
STATUTORY INSTRUMENTS

2013 No. 1471

**The Reporting of Injuries, Diseases and
Dangerous Occurrences Regulations 2013**

Interpretation

2.—(1) In these Regulations—

“the 1954 Act” means the Mines and Quarries Act 1954⁽¹⁾;

“the 1969 Act” means the Mines and Quarries (Tips) Act 1969⁽²⁾;

“the 1974 Act” means the Health and Safety at Work etc. Act 1974;

“the 1999 Regulations” means the Quarries Regulations 1999⁽³⁾;

“the 2002 Regulations” means the Control of Substances Hazardous to Health Regulations 2002⁽⁴⁾;

“the 2006 Regulations” means the Railways and Other Guided Transport Systems (Safety) Regulations 2006⁽⁵⁾;

“the 2013 Order” means the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 2013⁽⁶⁾;

“accident” includes an act of non-consensual physical violence done to a person at work;

“approved manner” means published in a form considered appropriate and approved for the time being for the purposes of these Regulations—

(a) by the Executive; or

(b) in relation to activities covered by regulation 3 of the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006⁽⁷⁾, by the ORR;

“biological agent” has the meaning given by regulation 2(1) of the 2002 Regulations;

“carcinogen” has the meaning given by regulation 2(1) of the 2002 Regulations;

“consecutive days” includes any days which are not or would not have been working days;

“construction site” has the meaning given by regulation 2(1) of the Construction (Design and Management) Regulations 2007⁽⁸⁾;

“dangerous occurrence” means an occurrence which arises out of or in connection with work and is of a class specified in—

(a) Part 1 of Schedule 2;

(1) 1954 c.70; section 180 was amended by S.I. 1974/2013, S.I. 1993/1897 and S.I. 1999/2024; section 123 was amended by S.I. 1985/2023 and S.I. 1999/2024; there are other amending instruments but none is relevant.

(2) 1969 c.10; section 2(2) was amended by S.I. 1999/2024; there are other amending instruments but none is relevant.

(3) S.I. 1999/2024; to which there are amendments not relevant to these Regulations.

(4) S.I. 2002/2677; regulation 2(1) was amended by S.I. 2003/978; there are other amending instruments but none is relevant.

(5) S.I. 2006/599; to which there are amendments not relevant to these Regulations.

(6) S.I. 2013/240.

(7) S.I. 2006/557.

(8) S.I. 2007/320.

- (b) Part 2 of Schedule 2 and takes place anywhere except an offshore workplace;
- (c) Part 3 of Schedule 2 and takes place at a mine;
- (d) Part 4 of Schedule 2 and takes place at a quarry;
- (e) Part 5 of Schedule 2 and takes place where a relevant transport system is operated; or
- (f) Part 6 of Schedule 2 and takes place at an offshore workplace;

“disease” includes a medical condition;

“diagnosis” means a registered medical practitioner’s identification (in writing, where it pertains to an employee) of—

- (a) new symptoms; or
- (b) symptoms which have significantly worsened;

“diving contractor” and “diving project” have the meanings they are given by regulation 2(1) of the Diving at Work Regulations 1997⁽⁹⁾;

“dock” means any place to which section 125(1) of the Factories Act 1961⁽¹⁰⁾ applies;

“the Executive” means the Health and Safety Executive;

“explosives” has the meaning given by regulation 2(1) of the Manufacture and Storage of Explosives Regulations 2005⁽¹¹⁾;

“factory” has the meaning given by section 175 of the Factories Act 1961;

“flammable gas” and “flammable liquid” have the meanings associated with those hazard classes in Part 2 of Annex I of Regulation (EC) No 1272/2008 (the CLP Regulation)⁽¹²⁾;

“mine” has the meaning given by section 180 of the 1954 Act and for the purposes of these Regulations includes a closed tip within the meaning of section 2(2)(b) of the 1969 Act which is associated with such a mine;

“mutagen” has the meaning given by regulation 2(1) of the 2002 Regulations;

“nominated person” means, in relation to a mine or quarry, the person (if any) who is for the time being nominated—

- (a) in a case where there is an association or body representative of a majority of the total number of persons employed at a mine or quarry, by that association or body; or
- (b) in any other case, jointly by associations or bodies which are together representative of such a majority,

to receive notices under paragraph 4 of Part 1 of Schedule 1 on behalf of the persons employed at that mine or quarry;

“non-passenger train” means any train except a passenger train;

“offshore installation” has the meaning given by article 4(2) of the 2013 Order;

“offshore workplace” means any place where activities are carried on, or any premises, such that prescribed provisions of the 1974 Act are applied to those activities or premises by article 4, 5 or 6 of the 2013 Order (which for this purpose are deemed to apply to activities or premises within Great Britain which are in tidal waters or on the foreshore or other land intermittently covered by such waters as they apply to activities or premises within territorial waters or a designated area within the meaning of article 2(1) of that Order);

“operator” means—

⁽⁹⁾ S.I. 1997/2776.

