STATUTORY INSTRUMENTS

1974 No. 209

FACTORIES

The Construction (Health and Welfare) (Amendment) Regulations 1974

Made - - - - *8th February* 1974

**To be laid before Parliament*

Coming into Operation *1st April* 1974

The Secretary of State:—

(*a*) in exercise of powers conferred by section 62 of the Factories Act 1961(**a**) and now vested in him (**b**) and of all other powers enabling him in that behalf; and

(*b*) after publishing, pursuant to Schedule 4 to the said Act of 1961, notice of the proposal to make the Regulations and not having received any objection to the draft in regard to which he is required by the said Schedule to direct an inquiry to be held.

hereby makes the following special Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Construction (Health and Welfare) (Amendment) Regulations 1974 and shall come into operation on 1st April 1974.

(2) The Interpretation Act 1889(**c**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Amendments

2. In the Construction (Health and Welfare) Regulations 1966(**d**) the following amendments shall be made:

(*a*) In Regulation 3(2) the definition of the expression "local health authority" shall be omitted and the following definition inserted in its place, namely:—

"'the ambulance authority' means, in relation to any site, the authority, person or body who under or by virtue of the provisions of the National Health Service Reorganisation Act 1973(**e**) provides ambulance services for the locality in which that site is situated."

(*b*) For Regulation 8 there shall be substituted the following Regulation:—

"*Ambulances*

8.—(1) A contractor who has in his employment on a site more than 25 persons shall—

*This instrument was laid before Parliament on 6th March 1974.

(**a**) 1961 c. 34.
(**b**) S.I. 1968/729 (1968 II, p. 2108).
(**c**) 1889 c. 63.
(**d**) S.I. 1966/95 (1966 I, p. 190).
(**e**) 1973 c. 32.

(*a*) notify in writing the ambulance authority within 24 hours of employing for the first time more than 25 persons on the site of—

(i) the location and address (if any) of the site; and

(ii) the nature of the operations or works and the probable date of their completion;

(*b*) provide and maintain on the site a suitable stretcher or such number of suitable stretchers as may be necessary;

(*c*) appoint a responsible person or responsible persons who shall always be readily available during working hours and whose duty it is to summon an ambulance or other means of transport if needed in cases of accident or illness and the contractor shall ensure that legible copies of a notice indicating that person or, as the case may be, those persons, and containing instructions on the making of emergency telephone or radio calls are affixed in one or more prominent positions on the site.

(2) Without prejudice to the requirements of paragraph (1) of this Regulation, in the case of a site where means of telephonic or radio communication with an ambulance station are not readily accessible, a contractor who has in his employment on the site more than 25 persons shall provide at or in the immediate vicinity of the site, so as to be readily available during working hours, a motor vehicle constructed or adapted so as to be able to carry a person or persons on the stretcher or stretchers provided under this Regulation. The contractor by whom the vehicle is provided shall obtain from the ambulance authority a card showing the address of the nearest hospital named by the ambulance authority as one designated by the Regional Health Authority to provide accident and emergency services and shall ensure that the card is kept in a prominent position in the vehicle.

(3) In the application of this Regulation to Scotland—

(*a*) in paragraph (1)(*a*) for the words "the ambulance authority" there shall be substituted the words "the Common Services Agency for the Scottish Health Service"; and

(*b*) in paragraph (2)—

(i) for the words "the ambulance authority" where those words occur for the first time, there shall be substituted the words "the Health Board for the area in which the site is situated";

(ii) the words "named by the ambulance authority as one" shall be omitted; and

(iii) for the words "the Regional Health Authority" there shall be substituted the words "the said Health Board"."

8th February 1974.

W. Whitelaw,
Secretary of State for Employment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Regulation 8(1) of the Construction (Health and Welfare) Regulations 1966 requires a contractor in specified circumstances to notify the local health authority of the location of his site, the nature of the operations or works and certain other matters. In cases where Regulation 8(2) requires the contractor to provide a motor vehicle able to carry persons on stretchers, he is also required to obtain from the local health authority and keep in the vehicle a card showing the address of the nearest hospital named by that authority as one designated by the Regional Hospital Board to provide accident and emergency services. Regulation 8(3) makes provision for the application of the Regulation to Scotland. Regulation 3(2) defines the expression "local health authority".

These Regulations make amendments to Regulations 3(2) and 8 which are necessary as a consequence of the changes made by the National Health Service (Scotland) Act 1972 (c. 58) and the National Health Service Reorganisation Act 1973 as to the bodies providing ambulance and hospital services.

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