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**PROPOSED CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH  
(AMENDMENT) REGULATIONS 2004 AND ASSOCIATED APPROVED  
CODE OF PRACTICE**

At its meeting on 9 November the Health and Safety Commission agreed to recommend to you proposals relating to the control of substances hazardous to health. Draft Regulations and a draft approved code of practice accompany this letter.

The purpose of the Regulations is to:

- implement that part of EC Directive 2003/53 (the 26<sup>th</sup> Amendment to the Marketing and Use Directive) which restricts the marketing and use of high chromate cements and cement preparations;
- introduce a new framework for adequate control of exposure to substances hazardous to health (this forms an integral part of the work HSE is doing to reduce ill health from chemicals used at work, by spelling out the good practice employers must apply to protect workers' health);
- extend the existing disapplication of the Control of Substances Hazardous to Health Regulations 2002 (COSHH) and the Control of Lead at Work Regulations 2002 (CLAW) from sea-going merchant ships to all merchant ships, as recommended by Lord Clarke's Thames Safety Inquiry; and
- clarify the wording of the existing duty in COSHH and CLAW to maintain exposure control measures.

The draft code of practice is a new (fifth) edition of the "Control of substances hazardous to health – approved code of practice and guidance". The new edition has been revised extensively to support the new framework, and the HSC seeks the Secretary of States's consent to its adoption as an approved Code of Practice.

I submit these draft Regulations for your approval.

Chair