

# Health and Safety at Work etc. Act 1974

## 1974 CHAPTER 37

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An Act to make further provision for securing the health, safety and welfare of persons at work, for protecting others against risks to health or safety in connection with the activities of persons at work, for controlling the keeping and use and preventing the unlawful acquisition, possession and use of dangerous substances, and for controlling certain emissions into the atmosphere; to make further provision with respect to the employment medical advisory service; to amend the law relating to building regulations, and the Building (Scotland) Act 1959; and for connected purposes.

[31st July 1974]

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Extent

Preamble: England, Wales, Scotland

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## Part I

### Health, Safety and Welfare in connection with Work, and Control of Dangerous Substances and Certain Emissions into the Atmosphere

#### *Preliminary*

 Law In Force

#### **1.— Preliminary.**

- (1) The provisions of this Part shall have effect with a view to—
- (a) securing the health, safety and welfare of persons at work;
  - (b) protecting persons other than persons at work against risks to health or safety arising out of or in connection with the activities of persons at work;

(c) controlling the keeping and use of explosive or highly flammable or otherwise dangerous substances, and generally preventing the unlawful acquisition, possession and use of such substances [.]<sup>1</sup>

(d) [...] <sup>1</sup>

(2) The provisions of this Part relating to the making of health and safety regulations [...] <sup>2</sup> and the preparation and approval of codes of practice shall in particular have effect with a view to enabling the enactments specified in the third column of Schedule 1 and the regulations, orders and other instruments in force under those enactments to be progressively replaced by a system of regulations and approved codes of practice operating in combination with the other provisions of this Part and designed to maintain or improve the standards of health, safety and welfare established by or under those enactments.

(3) For the purposes of this Part risks arising out of or in connection with the activities of persons at work shall be treated as including risks attributable to the manner of conducting an undertaking, the plant or substances used for the purposes of an undertaking and the condition of premises so used or any part of them.

(4) References in this Part to the general purposes of this Part are references to the purposes mentioned in subsection (1) above.

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#### Notes

<sup>1</sup> Words repealed by Regulatory Reform (Scotland) Act 2014 (Consequential Modifications) Order 2015/374 art.2(2) (February 26, 2015)

<sup>2</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18

#### Commencement

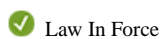
Pt I s. 1: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt I s. 1-(4): United Kingdom

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### *General duties*



Law In Force

#### **2.— General duties of employers to their employees.**

(1) It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.

(2) Without prejudice to the generality of an employer's duty under the preceding subsection, the matters to which that duty extends include in particular—

(a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks to health;

- (b) arrangements for ensuring, so far as is reasonably practicable, safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances;
- (c) the provision of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees;
- (d) so far as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks;
- (e) the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.

(3) Except in such cases as may be prescribed, it shall be the duty of every employer to prepare and as often as may be appropriate revise a written statement of his general policy with respect to the health and safety at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of all of his employees.

(4) Regulations made by the Secretary of State may provide for the appointment in prescribed cases by recognised trade unions (within the meaning of the regulations) of safety representatives from amongst the employees, and those representatives shall represent the employees in consultations with the employers under subsection (6) below and shall have such other functions as may be prescribed.

(5) [...] <sup>1</sup>

(6) It shall be the duty of every employer to consult any such representatives with a view to the making and maintenance of arrangements which will enable him and his employees to co-operate effectively in promoting and developing measures to ensure the health and safety at work of the employees, and in checking the effectiveness of such measures.

(7) In such cases as may be prescribed it shall be the duty of every employer, if requested to do so by the safety representatives mentioned in [subsection (4)] <sup>2</sup> above, to establish, in accordance with regulations made by the Secretary of State, a safety committee having the function of keeping under review the measures taken to ensure the health and safety at work of his employees and such other functions as may be prescribed.

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## Notes

<sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18

<sup>2</sup> Words substituted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 2

<sup>3</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>4</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>5</sup> S. 2 applied by S.I. 1989/840, arts. 2–10

<sup>6</sup> S. 2(4) modified by S.I. 1977/500, reg. 8(1)

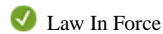
**Commencement**

Pt I s. 2: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 2-(7): United Kingdom

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Law In Force

**3.— General duties of employers and self-employed to persons other than their employees.**

(1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

(2) It shall be the duty of every self-employed person [ who conducts an undertaking of a prescribed description ]<sup>1</sup> to conduct [ the undertaking ]<sup>2</sup> in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.

[ (2A) A description of undertaking included in regulations under subsection (2) may be framed by reference to—

- (a) the type of activities carried out by the undertaking, where those activities are carried out or any other feature of the undertaking;
- (b) whether persons who may be affected by the conduct of the undertaking, other than the self-employed person (or his employees), may thereby be exposed to risks to their health or safety.

] <sup>3</sup>

(3) In such cases as may be prescribed, it shall be the duty of every employer and every self-employed person, in the prescribed circumstances and in the prescribed manner, to give to persons (not being his employees) who may be affected by the way in which he conducts his undertaking the prescribed information about such aspects of the way in which he conducts his undertaking as might affect their health or safety.

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**Notes**

<sup>1</sup> Words inserted by Deregulation Act 2015 c. 20 s.1(2)(a) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)

<sup>2</sup> Words substituted by Deregulation Act 2015 c. 20 s.1(2)(b) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)

<sup>3</sup> Added by Deregulation Act 2015 c. 20 s.1(3) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)

**Commencement**

Pt I s. 3: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**Pt I s. 3-(3): United Kingdom

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 Law In Force**4.— General duties of persons concerned with premises to persons other than their employees.**

(1) This section has effect for imposing on persons duties in relation to those who—

(a) are not their employees; but

(b) use non-domestic premises made available to them as a place of work or as a place where they may use plant or substances provided for their use there,

and applies to premises so made available and other non-domestic premises used in connection with them.

(2) It shall be the duty of each person who has, to any extent, control of premises to which this section applies or of the means of access thereto or egress therefrom or of any plant or substance in such premises to take such measures as it is reasonable for a person in his position to take to ensure, so far as is reasonably practicable, that the premises, all means of access thereto or egress therefrom available for use by persons using the premises, and any plant or substance in the premises or, as the case may be, provided for use there, is or are safe and without risks to health.

(3) Where a person has, by virtue of any contract or tenancy, an obligation of any extent in relation to—

(a) the maintenance or repair of any premises to which this section applies or any means of access thereto or egress therefrom; or

(b) the safety of or the absence of risks to health arising from plant or substances in any such premises;

that person shall be treated, for the purposes of subsection (2) above, as being a person who has control of the matters to which his obligation extends.

(4) Any reference in this section to a person having control of any premises or matter is a reference to a person having control of the premises or matter in connection with the carrying on by him of a trade, business or other undertaking (whether for profit or not).

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S.4 applied by S.I. 1989/840, arts. 2–10

**Commencement**

Pt I s. 4: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 4-(4): United Kingdom

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The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [England and Wales](#)

 Repealed

Scotland

## 5.— [...]¹

### Notes


- ¹ Repealed by Regulatory Reform (Scotland) Act 2014 (Consequential Modifications) Order 2015/374 art.2(3) (February 26, 2015)

England and Wales

## [...]¹

### Notes

- ¹ Repealed by Environmental Protection Act 1990 c. 43 Sch.16(I) para.1 (December 16, 1996 as SI 1996/3056)

 Law In Force

## 6.— General duties of manufacturers etc. as regards articles and substances for use at work.

[ (1) It shall be the duty of any person who designs, manufactures, imports or supplies any article for use at work or any article of fairground equipment—

- (a) to ensure, so far as is reasonably practicable, that the article is so designed and constructed that it will be safe and without risks to health at all times when it is being set, used, cleaned or maintained by a person at work;
- (b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;
- (c) to take such steps as are necessary to secure that persons supplied by that person with the article are provided with adequate information about the use for which the article is designed or has been tested and about any conditions necessary to ensure that it will be safe and without risks to health at all such times as are mentioned in paragraph (a) above and when it is being dismantled or disposed of; and
- (d) to take such steps as are necessary to secure, so far as is reasonably practicable, that persons so supplied are provided with all such revisions of information provided to them

by virtue of the preceding paragraph as are necessary by reason of its becoming known that anything gives rise to a serious risk to health or safety.

(1A) It shall be the duty of any person who designs, manufactures, imports or supplies any article of fairground equipment—

- (a) to ensure, so far as is reasonably practicable, that the article is so designed and constructed that it will be safe and without risks to health at all times when it is being used for or in connection with the entertainment of members of the public;
- (b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;
- (c) to take such steps as are necessary to secure that persons supplied by that person with the article are provided with adequate information about the use for which the article is designed or has been tested and about any conditions necessary to ensure that it will be safe and without risks to health at all times when it is being used for or in connection with the entertainment of members of the public; and
- (d) to take such steps as are necessary to secure, so far as is reasonably practicable, that persons so supplied are provided with all such revisions of information provided to them by virtue of the preceding paragraph as are necessary by reason of its becoming known that anything gives rise to a serious risk to health or safety.

] <sup>1</sup>

(2) It shall be the duty of any person who undertakes the design or manufacture of any article for use at work [or of any article of fairground equipment] <sup>2</sup> to carry out or arrange for the carrying out of any necessary research with a view to the discovery and, so far as is reasonably practicable, the elimination or minimisation of any risks to health or safety to which the design or article may give rise.

