

2003 No.

HEALTH AND SAFETY

The Police (Health and Safety) Regulations 2003

<i>Made</i> - - - -	2003
<i>Laid before Parliament</i>	2003
<i>Coming into force</i> - -	2003

The Secretary of State, in exercise of the powers conferred upon him by sections 2(4), 15(1) and (8), 51A(4) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(a) ('the 1974 Act') and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Police (Health and Safety) Regulations 2003 and shall come into force on 2003.

Amendment to the meaning of 'employee' and 'at work' in regulations made under Part I of the Health and Safety at Work etc. Act 1974

2. For the purposes of regulations made under Part I of the 1974 Act before the coming into force of section 95(1) to (3) of the Police Reform Act 2002(b)—

- (a) a person who, otherwise than under a contract of employment, holds the office of constable or an appointment as police cadet shall be treated as an employee of the relevant authority; and
- (b) a person holding the office of constable shall be treated as at work throughout the time when he is on duty but not otherwise,

and any reference to an 'employer', an 'employee' and 'at work' in those regulations shall have effect accordingly.

(2) In this regulation 'the relevant authority' means—

- (a) in relation to a member of a police force, a special constable appointed for a police area or a police cadet appointed by a chief officer of police, the police authority or, in the case

(a) 1974 c. 37; sections 15 and 50 were amended by the Employment Protection Act 1975 (c.71) Schedule 15, paragraphs 6 and 16 respectively; section 51A was inserted by section 1, and sections 52 and 53 were amended by sections 2 and 6 respectively, of the Police (Health and Safety) Act 1997 (c. 42); section 51A was amended by section 95 of the Police Reform Act 2002 (c. 30).

(b) Brought into force on 1st April 2003 by S.I.[] .

of a combined area in Scotland, the police board (within the meaning of the Police (Scotland) Act 1967^(a);

- (b) in relation to a person appointed as a police member of the National Criminal Intelligence Service, the Service Authority for that service;
- (c) in relation to a person appointed as a police member of the National Crime Squad, the Service Authority for that squad;
- (d) in relation to any other person holding the office of constable or an appointment as police cadet, the person responsible for maintaining the body of constables or police cadets in question.

(3) The Commissioner of Police for the City of London shall be treated for the purposes of this regulation as if he were a member of the City of London police force.

Amendment of the Safety Representatives and Safety Committees Regulations 1977

3. Column 3 of Schedule 1 to the Safety Representatives and Safety Committees Regulations 1977^(b) shall be amended by substituting for the words ‘The Director General’ —

- (a) where they first occur, the words ‘The Service Authority for the National Criminal Intelligence Service’;
- (b) where they last occur, the words ‘The Service Authority for the National Crime Squad’.

Revocation of regulation 2 of the Police (Health and Safety) Regulations 1999

4. Regulation 2 of the Police (Health and Safety) Regulations 1999^(c) is revoked.

2003

Parliamentary Under Secretary of State
Department for Work and Pensions

^(a) 1967 c. 77.

^(b) S.I. 1977/1977; amended by S.I.1999/860.

^(c) S.I. 1999/860.