

---

STATUTORY INSTRUMENTS

---

**2005 No. 735**

**The Work at Height Regulations 2005**

**Application**

- 3.—(1) These Regulations shall apply—
- (a) in Great Britain; and
  - (b) outside Great Britain as sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2001<sup>(1)</sup>.
- (2) The requirements imposed by these Regulations on an employer shall apply in relation to work—
- (a) by an employee of his; or
  - (b) by any other person under his control, to the extent of his control.
- (3) The requirements imposed by these Regulations on an employer shall also apply to—
- (a) a self-employed person, in relation to work—
    - (i) by him; or
    - (ii) by a person under his control, to the extent of his control; and
  - (b) to any person other than a self-employed person, in relation to work by a person under his control, to the extent of his control.
- (4) Regulations 4 to 16 of these Regulations shall not apply to or in relation to—
- (a) the master and crew of a ship, or to the employer of such persons, in respect of the normal ship-board activities of a ship's crew which—
    - (i) are carried out solely by the crew under the direction of the master; and
    - (ii) are not liable to expose persons at work other than the master and crew to a risk to their safety;
  - (b) a place specified in regulation 7(6) of the Docks Regulations 1988<sup>(2)</sup> where persons are engaged in dock operations;
  - (c) a place specified in regulation 5(3) of the Loading and Unloading of Fishing Vessels Regulations 1988<sup>(3)</sup> where persons are engaged in fish loading processes; or
  - (d) the provision of instruction or leadership to one or more persons in connection with their engagement in caving or climbing by way of sport, recreation, team building or similar activities.
- (5) Regulation 11 of these Regulations shall not apply to an installation while regulation 12 of the Offshore Installations and Wells (Design and Construction, etc) Regulations 1996<sup>(4)</sup> apply to it.
- (6) In this regulation—

---

(1) S.I.2001/2127.

(2) S.I. 1988/1655, to which there are amendments not relevant to these Regulations.

(3) S.I. 1988/1656.

(4) S.I.1996/913.

- (a) “caving” includes the exploration of parts of mines which are no longer worked;
- (b) “climbing” includes traversing, abseiling or scrambling over natural terrain or man-made structures;
- (c) “ship” includes every description of vessel used in navigation, other than a ship which forms part of Her Majesty’s Navy.