(3) It shall be the duty of any person who erects or installs any article for use at work in any premises where that article is to be used by persons at work [or who erects or installs any article of fairground equipment] <sup>3</sup> to ensure, so far as is reasonably practicable, that nothing about the way in which [the article is erected or installed makes it unsafe or a risk to health at any such time as is mentioned in paragraph (a) of subsection (1) or, as the case may be, in paragraph (a) of subsection (1) or (1A) above.] <sup>4</sup>

[ (4) It shall be the duty of any person who manufactures, imports or supplies any substance—

- (a) to ensure, so far as is reasonably practicable, that the substance will be safe and without risks to health at all times when it is being used, handled, processed, stored or transported by a person at work or in premises to which section 4 above applies;
- (b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;
- (c) to take such steps as are necessary to secure that persons supplied by that person with the substance are provided with adequate information about any risks to health or safety to which the inherent properties of the substance may give rise, about the results of any relevant tests which have been carried out on or in connection with the substance and about any conditions necessary to ensure that the substance will be safe and without risks to health at all such times as are mentioned in paragraph (a) above and when the substance is being disposed of; and
- (d) to take such steps as are necessary to secure, so far as is reasonably practicable, that persons so supplied are provided with all such revisions of information provided to them

by virtue of the preceding paragraph as are necessary by reason of its becoming known that anything gives rise to a serious risk to health or safety.

] <sup>5</sup>

(5) It shall be the duty of any person who undertakes the manufacture of any [ substance ] <sup>6</sup> to carry out or arrange for the carrying out of any necessary research with a view to the discovery and, so far as is reasonably practicable, the elimination or minimisation of any risks to health or safety to which the substance may give rise [ at all such times as are mentioned in paragraph (a) of subsection (4) above ] <sup>7</sup>.

(6) Nothing in the preceding provisions of this section shall be taken to require a person to repeat any testing, examination or research which has been carried out otherwise than by him or at his instance, in so far as it is reasonable for him to rely on the results thereof for the purposes of those provisions.

(7) Any duty imposed on any person by any of the preceding provisions of this section shall extend only to things done in the course of a trade, business or other undertaking carried on by him (whether for profit or not) and to matters within his control.

(8) Where a person designs, manufactures, imports or supplies an article [ for use at work or an article of fairground equipment and does so for or to another ] <sup>8</sup> on the basis of a written undertaking by that other to take specified steps sufficient to ensure, so far as is reasonably practicable, that the article will be safe and without risks to health [ at all such times as are mentioned in paragraph (a) of subsection (1) or, as the case may be, in paragraph (a) of subsection (1) or (1A) above ] <sup>9</sup>, the undertaking shall have the effect of relieving the first-mentioned person from the duty imposed [ by virtue of that paragraph ] <sup>10</sup> to such extent as is reasonable having regard to the terms of the undertaking.

[ (8A) Nothing in subsection (7) or (8) above shall relieve any person who imports any article or substance from any duty in respect of anything which—

(a) in the case of an article designed outside the United Kingdom, was done by and in the course of any trade, profession or other undertaking carried on by, or was within the control of, the person who designed the article; or

(b) in the case of an article or substance manufactured outside the United Kingdom, was done by and in the course of any trade, profession or other undertaking carried on by, or was within the control of, the person who manufactured the article or substance.

] <sup>11</sup>

(9) Where a person (“the ostensible supplier”) supplies any [ article or substance ] <sup>12</sup> to another (“the customer”) under a hire-purchase agreement, conditional sale agreement or credit-sale agreement, and the ostensible supplier—

(a) carries on the business of financing the acquisition of goods by others by means of such agreements; and

(b) in the course of that business acquired his interest in the article or substance supplied to the customer as a means of financing its acquisition by the customer from a third person (“the effective supplier”),

the effective supplier and not the ostensible supplier shall be treated for the purposes of this section as supplying the article or substance to the customer, and any duty imposed by the preceding provisions of this section on suppliers shall accordingly fall on the effective supplier and not on the ostensible supplier.



[ (10) For the purposes of this section an absence of safety or a risk to health shall be disregarded in so far as the case in or in relation to which it would arise is shown to be one the occurrence of which could not reasonably be foreseen; and in determining whether any duty imposed by virtue of paragraph (a) of subsection (1), (1A) or (4) above has been performed regard shall be had to any relevant information or advice which has been provided to any person by the person by whom the article has been designed, manufactured, imported or supplied or, as the case may be, by the person by whom the substance has been manufactured, imported or supplied. ]<sup>13</sup>  
 14 15 16 17

## Notes

- <sup>1</sup> S. 6(1) substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(2)
- <sup>2</sup> Words inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(4)
- <sup>3</sup> Words inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(4)(a)
- <sup>4</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(4)(b)
- <sup>5</sup> S. 6(4) substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(5)
- <sup>6</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(6)(a)(b)
- <sup>7</sup> Words inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(6)(a)(b)
- <sup>8</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(7)(a)
- <sup>9</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(7)(b)
- <sup>10</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(7)(c)
- <sup>11</sup> S. 6(8A) inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(8)
- <sup>12</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(9)
- <sup>13</sup> S. 6(10) substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 1(10)
- <sup>14</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>15</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>16</sup> S. 6 modified by S.I. 1989/1790, reg. 12, S.I. 1980/907, reg. 3; applied by S.I. 1989/840, arts. 2–10
- <sup>17</sup> S.6(9) applied by S.I. 1989/2169, reg. 3(4), Sch. 3 para. 3

## Commencement

Pt I s. 6: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

## Extent

Pt I s. 6-(10): United Kingdom



Law In Force

## 7. General duties of employees at work.

It shall be the duty of every employee while at work—

- (a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work; and
- (b) as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with.

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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.7 applied by S.I. 1989/840, arts. 2–10


**Commencement**

Pt I s. 7: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 7-(b): United Kingdom

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 Law In Force

**8. Duty not to interfere with or misuse things provided pursuant to certain provisions.**

No person shall intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare in pursuance of any of the relevant statutory provisions.

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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.8 applied by S.I. 1989/840, arts. 2–10


**Commencement**

Pt I s. 8: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 8: United Kingdom

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 Law In Force

**9. Duty not to charge employees for things done or provided pursuant to certain specific requirements.**

No employer shall levy or permit to be levied on any employee of his any charge in respect of anything done or provided in pursuance of any specific requirement of the relevant statutory provisions.

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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.9 applied by S.I. 1989/840, arts. 2–10

**Commencement**

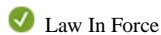
Pt I s. 9: April 1, 1975 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 9: United Kingdom

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*The Health and Safety Commission and the Health and Safety Executive*



Law In Force

**[ 10. Establishment of the Executive**

- (1) There shall be a body corporate to be known as the Health and Safety Executive (in this Act referred to as “the Executive”).
- (2) The provisions of Schedule 2 shall have effect with respect to the Executive.
- (3) The functions of the Executive and of its officers and servants shall be performed on behalf of the Crown.
- (4) For the purpose of any civil proceedings arising out of those functions—
- (a) in England and Wales and Northern Ireland, the Crown Proceedings Act 1947 shall apply to the Executive as if it were a government department within the meaning of that Act, and
  - (b) in Scotland, the Crown Suits (Scotland) Act 1857 shall apply to the Executive as if it were a public department within the meaning of that Act.

**] <sup>1</sup>**

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**Notes**

- <sup>1</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 3(3), (4) and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.4 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 3(3), (4) and 11)

**Commencement**

Pt I s. 10(1): October 1, 1974 in relation to the Commission; January 1, 1975 in relation to the Executive (SI 1974/1439 art. 2, Sch. 1 para. 1, Sch. 2 para. 1)

Pt I s. 10(2)-(4): October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

Pt I s. 10(5): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

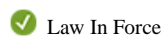
Pt I s. 10(6)-(7): October 1, 1974 in relation to the Commission; January 1, 1975 in relation to the Executive (SI 1974/1439 art. 2, Sch. 1 para. 1, Sch. 2 para. 1)

Pt I s. 10(8): Date not available

**Extent**

Pt I s. 10(1)-(8): United Kingdom

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Law In Force

**[ 11. Functions of the Executive**

(1) It shall be the general duty of the Executive to do such things and make such arrangements as it considers appropriate for the general purposes of this Part.

(2) In connection with the general purposes of this Part, the Executive shall—

- (a) assist and encourage persons concerned with matters relevant to those purposes to further those purposes;
- (b) make such arrangements as it considers appropriate for the carrying out of research and the publication of the results of research and the provision of training and information, and encourage research and the provision of training and information by others;
- (c) make such arrangements as it considers appropriate to secure that the following persons are provided with an information and advisory service on matters relevant to those purposes and are kept informed of and are adequately advised on such matters—
  - (i) government departments,
  - (ii) local authorities,
  - (iii) employers,
  - (iv) employees,
  - (v) organisations representing employers or employees, and
  - (vi) other persons concerned with matters relevant to the general purposes of this Part.

(3) The Executive shall submit from time to time to the Secretary of State such proposals as the Executive considers appropriate for the making of regulations under any of the relevant statutory provisions.

(4) In subsections (1) to (3)—

- (a) references to the general purposes of this Part do not include references to [ any of the transferred purposes ]<sup>2</sup> ; and
- (b) the reference to the making of regulations under the relevant statutory provisions does not include a reference so far as the regulations are made [ — ]<sup>3</sup>
  - [ (i) for any of the transferred purposes, or
  - (ii) under section 43 and concern fees relating to nuclear site regulation. ]<sup>3</sup>

[ (4A) In subsection (4)—

- (a) “the transferred purposes” means—
  - (i) the railway safety purposes;
  - (ii) the nuclear safety purposes;
  - (iii) the nuclear security purposes;
  - (iv) the nuclear safeguards purposes;
  - (v) the radioactive material transport purposes;
- (b) “fees relating to nuclear site regulation” means fees payable for or in connection with the performance of a function by or on behalf of—
  - (i) the Office for Nuclear Regulation, or
  - (ii) any inspector appointed by the Office for Nuclear Regulation.

