



# House of Commons

Thursday 27 February 2014

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### DEREGULATION BILL

[THIRD AND FOURTH SITTINGS]

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Chi Onwurah  
Toby Perkins  
Thomas Docherty

*Negated on division* 3

Clause 1, page 1, line 4, leave out subsections (1) and (2) and insert—

(1) After section 52 of the Health and Safety at Work etc. Act 1974 (meaning of work and at work) insert—

**“52A Self-employed persons: list of low risk activities**

The Executive shall, for the purpose of clarifying the duty set out in section 3(2) of this Act—

- (a) prepare and maintain a list of undertakings commonly carried out by self-employed persons that, so far as can be reasonably expected, will not expose any persons to risks to their health or safety; and
- (b) publicise this list in such ways as the Executive thinks appropriate, including on their website.”’.

***Member’s explanatory statement***

*Creates a duty on the Health and Safety Executive to maintain a list of ‘low risk’ activities that are not likely to fall within the duty under section 3(2) of the Health and Safety at Work Act etc. 1974.*

Chi Onwurah  
Toby Perkins  
Thomas Docherty

*Not called* 4

Clause 1, page 1, line 10, at end insert—

(2A) Regulations resulting from the amendments made by subsection (1)(2) of this Act shall be made by statutory instrument.

(2B) A statutory instrument under subsection (2A) shall be made until—

- (a) the Secretary of State has—
  - (i) consulted with relevant parties; and
  - (ii) conducted and published a full impact assessment; and
- (b) the instrument has been laid in draft and approved by resolution of both Houses of Parliament.

(2C) The Secretary of State shall—

**Deregulation Bill, continued**

- (a) review the definitions of prescribed undertakings specified in regulations resulting from this section annually; and
- (b) publicise widely the prescribed undertakings and any subsequent changes made to those regulations.

**Member's explanatory statement**

*This would amend the procedure for the Secretary of State to make regulations on which undertakings are covered by the Health and Safety at Work Act etc. 1974.*

Tom Brake

*Agreed to* 2

Clause 1, page 1, line 11, leave out from 'Executive)' to end of line 12 and insert 'after subsection (4A) insert—

“(4AA) Subsection (4)(b)(i) does not apply in relation to the making of regulations under section 3(2) for the railway safety purposes (and, accordingly, the Executive shall submit under subsection (3) such proposals as the Executive considers appropriate for the making of regulations under section 3(2) for those purposes).”.

**Member's explanatory statement**

*This amendment will enable the Health and Safety Executive to make proposals for the making of regulations under section 3(2) of the Health and Safety at Work etc. Act 1974 for railway safety purposes. Section 3(2) is amended by clause 1(2) to restrict the general duty imposed by it to self-employed persons who conduct an undertaking prescribed in regulations.*

*Clause agreed to on division.*

*Clause 2 agreed to on division.*

[Adjourned until Tuesday 4 March at 8.55 am