

2005 No.

HEALTH AND SAFETY

**The Anthrax Prevention Order 1971 etc. (Revocation)
Regulations 2005**

Made - - - -

Laid before Parliament [Day 1]

Coming into force - - [Day 22]

The Secretary of State, in exercise of the powers conferred upon him by sections 15(1) and 15(3)(a) of the Health and Safety At Work etc. Act 1974(a) and of all other powers enabling him in that behalf 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 that Act after the carrying out by the Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Anthrax Prevention Order 1971 etc. (Revocation) Regulations 2005, and shall come into force on 2005.

Revocations and amendments

2.—(1) The following instruments are revoked—

- (a) the Anthrax Prevention Order 1971(b);
- (b) the Anthrax Prevention Act 1919 (Repeals and Modifications) Regulations 1974(c);
- (c) the Anthrax Prevention Order 1971 (Exemptions) Regulations 1982(d); and
- (d) the Health and Safety (Miscellaneous Modifications) Regulations 1993(e).

(2) In article 35 of the Government of Ireland (Anticipation of Enactments) (No.3) Order 1922(f), omit the words “Anthrax Prevention Act 1919, and in the”.

(3) In Schedule 1 to the Health and Safety at Work etc. Act 1974, omit the reference to the Anthrax Prevention Act 1919.

(a) 1974 c. 37; sections 11(2), 15(1) and 50(3) were amended by the Employment Protection Act 1975 (c. 71), section 116 and Schedule 15, paragraphs 4, 6, and 16(3) respectively.
(b) S.I. 1971/1234, as continued in force, with modifications, by S.I. 1974/1775 and amended by S.I. 1982/1418.
(c) S.I. 1974/1775.
(d) S.I. 1982/1418.
(e) S.I. 1993/745, as amended by S.I. 1994/3246.
(f) S.I. 1922/183.

Signed by the authority of the Secretary of State for Work and Pensions.

Jane Kennedy
Minister of State for Work
Department for Work and Pensions

[Date]

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Anthrax Prevention Order 1971, the Anthrax Prevention Act 1919 (Repeals and Modifications) Regulations 1974 and the Anthrax Prevention Order 1971 (Exemptions) Regulations 1982. They also revoke references to these Instruments in other legislation and the Health and Safety (Miscellaneous Modifications) Regulations 1993 (*regulation 2*).

The Control of Substances Hazardous to Health Regulations 2002 (S.I. 2002/2677) (COSHH) now provides the regulatory framework for the purposes of the three Instruments referred to in regulations 2(1)(a) to 2(1)(c). The *bacillus anthracis* bacterium is a biological agent and substance hazardous to health within the meaning of regulation 2(1) of COSHH. COSHH imposes duties on employers to protect employees and other persons who may be exposed to substances hazardous to health, and also imposes certain duties on employees concerning their own protection from exposure. In the light of this, it is not necessary to retain the Instruments referred to above.