[ (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). ]<sup>5</sup>

(4B) The Executive may submit to the Secretary of State any proposal submitted to it by the Office for Nuclear Regulation under section 81 of the Energy Act 2013 (proposals about orders and regulations). ]<sup>4</sup>

(5) It shall be the duty of the Executive—

- (a) to submit to the Secretary of State from time to time particulars of what it proposes to do for the purpose of performing of its functions [ other than its building functions ]<sup>6</sup> ;
- (b) to ensure that its activities [ other than its building functions ]<sup>7</sup> are in accordance with proposals approved by the Secretary of State; and
- (c) to give effect to any directions given to it by the Secretary of State.

(6) The Executive shall provide a Minister of the Crown on request—

- (a) with information about its activities in connection with any matter with which the Minister is concerned; and
- (b) with advice on any matter with which he is concerned, where relevant expert advice is obtainable from any of the officers or servants of the Executive, but which is not relevant to the general purposes of this Part [ or to its building functions ]<sup>8</sup> .

] <sup>1</sup>

## Notes

- <sup>1</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.5 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11)
- <sup>2</sup> Words substituted by Energy Act 2013 c. 32 Sch.12(1) para.2(2)(a) (April 1, 2014)
- <sup>3</sup> S.11(4)(b)(i) and (ii) substituted for words by Energy Act 2013 c. 32 Sch.12(1) para.2(2)(b) (April 1, 2014)
- <sup>4</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.2(3) (April 1, 2014)
- <sup>5</sup> Added by Deregulation Act 2015 c. 20 s.1(4) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)
- <sup>6</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.2(2)(a) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

- <sup>7</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.2(2)(b) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>8</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.2(3) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

### Commencement

Pt I s. 11(1): October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

Pt I s. 11(2A): Date not available

Pt I s. 11(2)-(3): October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

Pt I s. 11(4): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)


Pt I s. 11(4A)-(4B): Date not available

Pt I s. 11(5): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

Pt I s. 11(6): October 1, 1974 in relation to the Commission; January 1, 1975 in relation to the Executive (SI 1974/1439 art. 2, Sch. 1 para. 1, Sch. 2 para. 1)

### Extent

Pt I s. 11(1)-(6)(b): United Kingdom

 Law In Force

## [ 11A Powers of the Executive: buildings in England

(1) The Executive may do such things and make such arrangements as it considers appropriate in connection with any of its building functions.

(2) In particular, it may—

- (a) assist and encourage persons concerned with matters relevant to those functions;
- (b) make arrangements for—
  - (i) the carrying out of research and the publication of the results of research;
  - (ii) the provision of training and information;
- (c) encourage research and the provision of training and information by others;
- (d) make arrangements for the provision of a service providing information or advice on such matters, and to such persons, as it considers appropriate;
- (e) institute criminal proceedings.

(3) And it may—

- (a) appoint persons or committees of persons to provide it with advice, or to do such other things as it considers appropriate, in connection with any of its building functions, and
- (b) remunerate those persons.

Nothing in paragraph (b) limits section 13(8).

(4) Any amounts paid under subsection (3)(b) are to be such as may be determined by the Secretary of State.

] <sup>1</sup>

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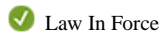
**Notes**

- <sup>1</sup> Added by Building Safety Act 2022 c. 30 Sch.1 para.3 (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

**Extent**

Pt I s. 11A(4)-(2)(b)(i): United Kingdom

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Law In Force

**[ 12. Control of the Executive by the Secretary of State**

- (1) The Secretary of State may approve any proposals submitted to him under section 11(5)(a) with or without modifications.
- (2) The Secretary of State may at any time give to the Executive—
- (a) such directions as he thinks fit with respect to its functions, or
  - (b) such directions as appear to him requisite or expedient to give in the interests of the safety of the State.
- (3) The Secretary of State may not under subsection (2) give any directions with regard to the enforcement of the relevant statutory provisions [ , or the enforcement of the building enactments, ]<sup>2</sup> in any particular case.
- (4) The reference to directions in subsection (2)(a)—
- (a) includes directions modifying the Executive's functions, but
  - (b) does not include directions conferring functions on the Executive other than any functions of which it was deprived by previous directions given under subsection (2)(a).

] <sup>1</sup>

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**Notes**

- <sup>1</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.5 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11)
- <sup>2</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.4 (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

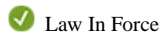
**Commencement**

Pt I s. 12: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 12-(b): United Kingdom

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Law In Force

**[ 13.— Powers of the Executive**

(1) Subject to subsection (2), the Executive shall have power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of its functions, including a function conferred on it under this subsection.

(2) The power in subsection (1) shall not include the power to borrow money.

(3) The Executive may make agreements with a government department or other person for that department or person to perform any of its functions [ on its behalf ]<sup>2</sup>, with or without payment.

(4) Subject to subsections (5) and (6), the Executive may make agreements with a Minister of the Crown, with a government department or with a public authority to perform functions exercisable by that Minister, department or authority [ on behalf of the Minister, department or authority ]<sup>3</sup>, with or without payment.

(5) The functions referred to in subsection (4)—

- (a) in the case of a Minister of the Crown, include functions not conferred by an enactment;
- (b) shall be functions which the Secretary of State considers can be appropriately performed by the Executive; and
- (c) do not include any power to make regulations or other instruments of a legislative character.

(6) The Executive may provide services or facilities, with or without payment, otherwise than for the general purposes of this Part [ or in connection with its building functions ]<sup>4</sup>, to a government department or public authority in connection with the exercise of that department's or authority's functions.

[ (6A) The reference in subsection (6) to the general purposes of this Part does not include a reference to any of the following—

- (a) the nuclear safety purposes;
- (b) the nuclear security purposes;
- (c) the nuclear safeguards purposes;
- (d) the radioactive material transport purposes.

] <sup>5</sup>

(7) The Executive may appoint persons or committees of persons to provide it with advice in connection with any of its functions [ except its building functions ]<sup>6</sup> and, without prejudice to subsection (8), it may remunerate these persons.

(8) The Executive may, in connection with the performance of its functions, pay to any person—

- (a) travelling and subsistence allowances, and
- (b) compensation for loss of remunerative time.

(9) Any amounts paid under subsections (7) and (8) shall be such as may be determined by the Secretary of State, with the approval of the Minister for the Civil Service.

(10) The Executive may—

- (a) carry out, arrange for, or make payments for the carrying out of, research into any matter connected with its functions, and
- (b) disseminate or arrange for or make payments for the dissemination of information derived from this research.



(11) The Executive may include, in any arrangements made for the provision of services or facilities under subsection (6), provision for the making of payments to the Executive, or any person acting on its behalf, by other parties to the arrangements and by persons using those services or facilities. ]<sup>1</sup>

#### Notes

- <sup>1</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.5 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 7, 10 and 11)
- <sup>2</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.5(2) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>3</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.5(3) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>4</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.5(4) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>5</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.3 (April 1, 2014)
- <sup>6</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.5(5) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

#### Commencement

Pt I s. 13: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt I s. 13-(11): United Kingdom

 Law In Force

### 14.— Power of the Commission to direct investigations and inquiries.

(1) [ This section applies to the following matters, that is to say any accident, occurrence, situation or other matter whatsoever which [ the Executive ]<sup>2</sup> thinks it necessary or expedient to investigate for any of the general purposes of this Part or with a view to the making of regulations for those purposes; and for the purposes of this subsection—

(a) those general purposes shall be treated as not including the railway safety purposes [ or the ONR's purposes ]<sup>3</sup> ; but

(b) it is otherwise

immaterial whether the Executive is or is not responsible for securing the enforcement of such (if any) of the relevant statutory provisions as relate to the matter in question.

] <sup>1</sup>

[ (2) The Executive may at any time—

(a) investigate and make a special report on any matter to which this section applies; or

(b) authorise another person to investigate and make a special report into any such matter.

(2A) The Executive may at any time, with the consent of the Secretary of State, direct an inquiry to be held into any matter to which this section applies. ]<sup>4</sup>

(3) Any inquiry held by virtue of [ subsection (2A) ]<sup>5</sup> above shall be held in accordance with regulations made for the purposes of this subsection by the Secretary of State, and shall be held in public except where or to the extent that the regulations provide otherwise.

(4) Regulations made for the purposes of subsection (3) above may in particular include provision—  
 (a) conferring on the person holding any such inquiry, and any person assisting him in the inquiry, powers of entry and inspection;  
 (b) conferring on any such person powers of summoning witnesses to give evidence or produce documents and power to take evidence on oath and administer oaths or require the making of declarations;  
 (c) requiring any such inquiry to be held otherwise than in public where or to the extent that a Minister of the Crown so directs.

