

STATUTORY INSTRUMENTS

2005 No. 1643

The Control of Noise at Work Regulations 2005

Application

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

(2) Where a duty is placed by these Regulations on an employer in respect of his employees, the employer shall, so far as is reasonably practicable, be under a like duty in respect of any other person at work who may be affected by the work carried out by the employer except that the duties of the employer—

- (a) under regulation 9 (health surveillance) shall not extend to persons who are not his employees; and
- (b) under regulation 10 (information, instruction and training) shall not extend to persons who are not his employees, unless those persons are present at the workplace where the work is being carried out.

(3) 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 9 shall not apply to a [^{F1}relevant self-employed person].

[^{F2}(3A) 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.]

(4) 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\(3\)](#) 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. 10\(a\)](#)
- F2** [Reg. 3\(3A\)](#) 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. 10\(b\)](#)

Changes to legislation:

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