
STATUTORY INSTRUMENTS

2005 No. 1093

The Control of Vibration at Work Regulations 2005

Application and transitional provisions **E+W+S**

3.—(1) These Regulations shall have effect with a view to protecting persons against risk to their health and safety arising from exposure to vibration at work.

(2) Subject to paragraph (3), regulation 6(4) shall not apply until 6th July 2010 where work equipment is used which—

- (a) was first provided to employees prior to 6th July 2007 by any employer; and
- (b) does not permit compliance with the exposure limit values,

but in using such equipment the employer shall take into account the latest technical advances and the organisational measures taken in accordance with regulation 6(2).

(3) For the agriculture and forestry sectors, regulation 6(4) shall not apply to whole-body vibration until 6th July 2014 in respect of work equipment which—

- (a) was first provided to employees prior to 6th July 2007 by any employer; and
- (b) does not permit compliance with the exposure limit value for whole-body vibration,

but in using such equipment the employer shall take into account the latest technical advances and the organisational measures taken in accordance with regulation 6(2).

(4) Where a duty is placed by these Regulations on an employer in respect of his employees, he shall, so far as is reasonably practicable, be under a like duty in respect of any other person, whether at work or not, who may be affected by the work carried out by the employer except that the duties of the employer—

- (a) under regulation 7 (health surveillance) shall not extend to persons who are not his employees; and
- (b) under regulation 8 (information, instruction and training) shall not extend to persons who are not his employees, unless those persons are on the premises where the work is being carried out.

(5) These Regulations shall apply to a [^{F1}relevant self-employed person] as they apply to an employer and an employee and as if that [^{F1}relevant self-employed person] were both an employer and an employee, except that regulation 7 shall not apply to a [^{F1}relevant self-employed person].

[^{F2}(5A) For the purposes 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.]

(6) These Regulations shall not apply to the master or crew of a ship or to the employer of such persons in respect of the normal shipboard activities of a ship’s crew which are carried out solely by the crew under the direction of the master, and for the purposes of this paragraph “ship” includes every description of vessel used in navigation, other than a ship forming part of Her Majesty’s Navy.

Textual Amendments

- F1** Words in [reg. 3\(5\)](#) substituted (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015 \(S.I. 2015/1637\)](#), art. 1, [Sch. para. 9\(a\)](#)
- F2** [Reg. 3\(5A\)](#) inserted (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015 \(S.I. 2015/1637\)](#), art. 1, [Sch. para. 9\(b\)](#)

Commencement Information

- I1** [Reg. 3](#) in force at 6.7.2005, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Control of Vibration at Work Regulations 2005, Section 3.