[ (4A) Provision that may be made by virtue of subsection (4)(a) includes, in particular, provision conferring functions on the Office for Nuclear Regulation in relation to powers of entry and inspection in relation to any premises for which it is an enforcing authority. ]<sup>6</sup>

[ (5) In the case of a special report made by virtue of subsection (2), or a report made by the person holding an inquiry by virtue of subsection (2A), the Executive may cause the report, or so much of it as the Executive thinks fit, to be made public at such time and in such manner as it thinks fit. ]<sup>7</sup>

(6) [ The Executive ]<sup>8</sup> —

- (a) in the case of an investigation and special report made by virtue of [ subsection (2) ]<sup>9</sup> above (otherwise than by an officer or servant of the Executive), may pay to the person making it such remuneration and expenses as the Secretary of State may, with the approval of the Minister for the Civil Service, determine;
- (b) in the case of an inquiry held by virtue of [ subsection (2A) ]<sup>10</sup> above, may pay to the person holding it and to any assessor appointed to assist him such remuneration and expenses, and to persons attending the inquiry as witnesses such expenses, as the Secretary of State may, with the like approval, determine; and
- (c) may, to such extent as the Secretary of State may determine, defray the other costs, if any, of any such investigation and special report or inquiry.

(7) [...] <sup>11</sup>

## Notes

<sup>1</sup> S.14(1)(a)-(b) substituted for words in s.14(1) by Railways Act 2005 c. 14 Sch.3 para.4(5) (April 1, 2006)

<sup>2</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(2) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 6 and 11)

<sup>3</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.4(2) (April 1, 2014)

<sup>4</sup> S.14(2) and (2A) substituted for s.14(2) subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(3) (April 1, 2008: substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11)

<sup>5</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(4) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 6 and 11)

<sup>6</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.4(3) (April 1, 2014)

- <sup>7</sup> Substitution subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5(3), 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(5) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5(3), 6 and 11)
- <sup>8</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(6)(a) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11)
- <sup>9</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(6)(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11)
- <sup>10</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.6(6)(c) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 5, 6 and 11)
- <sup>11</sup> Repealed by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016/1142 Sch.1(2) para.3(2) (June 15, 2017: repeal has effect subject to saving provision specified in SI 2016/1142 reg.7(2))

### Commencement

Pt I s. 14: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 14-(7): United Kingdom

## *Health and safety regulations and approved codes of practice*

 Law In Force

### 15.— Health and safety regulations.

[ (1) Subject to the provisions of section 50 , the Secretary of State [...] <sup>2</sup> shall have power to make regulations under this section for any of the general purposes of this Part (and regulations so made are in this Part referred to as “health and safety regulations”). ] <sup>1</sup>

[ (1A) In subsection (1), the reference to the general purposes of this Part does not include a reference to any of the following—

- (a) the nuclear safety purposes;
- (b) the nuclear security purposes;
- (c) the nuclear safeguards purposes;
- (d) the radioactive material transport purposes.

(1B) Subsection (1A) does not preclude health and safety regulations from including provision merely because the provision could be made for any of the purposes mentioned in paragraphs (a) to (d) of that subsection. ] <sup>3</sup>

(2) Without prejudice to the generality of [ subsection (1) ] <sup>4</sup> , health and safety regulations may for any of the general purposes of this Part make provision for any of the purposes mentioned in Schedule 3.

(3) Health and safety regulations—

- (a) may repeal or modify any of the existing statutory provisions;
- (b) may exclude or modify in relation to any specified class of case any of the provisions of sections 2 to 9 or any of the existing statutory provisions;
- (c) may make a specified authority or class of authorities responsible, to such extent as may [ , subject to subsection (3A), ]<sup>5</sup> be specified, for the enforcement of any of the relevant statutory provisions.

[ (3A) Nothing in this section is to be taken to permit health and safety regulations to make provision about responsibility for the enforcement of any of the relevant statutory provisions as they apply in relation to any GB nuclear site.

(3B) Subsection (3A) does not prevent health and safety regulations providing for the [ Office of Rail and Road ]<sup>7</sup> to be responsible for the enforcement, in relation to GB nuclear sites, of any of the relevant statutory provisions that are made for the railway safety purposes.

(3C) In subsections (3A) and (3B), “GB nuclear site” has the same meaning as in section 68 of the Energy Act 2013 (nuclear safety purposes). ]<sup>6</sup>

(4) Health and safety regulations—

- (a) may impose requirements by reference to the approval of [ the Executive ]<sup>8</sup> or any other specified body or person;
- (b) may provide for references in the regulations to any specified document to operate as references to that document as revised or re-issued from time to time.

(5) Health and safety regulations—

- (a) may provide (either unconditionally or subject to conditions, and with or without limit of time) for exemptions from any requirement or prohibition imposed by or under any of the relevant statutory provisions;
- (b) may enable exemptions from any requirement or prohibition imposed by or under any of the relevant statutory provisions to be granted (either unconditionally or subject to conditions, and with or without limit of time) by any specified person or by any person authorised in that behalf by a specified authority.

(6) Health and safety regulations—

- (a) may specify the persons or classes of persons who, in the event of a contravention of a requirement or prohibition imposed by or under the regulations, are to be guilty of an offence, whether in addition to or to the exclusion of other persons or classes of persons;
- (b) may provide for any specified defence to be available in proceedings for any offence under the relevant statutory provisions either generally or in specified circumstances;
- (c) may exclude proceedings on indictment in relation to offences consisting of a contravention of a requirement or prohibition imposed by or under any of the existing statutory provisions, sections 2 to 9 or health and safety regulations;
- (d) may restrict the punishments [ (other than the maximum fine on conviction on indictment) ]<sup>9</sup> which can be imposed in respect of any such offence as is mentioned in paragraph (c) above [ . ]<sup>10</sup>
- (e) [...] <sup>10</sup>

(7) Without prejudice to section 35, health and safety regulations may make provision for enabling offences under any of the relevant statutory provisions to be treated as having been committed at any specified place for the purpose of bringing any such offence within the field of responsibility

of any enforcing authority or conferring jurisdiction on any court to entertain proceedings for any such offence.

(8) Health and safety regulations may take the form of regulations applying to particular circumstances only or to a particular case only (for example, regulations applying to particular premises only).

(9) If an Order in Council is made under section 84(3) providing that this section shall apply to or in relation to persons, premises or work outside Great Britain then, notwithstanding the Order, health and safety regulations shall not apply to or in relation to aircraft in flight, vessels, hovercraft or offshore installations outside Great Britain or persons at work outside Great Britain in connection with submarine cables or submarine pipelines except in so far as the regulations expressly so provide.

(10) In this section “specified” means specified in health and safety regulations.

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#### Notes

- <sup>1</sup> S. 15(1) substituted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 6
- <sup>2</sup> Words repealed by Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002/794 Sch.2 para.1 (March 27, 2002)
- <sup>3</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.5(2) (April 1, 2014)
- <sup>4</sup> Words substituted by Energy Act 2013 c. 32 Sch.12(1) para.5(3) (April 1, 2014)
- <sup>5</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.5(4) (April 1, 2014)
- <sup>6</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.5(5) (April 1, 2014)
- <sup>7</sup> Words substituted by Office of Rail Regulation (Change of Name) Regulations 2015/1682 Sch.1(1) para.4(c)(i) (October 16, 2015)
- <sup>8</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.7 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>9</sup> Words inserted by Criminal Law Act 1977 (c. 45), Sch. 12
- <sup>10</sup> Repealed by Health and Safety (Offences) Act 2008 c. 20 Sch.4 para.1 (January 16, 2009)

#### Commencement

Pt I s. 15: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt I s. 15-(10): United Kingdom

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### 16.— Approval of codes of practice by [ the Executive ]<sup>1</sup> .

(1) For the purpose of providing practical guidance with respect to the requirements of any provision of [ any of the enactments or instruments mentioned in subsection (1A) below ]<sup>2</sup> , [ the Executive ]<sup>1</sup> may, subject to the following subsection [...]<sup>3</sup>

(a) approve and issue such codes of practice (whether prepared by it or not) as in its opinion are suitable for that purpose;

(b) approve such codes of practice issued or proposed to be issued otherwise than by [ the Executive ]<sup>1</sup> as in its opinion are suitable for that purpose.

[ (1A) Those enactments and instruments are—

- (a) sections 2 to 7 above;
- (b) health and safety regulations, except so far as they make provision exclusively in relation to transport systems falling within paragraph 1(3) of Schedule 3 to the Railways Act 2005; and
- (c) the existing statutory provisions that are not such provisions by virtue of section 117(4) of the Railways Act 1993.

] <sup>4</sup>

(2) [ The Executive ]<sup>1</sup> shall not approve a code of practice under subsection (1) above without the consent of the Secretary of State, and shall, before seeking his consent, consult—

- (a) any government department or other body that appears to [ the Executive ]<sup>1</sup> to be appropriate [...] <sup>5</sup>; and
- (b) such government departments and other bodies, if any, as in relation to any matter dealt with in the code, [ the Executive ]<sup>1</sup> is required to consult under this section by virtue of directions given to it by the Secretary of State.

(3) Where a code of practice is approved by [ the Executive ]<sup>1</sup> under subsection (1) above, [ the Executive ]<sup>1</sup> shall issue a notice in writing—

- (a) identifying the code in question and stating the date on which its approval by [ the Executive ]<sup>1</sup> is to take effect; and
- (b) specifying for which of the provisions mentioned in subsection (1) above the code is approved.

(4) [ The Executive ]<sup>1</sup> may—

- (a) from time to time revise the whole or any part of any code of practice prepared by it in pursuance of this section;
- (b) approve any revision or proposed revision of the whole or any part of any code of practice for the time being approved under this section;

and the provisions of subsections (2) and (3) above shall, with the necessary modifications, apply in relation to the approval of any revision under this subsection as they apply in relation to the approval of a code of practice under subsection (1) above.

