



Deregulation Act 2015

2015 CHAPTER 20

Measures affecting the workplace: general

1 Health and safety at work: general duty of self-employed persons

- (1) Section 3 of the Health and Safety at Work etc. Act 1974 (general duty of employers and self-employed to persons other than their employees) is amended in accordance with subsections (2) and (3).
- (2) In subsection (2) (which imposes a general duty with respect to health and safety on self-employed persons)—
 - (a) after “self-employed person” insert “ who conducts an undertaking of a prescribed description ”;
 - (b) for “his undertaking” substitute “ the undertaking ”.
- (3) After subsection (2) insert—

“(2A) A description of undertaking included in regulations under subsection (2) may be framed by reference to—

 - (a) the type of activities carried out by the undertaking, where those activities are carried out or any other feature of the undertaking;
 - (b) whether persons who may be affected by the conduct of the undertaking, other than the self-employed person (or his employees), may thereby be exposed to risks to their health or safety.”
- (4) In section 11 of that Act (functions of the Executive), after subsection (4A) insert—

“(4AA) Subsection (4)(b)(i) does not apply in relation to the making of regulations under section 3(2) for the railway safety purposes (and, accordingly, the Executive shall submit under subsection (3) such proposals as the Executive considers appropriate for the making of regulations under section 3(2) for those purposes).”
- (5) In section 82 of that Act (general provisions as to interpretation and regulations)—
 - (a) in subsection (3)(b) for “subsection (3A) or (4)” substitute “ subsection (3A), (3B) or (4) ”;

Changes to legislation: Deregulation Act 2015, Section 1 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) after subsection (3A) insert—

“(3B) Regulations under section 3(2) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament.”

(6) Where this section comes into force at a time when there is in force an Order in Council made under section 84(3) of the Health and Safety at Work etc. Act 1974 that applies section 3 or 11 of that Act to matters outside Great Britain, that Order is to be taken as applying that section as amended by this section.

Commencement Information

- I1** [S. 1](#) in force for certain purposes at Royal Assent, see [s. 115](#)
I2 [S. 1](#) in force at 1.10.2015 in so far as not already in force by [S.I. 2015/1732](#), [art. 2\(a\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 110A inserted by [2016 c. 12 s. 16\(1\)](#)