



House of Commons  
**NOTICES OF AMENDMENTS**  
 given on  
**Tuesday 18 March 2014**

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**PUBLIC BILL COMMITTEE**

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**DEREGULATION BILL**

*Requirements to wear safety helmets: exemption for Sikhs*

Tom Brake  
 Oliver Heald

**NC18**

To move the following Clause:—

- (1) Section 11 of the Employment Act 1989 (exemption of Sikhs from requirements as to wearing of safety helmets on construction sites) is amended in accordance with subsections (2) to (10).
- (2) In subsection (1), for “on a construction site” substitute “at a workplace”.
- (3) In subsection (2), in paragraph (a), for “on a construction site” substitute “at a workplace”.
- (4) In subsection (5), in the opening words, for “on a construction site” substitute “at a workplace”.
- (5) After subsection (6) insert—
  - “(6A) This section does not apply to a Sikh who—
    - (a) works, or is training to work, in an occupation that involves (to any extent) providing an urgent response to fire, riot or other hazardous situations, and
    - (b) is at the workplace—
      - (i) to provide such a response in circumstances where the wearing of a safety helmet is necessary to protect the Sikh from a risk of injury, or
      - (ii) to receive training in how to provide such a response in circumstances of that kind.
  - (6B) This section also does not apply to a Sikh who—
    - (a) is a member of Her Majesty’s forces or a person providing support to Her Majesty’s forces, and
    - (b) is at the workplace—

**Deregulation Bill, continued**

- (i) to take part in a military operation in circumstances where the wearing of a safety helmet is necessary to protect the Sikh from a risk of injury, or
  - (ii) to receive training in how to take part in such an operation in circumstances of that kind.”
- (6) In subsection (7)—
- (a) omit the definitions of “building operations”, “works of engineering construction” and “construction site”;
  - (b) before the definition of “injury”, insert—  
““Her Majesty’s forces” has the same meaning as in the Armed Forces Act 2006;”;
  - (c) at the end insert—  
““workplace” means any premises where work is being undertaken, including premises occupied or normally occupied as a private dwelling; and “premises” includes any place and, in particular, includes—
    - (a) any vehicle, vessel, aircraft or hovercraft,
    - (b) any installation (including a floating installation or one resting on the seabed or its subsoil or on other land covered with water or its subsoil), and
    - (c) any tent or moveable structure.”
- (7) In subsection (8), in paragraph (b), for “on a construction site” substitute “at a workplace”.
- (8) In subsection (9)—
- (a) for “relevant construction site” substitute “relevant workplace”;
  - (b) for “construction site” (in the second place where it occurs) substitute “workplace”.
- (9) In subsection (10), for the words from ““relevant construction site” to the end of the subsection substitute ““relevant workplace” means any workplace where work is being undertaken if the premises and the activities being undertaken there are premises and activities to which the Health and Safety at Work etc. Act 1974 applies by virtue of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2013.”
- (10) In the sidenote, for “on construction sites” substitute “at workplaces”.
- (11) Section 12 of that Act (protection of Sikhs from racial discrimination in connection with requirements as to wearing of safety helmets) is amended as follows.
- (12) In subsection (1)—
- (a) in paragraph (a), for “on a construction site” substitute “at a workplace”;
  - (b) in paragraph (b), for “on such a site” substitute “at such a workplace”.
- (13) In subsection (3), for “Subsections (7) to (10)” substitute “Subsections (6A) to (10).”.

**Member’s explanatory statement**

*This new clause extends the scope of the exemption under section 11 of the Employment Act 1989, currently limited to construction sites, so that turban-wearing Sikhs will be exempt from legal requirements to wear a safety helmet in a workplace of any kind (subject to exceptions set out in section 11(6A) and (6B) as amended).*