(5) [ The Executive ]<sup>1</sup> may at any time with the consent of the Secretary of State withdraw its approval from any code of practice approved under this section, but before seeking his consent shall consult the same government departments and other bodies as it would be required to consult under subsection (2) above if it were proposing to approve the code.

(6) Where under the preceding subsection [ the Executive ]<sup>1</sup> withdraws its approval from a code of practice approved under this section, [ the Executive ]<sup>1</sup> shall issue a notice in writing identifying the code in question and stating the date on which its approval of it is to cease to have effect.

(7) References in this Part to an approved code of practice are references to that code as it has effect for the time being by virtue of any revision of the whole or any part of it approved under this section.

(8) The power of [ the Executive ]<sup>1</sup> under subsection (1)(b) above to approve a code of practice issued or proposed to be issued otherwise than by [ the Executive ]<sup>1</sup> shall include power to approve a part of such a code of practice; and accordingly in this Part “code of practice” may be read as including a part of such a code of practice.



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**Notes**

- <sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 8 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.8 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 8 and 11)
- <sup>2</sup> Words substituted by Railways Act 2005 c. 14 Sch.3 para.9(1) (April 1, 2006)
- <sup>3</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>4</sup> Added by Railways Act 2005 c. 14 Sch.3 para.9(2) (April 1, 2006)
- <sup>5</sup> Words repealed by Health and Social Care Act 2012 c. 7 Sch.7 para.5 (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)

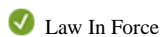
**Commencement**

Pt I s. 16: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 16-(8): United Kingdom

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Law In Force

**17.— Use of approved codes of practice in criminal proceedings.**

(1) A failure on the part of any person to observe any provision of an approved code of practice shall not of itself render him liable to any civil or criminal proceedings; but where in any criminal proceedings a party is alleged to have committed an offence by reason of a contravention of any requirement or prohibition imposed by or under any such provision as is mentioned in section 16(1) being a provision for which there was an approved code of practice at the time of the alleged contravention, the following subsection shall have effect with respect to that code in relation to those proceedings.

(2) Any provision of the code of practice which appears to the court to be relevant to the requirement or prohibition alleged to have been contravened shall be admissible in evidence in the proceedings; and if it is proved that there was at any material time a failure to observe any provision of the code which appears to the court to be relevant to any matter which it is necessary for the prosecution to prove in order to establish a contravention of that requirement or prohibition, that matter shall be taken as proved unless the court is satisfied that the requirement or prohibition was in respect of that matter complied with otherwise than by way of observance of that provision of the code.

(3) In any criminal proceedings—

- (a) a document purporting to be a notice issued by [the Executive]<sup>1</sup> under section 16 shall be taken to be such a notice unless the contrary is proved; and
- (b) a code of practice which appears to the court to be the subject of such a notice shall be taken to be the subject of that notice unless the contrary is proved.

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**Notes**

- <sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.9 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)

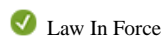
**Commencement**

Pt I s. 17: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 17-(3)(b): United Kingdom

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*Enforcement*

Law In Force

**18.— Authorities responsible for enforcement of the relevant statutory provisions.**

(1) It shall be the duty of the Executive to make adequate arrangements for the enforcement of the relevant statutory provisions except to the extent that some other authority or class of authorities is by any of those provisions or by regulations under subsection (2) below made responsible for their enforcement.

[ (1A) The Office for Nuclear Regulation is responsible for the enforcement of the relevant statutory provisions as they apply in relation to GB nuclear sites (within the meaning given in section 68 of the Energy Act 2013 (nuclear safety purposes)).

(1B) Subsection (1A) is subject to any provision of health and safety regulations making the [ Office of Rail and Road ]<sup>2</sup> responsible for the enforcement of any of the relevant statutory provisions to any extent in relation to such sites. ]<sup>1</sup>

(2) The Secretary of State may by regulations—

[ (za) make the Office for Nuclear Regulation responsible for the enforcement of the relevant statutory provisions to such extent as may be prescribed (and may in particular provide for any site or matter in relation to which the Office for Nuclear Regulation is made so responsible to be determined by the Secretary of State or the Office for Nuclear Regulation under the regulations); ]<sup>3</sup>

(a) make local authorities responsible for the enforcement of the relevant statutory provisions to such extent as may be prescribed;

(b) make provision for enabling responsibility for enforcing any of the relevant statutory provisions to be, to such extent as may be determined under the regulations—

[ (zi) transferred from the Executive or local authorities to the Office for Nuclear Regulation, or from the Office for Nuclear Regulation to the Executive or local authorities; ]<sup>4</sup>

(i) transferred from the Executive to local authorities or from local authorities to the Executive; or

(ii) assigned to the Executive [ , to the Office for Nuclear Regulation ]<sup>5</sup> or to local authorities for the purpose of removing any uncertainty as to what are by virtue of [ subsection (1A) or ]<sup>6</sup> this subsection their respective responsibilities for the enforcement of those provisions;

[ (iii) assigned to the [ Office of Rail and Road ]<sup>2</sup> or the Office for Nuclear Regulation for the purpose of removing any uncertainty as to what are by virtue of



any of the relevant statutory provisions their respective responsibilities for the enforcement of any of those provisions; ]<sup>7</sup>

and any regulations made in pursuance of paragraph (b) above shall include provision for securing that any transfer or assignment effected under the regulations is brought to the notice of persons affected by it.

(3) Any provision made by regulations under the preceding subsection shall have effect subject to any provision made by health and safety regulations [...] in pursuance of section 15(3)(c).

[ (3A) Regulations under subsection (2)(a) may not make local authorities enforcing authorities in relation to any site in relation to which the Office for Nuclear Regulation is an enforcing authority.

(3B) Where the Office for Nuclear Regulation is, by or under subsection (1A) or (2), made responsible for the enforcement of any of the relevant statutory provisions to any extent, it must make adequate arrangements for the enforcement of those provisions to that extent. ]<sup>9</sup>

(4) It shall be the duty of every local authority—

- (a) to make adequate arrangements for the enforcement within their area of the relevant statutory provisions to the extent that they are by any of those provisions or by regulations under subsection (2) above made responsible for their enforcement; and
- (b) to perform the duty imposed on them by the preceding paragraph and any other functions conferred on them by any of the relevant statutory provisions in accordance with such guidance as [ the Executive ]<sup>10</sup> may give them.

[ (4A) Before the Executive gives guidance under subsection (4)(b) it shall consult the local authorities.

(4B) It shall be the duty of the Executive and the local authorities—

- (a) to work together to establish best practice and consistency in the enforcement of the relevant statutory provisions;
- (b) to enter into arrangements with each other for securing cooperation and the exchange of information in connection with the carrying out of their functions with regard to the relevant statutory provisions; and
- (c) from time to time to review those arrangements and to revise them when they consider it appropriate to do so.

] <sup>11</sup>

(5) Where any authority other than [...] <sup>8</sup>, the Executive [ , the Office for Nuclear Regulation ] <sup>12</sup> or a local authority is by any of the relevant statutory provisions [...] <sup>13</sup> made responsible for the enforcement of any of those provisions to any extent, it shall be the duty of that authority—

- (a) to make adequate arrangements for the enforcement of those provisions to that extent; and
- (b) [ except where that authority is the [ Office of Rail and Road ] <sup>2</sup> , ] <sup>14</sup> to perform the duty imposed on the authority by the preceding paragraph and any other functions conferred on the authority by any of the relevant statutory provisions in accordance with such guidance as [ the Executive ] <sup>15</sup> may give to the authority.

(6) Nothing in the provisions of this Act or of any regulations made thereunder charging any person in Scotland with the enforcement of any of the relevant statutory provisions shall be construed as authorising that person to institute proceedings for any offence.

(7) In this Part—

(a) “enforcing authority” means the Executive [ or the Office for Nuclear Regulation ]<sup>16</sup> or any other authority which is by any of the relevant statutory provisions or by regulations under subsection (2) above made responsible for the enforcement of any of those provisions to any extent ; and

(b) any reference to an enforcing authority's field of responsibility is a reference to the field over which that authority's responsibility for the enforcement of those provisions extends for the time being;

but where by virtue of [ subsection (3) of section 13 ]<sup>17</sup> [ of this Act or section 95 of the Energy Act 2013 (power for Office for Nuclear Regulation to arrange for exercise of functions by others) ]<sup>18</sup> the performance of any function of [...] <sup>19</sup> the Executive [ or the Office for Nuclear Regulation (as the case may be) ]<sup>20</sup> is delegated to a government department or person, references to [...] <sup>19</sup> the Executive (or to an enforcing authority where that authority is the Executive [ or the Office for Nuclear Regulation ]<sup>16</sup> ) in any provision of this Part which relates to that function shall, so far as may be necessary to give effect to any agreement under [ that subsection ]<sup>21</sup> [ or arrangements under the provision in question ]<sup>22</sup> , be construed as references to that department or person; and accordingly any reference to the field of responsibility of an enforcing authority shall be construed as a reference to the field over which that department or person for the time being performs such a function.

