

2021 No.

HEALTH AND SAFETY

**The Personal Protective Equipment at Work (Amendment)
Regulations 2021**

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 15(1), (2), (3)(a) and (b) and (9) of, and paragraphs 11 and 14 of Schedule 3 to the Health and Safety at Work etc. Act 1974 (“the 1974 Act”)(a).

These Regulations give effect without modifications to proposals submitted to the Secretary of State by the Health and Safety Executive under section 11(3) of the 1974 Act(b). Before submitting those proposals to the Secretary of State, the Health and Safety Executive consulted such bodies that appeared to be appropriate as required by section 50(3) of the 1974 Act(c).

Citation and commencement

1.—(1) These Regulations may be cited as the Personal Protective Equipment at Work (Amendment) Regulations 2021.

(2) These Regulations come into force on [insert date].

The Personal Protective Equipment at Work Regulations 1992

2. The Personal Protective Equipment at Work Regulations 1992 are amended in accordance with regulations 3 to 6.

Amendment to regulation 2 (interpretation)

3. In regulation 2(1)—

- (a) in sub-paragraph (a) in the last place it occurs, omit “and”;
- (b) after the definition of “relevant self-employed person”, for “.” substitute “;”;
- (c) insert—

““(c) “worker” means an individual who has entered into or works under (or, where the employment has ceased, worked under)—

- (a) a contract of employment; or

(a) 1974 c.37
(b) 1974 c.37
(c) 1974 c.37

(b) any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual;

and any references to a worker's contract shall be construed accordingly."

(d) After regulation 2(2) insert—

"(3) In these Regulations the duty placed on an employer in respect of their employees by section 9 of the Health and Safety at Work etc. Act 1974(a) shall apply in respect of their workers."

Amendment to regulations 4 to 11

4. In regulations 4 to 11, in each place it occurs—

- (a) for "employees" substitute "workers";
- (b) for "employee" substitute "worker".

5. In regulation 6(2)(d) in the second place it occurs, for "an" substitute "a".

6. In regulation 9(1) in the second place it occurs, for "an" substitute "a".

Signatory text

Address
Date

Name
Parliamentary Under Secretary of State
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)