

SCHEDULE 2

MODIFICATIONS

PART X

THE CONSTRUCTION (HEAD PROTECTION) REGULATIONS 1989

23. Add the following paragraphs at the end of regulation 3—

“(3) Any head protection provided by virtue of this regulation shall comply with any enactment (whether in an Act or instrument) which implements any provision on design or manufacture with respect to health or safety in any relevant Community directive listed in Schedule 1 to the Personal Protective Equipment at Work Regulations 1992 which is applicable to that head protection.

(4) Before choosing head protection, an employer or self-employed person shall make an assessment to determine whether it is suitable.

(5) The assessment required by paragraph (4) of this regulation shall involve—

- (a) the definition of the characteristics which head protection must have in order to be suitable;
- (b) comparison of the characteristics of the protection available with the characteristics referred to in sub-paragraph (a) of this paragraph.

(6) The assessment required by paragraph (4) shall be reviewed if—

- (a) there is reason to suspect that it is no longer valid; or
- (b) there has been a significant change in the work to which it relates,

and where as a result of the review changes in the assessment are required, the relevant employer or self-employed person shall make them.

(7) Every employer and every self-employed person shall ensure that appropriate accommodation is available for head protection provided by virtue of these Regulations when it is not being used.”.

24. For regulation 6(4), substitute the following paragraph—

“(4) Every employee or self-employed person who is required to wear suitable head protection by or under these Regulations shall—

- (a) make full and proper use of it; and
- (b) take all reasonable steps to return it to the accommodation provided for it after use.”.

25. In regulation 9(2), omit the full stop and add “and that any provision imposed by the European Communities in respect of the encouragement of improvements in the safety and health of workers at work will be satisfied.”.