
STATUTORY INSTRUMENTS

2016 No. 588

**The Control of Electromagnetic
Fields at Work Regulations 2016**

PART 3

MISCELLANEOUS

Information and training

10. The employer must provide relevant information and training to any employees who are likely to be subjected to the risks identified in the most recent risk assessment under regulation 8, including in relation to—

- (a) the measures taken under regulation 9;
- (b) the concepts and values of the ALs and ELVs and the possible risks associated with them;
- (c) the possible indirect effects of exposure;
- (d) the results of the most recent exposure assessment under regulation 5;
- (e) how to detect and report sensory and health effects;
- (f) the circumstances in which employees are entitled to health surveillance and medical examinations under regulation 11;
- (g) safe working practices; and
- (h) any additional measures taken in respect of employees at particular risk.

Health surveillance and medical examinations

11.—(1) The employer must ensure that health surveillance and medical examinations are provided as appropriate to any employee who—

- (a) is exposed to electromagnetic field levels in excess of the health effect ELVs; and
- (b) reports experiencing a health effect to that employer.

(2) Any health surveillance or medical examinations must be provided during any reasonable hours chosen by the employee.

(3) The employer must keep a suitable record of any health surveillance and medical examinations provided.

(4) In paragraph (1)(a), “health effect ELVs” means the health effect ELVs set out in Part 2 of the Schedule.

Records

12. An employer who employs five or more employees must—

- (a) record the significant findings of the most recent exposure assessment under regulation 5; and

- (b) where required to make them, record—
 - (i) the most recent action plan under regulation 7; and
 - (ii) the significant findings of the most recent risk assessment under regulation 8.

Exemptions

13.—(1) The Executive may by a certificate in writing exempt employers from the requirements of regulations 4(1) and 7 in relation to one or more work activities.

- (2) An exemption under paragraph (1) must be limited in time and subject to the conditions that—
 - (a) the exposure of employees to electromagnetic fields is as low as is reasonably practicable; and
 - (b) employees are protected against any health effects and safety risks related to that exposure.

(3) The Executive may amend or revoke an exemption at any time by a further certificate in writing.

Application outside Great Britain

14. These Regulations apply outside Great Britain as sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2013(1).

Review

15.—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Directive is implemented in other Member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the Directive and by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which these Regulations come into force.

(5) Reports under this regulation must afterwards be published at intervals not exceeding five years.

(6) In paragraphs (2) and (3), “the Directive” means [Directive 2013/35/EU\(2\)](#) of the European Parliament and of the Council of 26 June 2013 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of [Directive 89/391/EEC](#)) and repealing [Directive 2004/40/EC](#).

(1) [S.I. 2013/240](#).

(2) [OJ No L 179, 29.6.2013, p1-21](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