## Notes

- <sup>1</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.6(2) (April 1, 2014)
- <sup>2</sup> Words substituted by Office of Rail Regulation (Change of Name) Regulations 2015/1682 Sch.1(1) para.4(c)(ii) (October 16, 2015)
- <sup>3</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.6(3)(a) (April 1, 2014)
- <sup>4</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.6(3)(b) (April 1, 2014)
- <sup>5</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(3)(c)(i) (April 1, 2014)
- <sup>6</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(3)(c)(ii) (April 1, 2014)
- <sup>7</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.6(3)(d) (April 1, 2014)
- <sup>8</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>9</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.6(4) (April 1, 2014)
- <sup>10</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(2) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11)
- <sup>11</sup> Inserted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(3) (April 1, 2008: insertion has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>12</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(5) (April 1, 2014)
- <sup>13</sup> Words repealed by Railways Act 2005 c. 14 Sch.13(1) para.1 (June 8, 2005 as SI 2005/1444)
- <sup>14</sup> Words inserted by Railways Act 2005 c. 14 Sch.3 para.10(3) (April 1, 2006)
- <sup>15</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(4) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>16</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(6)(b) (April 1, 2014)
- <sup>17</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(5)(a) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>18</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(6)(a) (April 1, 2014)

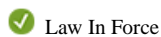
- <sup>19</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(5)(c) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>20</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.6(6)(c) (April 1, 2014)
- <sup>21</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.10(5)(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>22</sup> Words substituted by Energy Act 2013 c. 32 Sch.12(1) para.6(6)(d) (April 1, 2014)

### Commencement

Pt I s. 18: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 18-(7)(b): United Kingdom



Law In Force

## 19.— Appointment of inspectors.

(1) Every enforcing authority may appoint as inspectors (under whatever title it may from time to time determine) such persons having suitable qualifications as it thinks necessary for carrying into effect the relevant statutory provisions within its field of responsibility, and may terminate any appointment made under this section.

(2) Every appointment of a person as an inspector under this section shall be made by an instrument in writing specifying which of the powers conferred on inspectors by the relevant statutory provisions are to be exercisable by the person appointed; and an inspector shall in right of his appointment under this section—

- (a) be entitled to exercise only such of those powers as are so specified; and
- (b) be entitled to exercise the powers so specified only within the field of responsibility of the authority which appointed him.

(3) So much of an inspector's instrument of appointment as specifies the powers which he is entitled to exercise may be varied by the enforcing authority which appointed him.

(4) An inspector shall, if so required when exercising or seeking to exercise any power conferred on him by any of the relevant statutory provisions, produce his instrument of appointment or a duly authenticated copy thereof.

1 2 3

### Notes


- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S. 19 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt I s. 19: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**Pt I s. 19-(4): United Kingdom

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 Law In Force**20.— Powers of inspectors.**

(1) Subject to the provisions of section 19 and this section, an inspector may, for the purpose of carrying into effect any of the relevant statutory provisions within the field of responsibility of the enforcing authority which appointed him, exercise the powers set out in subsection (2) below.

(2) The powers of an inspector referred to in the preceding subsection are the following, namely—

- (a) at any reasonable time (or, in a situation which in his opinion is or may be dangerous, at any time) to enter any premises which he has reason to believe it is necessary for him to enter for the purpose mentioned in subsection (1) above;
- (b) to take with him a constable if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;
- (c) without prejudice to the preceding paragraph, on entering any premises by virtue of paragraph (a) above to take with him—
  - (i) any other person duly authorised by his (the inspector's) enforcing authority; and
  - (ii) any equipment or materials required for any purpose for which the power of entry is being exercised;
- (d) to make such examination and investigation as may in any circumstances be necessary for the purpose mentioned in subsection (1) above;
- (e) as regards any premises which he has power to enter, to direct that those premises or any part of them, or anything therein, shall be left undisturbed (whether generally or in particular respects) for so long as is reasonably necessary for the purpose of any examination or investigation under paragraph (d) above;
- (f) to take such measurements and photographs and make such recordings as he considers necessary for the purpose of any examination or investigation under paragraph (d) above;
- (g) to take samples of any articles or substances found in any premises which he has power to enter, and of the atmosphere in or in the vicinity of any such premises;
- (h) in the case of any article or substance found in any premises which he has power to enter, being an article or substance which appears to him to have caused or to be likely to cause danger to health or safety, to cause it to be dismantled or subjected to any process or test (but not so as to damage or destroy it unless this is in the circumstances necessary for the purpose mentioned in subsection (1) above);
- (i) in the case of any such article or substance as is mentioned in the preceding paragraph, to take possession of it and detain it for so long as is necessary for all or any of the following purposes, namely—
  - (i) to examine it and do to it anything which he has power to do under that paragraph;
  - (ii) to ensure that it is not tampered with before his examination of it is completed;
  - (iii) to ensure that it is available for use as evidence in any proceedings for an offence under any of the relevant statutory provisions or any proceedings relating to a notice under section 21 or 22;

- (j) to require any person whom he has reasonable cause to believe to be able to give any information relevant to any examination or investigation under paragraph (d) above to answer (in the absence of persons other than a person nominated by him to be present and any persons whom the inspector may allow to be present) such questions as the inspector thinks fit to ask and to sign a declaration of the truth of his answers;
  - (k) to require the production of, inspect, and take copies of or of any entry in—
    - (i) any books or documents which by virtue of any of the relevant statutory provisions are required to be kept; and
    - (ii) any other books or documents which it is necessary for him to see for the purposes of any examination or investigation under paragraph (d) above;
  - (l) to require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the inspector to exercise any of the powers conferred on him by this section;
  - (m) any other power which is necessary for the purpose mentioned in subsection (1) above.
- (3) The Secretary of State may by regulations make provision as to the procedure to be followed in connection with the taking of samples under subsection (2)(g) above (including provision as to the way in which samples that have been so taken are to be dealt with).
- (4) Where an inspector proposes to exercise the power conferred by subsection (2)(h) above in the case of an article or substance found in any premises, he shall, if so requested by a person who at the time is present in and has responsibilities in relation to those premises, cause anything which is to be done by virtue of that power to be done in the presence of that person unless the inspector considers that its being done in that person's presence would be prejudicial to the safety of the State.
- (5) Before exercising the power conferred by subsection (2)(h) above in the case of any article or substance, an inspector shall consult such persons as appear to him appropriate for the purpose of ascertaining what dangers, if any, there may be in doing anything which he proposes to do under that power.
- (6) Where under the power conferred by subsection (2)(i) above an inspector takes possession of any article or substance found in any premises, he shall leave there, either with a responsible person or, if that is impracticable, fixed in a conspicuous position, a notice giving particulars of that article or substance sufficient to identify it and stating that he has taken possession of it under that power; and before taking possession of any such substance under that power an inspector shall, if it is practicable for him to do so, take a sample thereof and give to a responsible person at the premises a portion of the sample marked in a manner sufficient to identify it.
- (7) No answer given by a person in pursuance of a requirement imposed under subsection (2)(j) above shall be admissible in evidence against that person or the [ spouse or civil partner ]<sup>1</sup> of that person in any proceedings.
- (8) Nothing in this section shall be taken to compel the production by any person of a document of which he would on grounds of legal professional privilege be entitled to withhold production on an order for discovery in an action in the High Court or, as the case may be, on an order for the production of documents in an action in the Court of Session.
- [ (9) Nothing in this section is to be read as enabling an inspector to secure the disclosure by a telecommunications operator or postal operator of communications data without the consent of the operator.

(10) In subsection (9) “communications data”, “postal operator” and “telecommunications operator” have the same meanings as in the Investigatory Powers Act 2016 (see sections 261 and 262 of that Act).]<sup>2</sup>

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### Notes

<sup>1</sup> Words substituted by Civil Partnership Act 2004 c. 33 Sch.27 para.49 (December 5, 2005)

<sup>2</sup> Added by Investigatory Powers Act 2016 c. 25 Sch.2 para.1 (July 22, 2020: insertion has effect subject to savings specified in 2016 c.25 s.270 and Sch.9 paras 7 and 10)


### Commencement

Pt I s. 20: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 20-(10): United Kingdom

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 Law In Force

## 21. Improvement notices.

If an inspector is of the opinion that a person—

(a) is contravening one or more of the relevant statutory provisions; or

(b) has contravened one or more of those provisions in circumstances that make it likely that the contravention will continue or be repeated,

he may serve on him a notice (in this Part referred to as “an improvement notice”) stating that he is of that opinion, specifying the provision or provisions as to which he is of that opinion, giving particulars of the reasons why he is of that opinion, and requiring that person to remedy the contravention or, as the case may be, the matters occasioning it within such period (ending not earlier than the period within which an appeal against the notice can be brought under section 24) as may be specified in the notice.

<sup>1 2 3</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S. 21 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt I s. 21: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 21-(b): United Kingdom

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## 22.— Prohibition notices.

(1) This section applies to any activities which are being or are [likely]<sup>1</sup> to be carried on by or under the control of any person, being activities to or in relation to which any of the relevant statutory provisions apply or will, if the activities are so carried on, apply.

(2) If as regards any activities to which this section applies an inspector is of the opinion that, as carried on or [likely]<sup>1</sup> to be carried on by or under the control of the person in question, the activities involve or, as the case may be, will involve a risk of serious personal injury, the inspector may serve on that person a notice (in this Part referred to as “a prohibition notice”).

(3) A prohibition notice shall—

- (a) state that the inspector is of the said opinion;
- (b) specify the matters which in his opinion give or, as the case may be, will give rise to the said risk;
- (c) where in his opinion any of those matters involves or, as the case may be, will involve a contravention of any of the relevant statutory provisions, state that he is of that opinion, specify the provision or provisions as to which he is of that opinion, and give particulars of the reasons why he is of that opinion; and
- (d) direct that the activities to which the notice relates shall not be carried on by or under the control of the person on whom the notice is served unless the matters specified in the notice in pursuance of paragraph (b) above and any associated contraventions of provisions so specified in pursuance of paragraph (c) above have been remedied.

