
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations re-enact, with minor modifications, the Control of Substances Hazardous to Health Regulations 1988 (S. I.1988/1657) (“the 1988 Regulations”) as amended. The 1988 Regulations imposed duties on employers to protect employees and other persons who may be exposed to substances hazardous to health and also imposed certain duties on employees concerning their own protection from such exposure (*regulations 1 to 17 and Schedules 1 to 8*). The Regulations also prohibit the import into the United Kingdom of certain substances and articles from outside the European Economic Area referred to in the Agreement defined in regulation 2(1) thereof.

2. The Regulations also—

- (a) implement as regards Great Britain Council Directive [90/679/EEC](#) (OJNo. L374, 31.12.90, p.1) on the protection of workers from risks related to exposure to biological agents at work, by—
 - (i) applying the 1988 Regulations as re-enacted to biological agents, and
 - (ii) supplementing those Regulations with a Schedule containing special provisions relating to such agents (*Schedule 9*);
- (b) provide for the notification to the Executive and the appropriate Health Minister of the consignment, storage or use of listed biological agents in place of the provisions contained in the [Health and Safety \(Dangerous Pathogens\) Regulations 1981](#) (S. I. 1981/1011) (“the 1981 Regulations”) concerning the notification of the keeping, handling or transport of listed pathogens (*paragraphs 12, 13 and 14 of Schedule 9*);
- (c) revoke certain provisions of the Regulations mentioned in paragraphs (2) and (3) of regulation 18 and the Regulations mentioned in paragraph (4) of that regulation; and
- (d) extend the meaning of “work” for the purposes of Part I of the Health and Safety at Work etc. Act 1974 in relation to any activity involving the consignment, storage or use of listed biological agents and modify section 3(2) of the said Act in relation to such activity (*regulations 19 and 20*).

3. British Standards referred to in Part II of Schedule 9 (relating to safety cabinets) are obtainable from (by personal callers only) the British Standards Institution, 2 Park Street, London W1A 2BS or (by post) from the British Standards Institution, Linford Wood, Milton Keynes, MK14 6LE.