



STATUTORY INSTRUMENTS.

S.I. No. 255 of 2023



SAFETY, HEALTH AND WELFARE AT WORK (GENERAL
APPLICATION) (AMENDMENT) REGULATIONS 2023

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SAFETY, HEALTH AND WELFARE AT WORK (GENERAL APPLICATION) (AMENDMENT) REGULATIONS 2023

I, NEALE RICHMOND, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 58 of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 519 of 2020)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) Order 2023 (No. 14 of 2023), hereby make the following regulations:

1. (1) These Regulations may be cited as the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2023.

(2) These Regulations shall be included in the collective citation the Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2023.

(3) In these Regulations “Principal Regulations” means the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007).

2. (1) Regulation 2 of the Principal Regulations is amended in paragraph (1) by the insertion of the following definition:

““relevant code of practice” means a code of practice, relating to these Regulations, published under section 60 of the Act;”.

(2) Regulation 2 of the Principal Regulations is amended by the insertion after paragraph (4) of the following:

“(5) For the purposes of these Regulations, an employer shall take into account those measures set out in a relevant code of practice.”.

(3) Regulation 6 of the Principal Regulations is amended by the insertion after subparagraph (d) of the following:

“(e) for the purposes of this Regulation, those measures to ensure sufficient fresh air is provided in enclosed places of work shall take into account those set out in a relevant code of practice.”.

GIVEN under my hand,
24 May 2023

NEALE RICHMOND,
Minister of State at the Department of Enterprise, Trade and
Employment

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation)

The Regulations amend the Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2023, to ensure that an employer takes appropriate actions, in accordance with the relevant Health and Safety Authority code of practice, to provide sufficient fresh air is circulating in enclosed spaces within a place of work.

The Regulations also provide for the introduction of the concept of a “relevant code of practice” under the General Application Regulations. This will facilitate the introduction of other codes of practice to guide employers in complying with other sections of the General Application Regulations.

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