[(4) A direction contained in a prohibition notice in pursuance of subsection (3)(d) above shall take effect—

- (a) at the end of the period specified in the notice; or
- (b) if the notice so declares, immediately.

]<sup>2</sup>  
3 4 5

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### Notes

<sup>1</sup> Words substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 2(a)

<sup>2</sup> S. 22(4) substituted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 2(b)

<sup>3</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>4</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>5</sup> S. 22 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt I s. 22: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 22-(4)(b): United Kingdom

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The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [Wales](#) | [England](#)

✓ Law In Force

Scotland

### 23.— Provisions supplementary to ss. 21 and 22.

- (1) In this section “a notice” means an improvement notice or a prohibition notice.
- (2) A notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates; and any such directions—
  - (a) may be framed to any extent by reference to any approved code of practice; and
  - (b) may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.
- (3) Where any of the relevant statutory provisions applies to a building or any matter connected with a building and an inspector proposes to serve an improvement notice relating to a contravention of that provision in connection with that building or matter, the notice shall not direct any measures to be taken to remedy the contravention of that provision which are more onerous than those necessary to secure conformity with the requirements of any building regulations for the time being in force to which that building or matter would be required to conform if the relevant building were being newly erected unless the provision in question imposes specific requirements more onerous than the requirements of any such building regulations to which the building or matter would be required to conform as aforesaid.  
 In this subsection “the relevant building”, in the case of a building, means that building, and, in the case of a matter connected with a building, means the building with which the matter is connected.
- (4) Before an inspector serves in connection with any premises used or about to be used as a place of work a notice requiring or likely to lead to the taking of measures affecting the means of escape in case of fire with which the premises are or ought to be provided, he shall consult [ — ]<sup>1</sup> [...] <sup>2</sup>  
 [ (a) where Part 3 of the Fire (Scotland) Act 2005 (asp 5) applies in relation to the premises, the enforcing authority (as defined in section 61(9) of that Act);  
 (b) in any other case, the [ Scottish Fire and Rescue Service ]<sup>3</sup> . ]<sup>1</sup>
- (5) Where an improvement notice or a prohibition notice which is not to take immediate effect has been served—
  - (a) the notice may be withdrawn by an inspector at any time before the end of the period specified therein in pursuance of section 21 or section 22(4) as the case may be; and
  - (b) the period so specified may be extended or further extended by an inspector at any time when an appeal against the notice is not pending.
- (6) In the application of this section to Scotland—
  - (a) in subsection (3) for the words from “with the requirements” to “aforesaid” there shall be substituted the words—



“(a) to any provisions of the building standards regulations to which that building or matter would be required to conform if the relevant building were being newly erected; or

(b) where the sheriff, on an appeal to him under section 16 of the Building (Scotland) Act 1959—

(i) against an order under section 10 of that Act requiring the execution of operations necessary to make the building or matter conform to the building standards regulations, or

(ii) against an order under section 11 of that Act requiring the building or matter to conform to a provision of such regulations,

has varied the order, to any provisions of the building standards regulations referred to in paragraph (a) above as affected by the order as so varied,

unless the relevant statutory provision imposes specific requirements more onerous than the requirements of any provisions of building standards regulations as aforesaid or, as the case may be, than the requirements of the order as varied by the sheriff.”;

(b) after subsection (5) there shall be inserted the following subsection—

“(5A) In subsection (3) above “building standards regulations” has the same meaning as in section 3 of the Building (Scotland) Act 1959.”

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## Notes

- <sup>1</sup> S.23(4)(a) and (b) substituted for words by Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006/475 (Scottish SI) Sch.1 para.6 (October 1, 2006)
- <sup>2</sup> Words substituted by Fire (Scotland) Act 2005 (Consequential Modifications and Amendments) Order 2005/383 (Scottish SI) Sch.1 para.4 (August 2, 2005)
- <sup>3</sup> Words substituted by Police and Fire Reform (Scotland) Act 2012 asp 8 (Scottish Act) Sch.7(2) para.49 (April 1, 2013)

Wales

## [ 23.— Provisions supplementary to ss. 21 and 22.

(1) In this section “a notice” means an improvement notice or a prohibition notice.

(2) A notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates; and any such directions—

(a) may be framed to any extent by reference to any approved code of practice; and

(b) may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.

(3) Where any of the relevant statutory provisions applies to a building or any matter connected with a building and an inspector proposes to serve an improvement notice relating to a contravention of that provision in connection with that building or matter, the notice shall not direct any measures to be taken to remedy the contravention of that provision which are more onerous than those necessary to secure conformity with the requirements of any building regulations for the time being

in force to which that building or matter would be required to conform if the relevant building were being newly erected unless the provision in question imposes specific requirements more onerous than the requirements of any such building regulations to which the building or matter would be required to conform as aforesaid.

In this subsection “the relevant building”, in the case of a building, means that building, and, in the case of a matter connected with a building, means the building with which the matter is connected.

(4) Before an inspector serves in connection with any premises used or about to be used as a place of work a notice requiring or likely to lead to the taking of measures affecting the means of escape in case of fire with which the premises are or ought to be provided, he shall consult the fire and rescue authority.

In this subsection “fire and rescue authority” [ , in relation to premises, means—

- (a) where the Regulatory Reform (Fire Safety) Order 2005 applies to the premises, the enforcing authority within the meaning given by article 25 of that Order;
- (b) in any other case, the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area where the premises are (or are to be) situated.

]².

(5) Where an improvement notice or a prohibition notice which is not to take immediate effect has been served—

- (a) the notice may be withdrawn by an inspector at any time before the end of the period specified therein in pursuance of section 21 or section 22(4) as the case may be; and
- (b) the period so specified may be extended or further extended by an inspector at any time when an appeal against the notice is not pending.

(6) In the application of this section to Scotland—

- (a) in subsection (3) for the words from “with the requirements” to “aforesaid” there shall be substituted the words—

“(a) to any provisions of the building standards regulations to which that building or matter would be required to conform if the relevant building were being newly erected; or

(b) where the sheriff, on an appeal to him under section 16 of the Building (Scotland) Act 1959—

(i) against an order under section 10 of that Act requiring the execution of operations necessary to make the building or matter conform to the building standards regulations, or

(ii) against an order under section 11 of that Act requiring the building or matter to conform to a provision of such regulations,

has varied the order, to any provisions of the building standards regulations referred to in paragraph (a) above as affected by the order as so varied,

unless the relevant statutory provision imposes specific requirements more onerous than the requirements of any provisions of building standards regulations as aforesaid or, as the case may be, than the requirements of the order as varied by the sheriff.”;

- (b) after subsection (5) there shall be inserted the following subsection—

“(5A) In subsection (3) above “building standards regulations” has the same meaning as in section 3 of the Building (Scotland) Act 1959.”

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] <sup>1</sup>

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**Notes**

<sup>1</sup> Words substituted by Fire and Rescue Services Act 2004 c. 21 Sch.1 para.44 (November 10, 2004 as SI 2004/2917)

<sup>2</sup> Words and s.23(4)(a) and (b) substituted for words by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.2 para.9 (October 1, 2006 as amended by SI 2006/484 art.2)

England

**[ 23.— Provisions supplementary to ss. 21 and 22.**

(1) In this section “a notice” means an improvement notice or a prohibition notice.

(2) A notice may (but need not) include directions as to the measures to be taken to remedy any contravention or matter to which the notice relates; and any such directions—

(a) may be framed to any extent by reference to any approved code of practice; and

(b) may be framed so as to afford the person on whom the notice is served a choice between different ways of remedying the contravention or matter.

(3) Where any of the relevant statutory provisions applies to a building or any matter connected with a building and an inspector proposes to serve an improvement notice relating to a contravention of that provision in connection with that building or matter, the notice shall not direct any measures to be taken to remedy the contravention of that provision which are more onerous than those necessary to secure conformity with the requirements of any building regulations for the time being in force to which that building or matter would be required to conform if the relevant building were being newly erected unless the provision in question imposes specific requirements more onerous than the requirements of any such building regulations to which the building or matter would be required to conform as aforesaid.

In this subsection “the relevant building”, in the case of a building, means that building, and, in the case of a matter connected with a building, means the building with which the matter is connected.

(4) Before an inspector serves in connection with any premises used or about to be used as a place of work a notice requiring or likely to lead to the taking of measures affecting the means of escape in case of fire with which the premises are or ought to be provided, he shall consult the fire and rescue authority.

In this subsection “fire and rescue authority” [ , in relation to premises, means—

(a) where the Regulatory Reform (Fire Safety) Order 2005 applies to the premises, the enforcing authority within the meaning given by article 25 of that Order;

(b) in any other case, the fire and rescue authority under the Fire and Rescue Services Act 2004 for the area where the premises are (or are to be) situated.

] <sup>2</sup>.

(5) Where an improvement notice or a prohibition notice which is not to take immediate effect has been served—

(a) the notice may be withdrawn by an inspector at any time before the end of the period specified therein in pursuance of section 21 or section 22(4) as the case may be; and

(b) the period so specified may be extended or further extended by an inspector at any time when an appeal against the notice is not pending.