⁽¹⁰⁾ 1961 c.34; section 175 was amended by S.I. 1983/978; there are other amending instruments but none is relevant.

⁽¹¹⁾ S.I. 2005/1082.

⁽¹²⁾ OJ No L 353, 31.12.2008, p1. Annex I is amended from time to time.

(a) in relation to a pipeline, the person identified as such by regulation 2(1) of the Pipelines Safety Regulations 1996⁽¹³⁾; and

(b) in relation to a quarry, the person in overall control of the working of the quarry;

“the ORR” means the Office of Rail Regulation;

“owner” in relation to a mine means the person who is for the time being entitled to work it;

“passenger train” means a train carrying passengers or made available for that purpose;

“pipeline” and “pipeline works” have the meanings given by article 6(2) of the 2013 Order;

“quarry” means a quarry to which the 1999 Regulations apply;

“railway” has the meaning given by regulation 2(1) of the 2006 Regulations;

“relevant transport system” means—

(a) a railway;

(b) a tramway as defined by regulation 2(1) of the 2006 Regulations;

(c) a trolley vehicle system as defined by section 67 of the Transport and Works Act 1992⁽¹⁴⁾, except when it operates on a road; or

(d) any other system using guided transport as defined by regulation 2(1) of the 2006 Regulations,

except at a factory, dock, construction site, mine or quarry, and does not include a guided bus system as defined by regulation 2(1) of the 2006 Regulations;

“reportable incident” means an incident giving rise to a notification or reporting requirement under these Regulations;

“reporting procedure” means, in relation to—

(a) an injury, death or dangerous occurrence (except at a mine or quarry), the procedure described in paragraph 1 of Part 1 of Schedule 1;

(b) an occupational disease or a disease offshore, the procedure described in paragraph 2 of Part 1 of Schedule 1;

(c) exposure to a carcinogen, mutagen or biological agent, the procedure described in paragraph 3 of Part 1 of Schedule 1; or

(d) an injury, death or dangerous occurrence at a mine or quarry, the procedure described in paragraph 4 of Part 1 of Schedule 1;

“responsible person” means the person identified in accordance with regulation 3;

“road” includes bridges over which a road passes, and—

(a) in relation to England and Wales, means any highway and any other road to which the public has access;

(b) in relation to Scotland, means any road within the meaning of the Roads (Scotland) Act 1984⁽¹⁵⁾ and any other way to which the public has access;

“road vehicle” means any vehicle on a road, other than a train;

“routine work” means work which a person might reasonably be expected to do, either under that person’s contract of employment, or, if there is no such contract, in the normal course of that person’s work;

“running line” means any line ordinarily used for the passage of trains which is not a siding;

⁽¹³⁾ S.I. 1996/825.

⁽¹⁴⁾ 1992 c.42.

⁽¹⁵⁾ 1984 c.54; the definition of “road” in section 151 was amended by paragraph 94 of Schedule 8 to the New Roads and Street Works Act 1991 (c.22); there are other amending instruments but none is relevant.

“specified injury” means any injury or condition specified in regulation 4(1)(a) to (h);

“train” includes a locomotive, tramcar or other power unit, and any vehicle used on a relevant transport system;

“well” includes any structures and devices on top of a well;

“workmen’s inspectors” means workmen’s inspectors exercising the powers conferred on them by either section 123 of the 1954 Act or regulation 40 of the 1999 Regulations;

“work-related accident” means an accident arising out of or in connection with work.

(2) In these Regulations, any reference to a work-related accident or dangerous occurrence includes an accident or dangerous occurrence attributable to—

- (a) the manner of conducting an undertaking;
- (b) the plant or substances used for the purposes of an undertaking; or
- (c) the condition of the premises used for the purposes of an undertaking or any part of them.

(3) For the purposes of these Regulations, a person at an offshore workplace is deemed to be at work at all times when that person is at that workplace in connection with that person’s work.