list of activities and sectors of activity which may require provision of personal protective equipment, Point 1. Head Protection (Skull Protection).

8. Part B of Schedule 2 to the Principal Regulations is amended by inserting after “Protective headgear (bonnets, caps, sou’westers, etc. in fabric with proofing etc.)” “a helmet that has been manufactured and tested in accordance with the current relevant

EN standard, has a chin strap and be capable of being used with suitable eye protection.” into Guide list of items of personal protective equipment, Point 1 Head Protection

GIVEN under my hand,

_____ 2019

Minister of State at the Department of
Business, Enterprise and Innovation.