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STATUTORY INSTRUMENTS

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**2007 No. 3077**

**The Merchant Shipping and Fishing Vessels  
(Control of Vibration at Work) Regulations 2007**

**Application**

4.—(1) Without prejudice to regulation 5 of the General Duties Regulations and subject to paragraphs (2) to (6), these Regulations apply in relation to United Kingdom ships.

(2) Where—

- (a) a ship is being used in the course of public service activities or activities for the purpose of civil protection services; and
- (b) characteristics peculiar to those activities inevitably conflict with a provision of these Regulations,

that provision does not apply in relation to that ship to the extent of that conflict.

(3) To the extent that a provision of these Regulations does not apply in relation to a ship because of paragraph (2) there is in relation to that ship a duty on the employer to ensure, so far as is reasonably practicable, the health and safety of workers who are or who are likely to be exposed to risks from mechanical vibration as a result of their work.

(4) The provisions of the General Duties Regulations and the Provision and Use of Work Equipment Regulations continue to apply to activities to which these Regulations apply; where these Regulations contain more stringent or specific provisions then such provisions apply.

(5) This regulation (other than paragraph (1)) and regulations 17 and 19 apply in relation to ships which are not United Kingdom ships, when they are in United Kingdom waters.

(6) These Regulations do not apply to activities to which the Control of Vibration at Work Regulations 2005(1) or the Control of Vibration at Work (Northern Ireland) Regulations 2005(2) apply.

(7) In paragraph (2)—

“civil protection services” includes the fire and rescue and ambulance services and search and rescue services provided by any other person;

“public service activities” includes the activities of the armed forces, HM Coastguard, HM Revenue and Customs, immigration officers, police, prison officers and the security and intelligence services.

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(1) S.I. 2005/1093.

(2) S.R. (NI) 2005 No. 397.