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## EXPLANATORY NOTE

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

These Regulations implement, as respects Great Britain, [Directive 2013/35/EU](#) of the European Parliament and of the Council (OJ No L 179, 29.6.2013, p1–21) on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of [Directive 89/391/EEC](#)) and repealing [Directive 2004/40/EC](#).

These Regulations apply in Great Britain, and outside Great Britain to the extent provided by regulation 14.

Part 2 sets out the main duties placed on employers under the Regulations. Part 3 sets out supplementary duties and gives the Health and Safety Executive (“the Executive”) limited powers to exempt employers from specific duties. The Schedule provides more specific details on how employers are to comply with their duties.

The main duties and provisions in Parts 2 and 3 of these Regulations are as follows—

- (a) all employers must ensure that, except in circumstances prescribed by the Regulations or where permitted under an exemption issued by the Executive, employees are not exposed to electromagnetic field levels in excess of prescribed exposure limits (regulation 4(1)). These limits are contained in Part 2 of the Schedule;
- (b) all employers must assess the levels of electromagnetic fields to which their employees may be exposed (regulation 5(1));
- (c) all employers must, except in the circumstances prescribed by regulation 6—
  - (i) make and implement an action plan to reduce exposure levels (regulation 7(1)); and
  - (ii) assess the risks posed to employees by their exposure to electromagnetic fields (regulation 8(1));
- (d) where employers are required to assess the risks of exposure to electromagnetic fields, they must—
  - (i) ensure that any risks identified in that assessment are eliminated or reduced to a minimum (regulation 9(1)); and
  - (ii) provide information and training to employees likely to be subjected to the risks identified in that assessment (regulation 10);
- (e) all employers must, in the circumstances prescribed by regulation 11(1), ensure that health surveillance and medical examinations are provided as appropriate;
- (f) the Executive may exempt employers from having to comply with the exposure limits in respect of one or more work activities (regulation 13(1)). An exemption must be limited in time and subject to prescribed safety conditions.

A full impact assessment of the effect that these Regulations will have on the costs of business has been prepared and can be obtained from the Health and Safety Executive, Economic Advisers Unit, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS. The transposition note in relation to the implementation of the Directive can be obtained at the same address. Copies of both these documents have been placed in the libraries of both Houses of Parliament and are annexed to the Explanatory Memorandum, which is available alongside these Regulations at [www.legislation.gov.uk](http://www.legislation.gov.uk).