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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations impose health and safety requirements with respect to work at height, with certain exceptions including by instructors or leaders in recreational climbing and caving.

2. These Regulations give effect as respects Northern Ireland to Directive [2001/45/EC](#) of the European Parliament and of the Council (O.J. No. L195, 19.7.2001, p. 46), amending Council Directive [89/655/EEC](#) (O.J. No. L393, 30.12.89, p. 13) concerning the minimum safety and health requirements for the use of work equipment by workers at work. They contain additional provisions, including provisions which replace regulations giving effect to certain provisions of Council Directives [89/391/EEC](#) (O.J. No. L183, 2.6.89, p. 1) on the introduction of measures to encourage improvements in the safety and health of workers at work and [92/57/EEC](#) (O.J. No. L245, 26.8.92, p. 6) on the implementation of minimum health and safety requirements at temporary or mobile construction sites.

3. The Regulations –

- (a) impose duties relating to the organising and planning of work at height (*regulation 4*);
- (b) require that persons at work be competent, or supervised by competent persons (*regulation 5*);
- (c) prescribe steps to be taken to avoid risk from work at height (*regulation 6 and Schedule 2*);
- (d) impose duties relating to the selection of work equipment (*regulation 7*);
- (e) impose duties in relation to particular work equipment (*regulation 8 and Schedules 3 to 7*);
- (f) impose duties for the avoidance of risks from fragile surfaces, falling objects and danger areas (*regulations 9 to 11*);
- (g) require the inspection of certain work equipment and of places of work at height (*regulations 12 and 13 and Schedule 8*);
- (h) impose duties on persons at work (*regulation 14*);
- (i) provide for exemptions from certain provisions (*regulations 15 and 16*); and
- (j) amend, repeal or revoke certain enactments (*regulations 17 to 19 and Schedule 9*).

4. In Great Britain the corresponding Regulations are the Work at Height Regulations 2005 ([S.I. 2005/735](#)). The Great Britain Health and Safety Executive has prepared a full regulatory impact assessment in relation to these Regulations and a copy of that assessment together with a Northern Ireland Supplement prepared by the Health and Safety Executive for Northern Ireland is held at the offices of that Executive at 83 Ladas Drive, Belfast BT6 9FR from where a copy may be obtained on request.

5. A person who contravenes the Regulations is guilty of an offence under Article 31 of the Health and Safety at Work (Northern Ireland) Order 1978 and is liable, on summary conviction, to a fine not exceeding the statutory maximum (currently £5,000) or, on conviction on indictment, to a fine.