
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [2002/44/EC](#) (OJ No L 177, 6.7.2002, p.13) on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning of Article 16(1) of Directive [89/391/EEC](#)). They apply to United Kingdom ships wherever they may be and non-United Kingdom ships in United Kingdom waters. The Regulations impose duties on employers to protect workers who may be exposed to risk from exposure to vibration at work. The Regulations apply to both hand-arm and whole-body vibration. They make provision for—

- (a) action values and limit values for daily exposure to vibration (*regulation 5*);
- (b) risk assessment (*regulation 6*);
- (c) elimination or, where elimination is not reasonably practicable, reduction of exposure to vibration;
- (d) measures to reduce exposure to vibration to as low a level as is reasonably practicable;
- (e) actions to be taken at action values and limit values;
- (f) prohibition on exceeding limit values (*regulation 7*);
- (g) information, instruction and training (*regulation 8*);
- (h) health surveillance (*regulation 9*);
- (i) consultation (*regulation 10*);
- (j) the grant of exemptions by the Secretary of State (*regulation 12*); and
- (k) offences, detention, inspection and penalties (*regulations 11 and 13 to 20*).

These Regulations are made under the powers in the Merchant Shipping Act 1995 except in relation to their application to Government ships where the powers are provided by section 2(2) of the European Communities Act 1972.

Copies of British Standard BS EN ISO 5349-1:2001 and BS EN ISO 5349-2:2001, relating to measurement and evaluation of human exposure to hand-transmitted mechanical vibration are obtainable from British Standards Institution, BSI House, 389 Chiswick High Road, London W4 4AL. International Standard ISO 2631-1:1997, relating to measurement and evaluation of human exposure to whole-body mechanical vibration and shock, referred to in the Schedule is obtainable from the International Standards Organisation, 1, rue de Varembé, Case postale 56CH-1211 Geneva 20, Switzerland.

A Regulatory Impact Assessment and a Transposition Note have been prepared and a copy has been placed in the Library of each House of Parliament. Copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton, SO15 1EG (telephone number 02380 329100).

Merchant Shipping Notices can be obtained from Mail Marketing (Scotland), Unit 6, Blooms Grove Industrial Estate, Norton Street, Nottingham, NG7 3JG (telephone 0115 901 3336; fax 0115 901 3334; e-mail orders: mca@promo-solution.com). They may also be accessed via the Maritime and Coastguard Agency's website <http://www.mcga.gov.uk>.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping and Fishing Vessels (Control of Vibration at Work) Regulations 2007.