## (6) In the application of this section to Scotland—

(a) in subsection (3) for the words from “with the requirements” to “aforesaid” there shall be substituted the words—

“(a) to any provisions of the building standards regulations to which that building or matter would be required to conform if the relevant building were being newly erected; or

(b) where the sheriff, on an appeal to him under section 16 of the Building (Scotland) Act 1959—

(i) against an order under section 10 of that Act requiring the execution of operations necessary to make the building or matter conform to the building standards regulations, or

(ii) against an order under section 11 of that Act requiring the building or matter to conform to a provision of such regulations,

has varied the order, to any provisions of the building standards regulations referred to in paragraph (a) above as affected by the order as so varied,

unless the relevant statutory provision imposes specific requirements more onerous than the requirements of any provisions of building standards regulations as aforesaid or, as the case may be, than the requirements of the order as varied by the sheriff.”;

(b) after subsection (5) there shall be inserted the following subsection—

“(5A) In subsection (3) above “building standards regulations” has the same meaning as in section 3 of the Building (Scotland) Act 1959.”

]<sup>1</sup>

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### Notes

<sup>1</sup> Words substituted by Fire and Rescue Services Act 2004 c. 21 Sch.1 para.44 (October 1, 2004 as SI 2004/2304)

<sup>2</sup> Words and s.23(4)(a) and (b) substituted for words by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.2 para.9 (October 1, 2006 as amended by SI 2006/484 art.2)

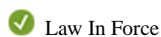
### Commencement

Pt I s. 23: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 23-(6)(b): United Kingdom

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Law In Force

## 24.— Appeal against improvement or prohibition notice.

(1) In this section “a notice” means an improvement notice or a prohibition notice.

(2) A person on whom a notice is served may within such period from the date of its service as may be prescribed appeal to an [employment tribunal]<sup>1</sup>; and on such an appeal the tribunal may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the tribunal may in the circumstances think fit.

(3) Where an appeal under this section is brought against a notice within the period allowed under the preceding subsection, then—

- (a) in the case of an improvement notice, the bringing of the appeal shall have the effect of suspending the operation of the notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal;
- (b) in the case of a prohibition notice, the bringing of the appeal shall have the like effect if, but only if, on the application of the appellant the tribunal so directs (and then only from the giving of the direction).

(4) One or more assessors may be appointed for the purposes of any proceedings brought before an [employment tribunal]<sup>1</sup> under this section.

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#### Notes

<sup>1</sup> Words substituted by Employment Rights (Dispute Resolution) Act 1998 c. 8 Pt I s.1(2)(a) (August 1, 1998)


#### Commencement

Pt I s. 24: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Pt I s. 24-(4): United Kingdom

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 Law In Force

### **25.— Power to deal with cause of imminent danger.**

(1) Where, in the case of any article or substance found by him in any premises which he has power to enter, an inspector has reasonable cause to believe that, in the circumstances in which he finds it, the article or substance is a cause of imminent danger of serious personal injury, he may seize it and cause it to be rendered harmless (whether by destruction or otherwise).

(2) Before there is rendered harmless under this section—

- (a) any article that forms part of a batch of similar articles; or
- (b) any substance,

the inspector shall, if it is practicable for him to do so, take a sample thereof and give to a responsible person at the premises where the article or substance was found by him a portion of the sample marked in a manner sufficient to identify it.

(3) As soon as may be after any article or substance has been seized and rendered harmless under this section, the inspector shall prepare and sign a written report giving particulars of the circumstances in which the article or substance was seized and so dealt with by him, and shall—

- (a) give a signed copy of the report to a responsible person at the premises where the article or substance was found by him; and
- (b) unless that person is the owner of the article or substance, also serve a signed copy of the report on the owner;

and if, where paragraph (b) above applies, the inspector cannot after reasonable enquiry ascertain the name or address of the owner, the copy may be served on him by giving it to the person to whom a copy was given under the preceding paragraph.

1 2 3

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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.25 applied by S.I. 1989/840, arts. 2–10

**Commencement**

Pt I s. 25: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 25-(3)(b): United Kingdom

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Law In Force

**[ 25A.— Power of customs officer to detain articles and substances.**

(1) A customs officer may, for the purpose of facilitating the exercise or performance by any enforcing authority or inspector of any of the powers or duties of the authority or inspector under any of the relevant statutory provisions, seize any imported article or imported substance and detain it for not more than two working days.

(2) Anything seized and detained under this section shall be dealt with during the period of its detention in such manner as the Commissioners of Customs and Excise may direct.

(3) In subsection (1) above the reference to two working days is a reference to a period of forty-eight hours calculated from the time when the goods in question are seized but disregarding so much of any period as falls on a Saturday or Sunday or on Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of Great Britain where the goods are seized.

] <sup>1</sup>  
2 3

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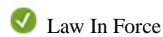
**Notes**

- <sup>1</sup> S. 25A inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 3
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

**Extent**

Pt I s. 25A(1)-(3): United Kingdom

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## 26. Power of enforcing authorities to indemnify their inspectors.

Where an action has been brought against an inspector in respect of an act done in the execution or purported execution of any of the relevant statutory provisions and the circumstances are such that he is not legally entitled to require the enforcing authority which appointed him to indemnify him, that authority may, nevertheless, indemnify him against the whole or part of any damages and costs or expenses which he may have been ordered to pay or may have incurred, if the authority is satisfied that he honestly believed that the act complained of was within his powers and that his duty as an inspector required or entitled him to do it.

1 2 3

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S. 26 applied by S.I. 1989/840, arts. 2–10

### Commencement

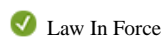
Pt I s. 26: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 26: United Kingdom

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## *Obtaining and disclosure of information*



## 27.— Obtaining of information by the Commission, the Executive, enforcing authorities etc.

(1) For the purpose of obtaining—

- (a) any information which [ the Executive ]<sup>1</sup> needs for the discharge of its functions; or
- (b) any information which an enforcing authority [ other than the Office for Nuclear Regulation ]<sup>2</sup> needs for the discharge of the authority's functions,

[ the Executive ]<sup>1</sup> may, with the consent of the Secretary of State, serve on any person a notice requiring that person to furnish to [ the Executive ]<sup>1</sup> or, as the case may be, to the enforcing authority in question such information about such matters as may be specified in the notice, and to do so in such form and manner and within such time as may be so specified.

In this subsection “consent” includes a general consent extending to cases of any stated description.

(2) Nothing in section 9 of the Statistics of Trade Act 1947 (which restricts the disclosure of information obtained under that Act) shall prevent or penalise—

- (a) the disclosure by a Minister of the Crown to [...] the Executive of information obtained under that Act about any undertaking within the meaning of that Act, being information consisting of the names and address of the persons carrying on the undertaking, the nature



of the undertaking's activities, the numbers of persons of different descriptions who work in the undertaking, the addresses or places where activities of the undertaking are or were carried on, the nature of the activities carried on there, or the numbers of persons of different descriptions who work or worked in the undertaking there;

[...]<sup>4</sup>

[(3) In the preceding subsection, any reference to a Minister of the Crown or the Executive includes respectively a reference to an officer of that person or of that body and also, in the case of a reference to the Executive, includes a reference to—

- (a) a person performing any functions of the Executive on its behalf by virtue of section 13(3);
- (b) an officer of a body which is so performing any such functions; and
- (c) an adviser appointed under section 13(7).

]<sup>5</sup>

(4) A person to whom information is disclosed in pursuance of subsection (2) above shall not use the information for a purpose other than a purpose [...] <sup>6</sup> of the Executive.

[(5) In this section any reference to the Executive's functions does not include its building functions.] <sup>7</sup>

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#### Notes

- <sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.11(2) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>2</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.7 (April 1, 2014)
- <sup>3</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.11(3) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>4</sup> Word and s. 27(2)(b) repealed by Employment Act 1989 (c.38), s. 29(3)(4), Sch. 6 para. 10(2), Sch. 7 pt. 1
- <sup>5</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.11(4) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>6</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.11(5) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>7</sup> Added by Building Safety Act 2022 c. 30 Sch.1 para.6 (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

#### Commencement


Pt I s. 27: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Pt I s. 27-(5): United Kingdom

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 Law In Force

**[ 27A.— [ Information communicated by Commissioners for Revenue and Customs ]<sup>2</sup>**

(1) If they think it appropriate to do so for the purpose of facilitating the exercise or performance by any person to whom subsection (2) below applies of any of that person's powers or duties under any of the relevant statutory provisions, [ the Commissioners for Her Majesty's Revenue and Customs ]<sup>3</sup> may authorise the disclosure to that person of any information obtained [ or held ]<sup>4</sup> for the purposes of the exercise [ by Her Majesty's Revenue and Customs ]<sup>5</sup> of their functions in relation to imports.

(2) This subsection applies to an enforcing authority and to an inspector [ , other than the Office for Nuclear Regulation or an inspector appointed by the Office for Nuclear Regulation ]<sup>6</sup> .

(3) A disclosure of information made to any person under subsection (1) above shall be made in such manner as may be directed by [ the Commissioners for Her Majesty's Revenue and Customs ]<sup>7</sup> and may be made through such persons acting on behalf of that person as may be so directed.

(4) Information may be disclosed to a person under subsection (1) above whether or not the disclosure of the information has been requested by or on behalf of that person.  
] <sup>1</sup>

**Notes**

<sup>1</sup> S. 27A inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 4

<sup>2</sup> Words substituted by Commissioners for Revenue and Customs Act 2005 c. 11 Sch.4 para.18(4) (April 18, 2005)

<sup>3</sup> Words substituted by Commissioners for Revenue and Customs Act 2005 c. 11 Sch.4 para.18(2)(a) (April 18, 2005)

<sup>4</sup> Words inserted by Commissioners for Revenue and Customs Act 2005 c. 11 Sch.4 para.18(2)(b) (April 18, 2005)

<sup>5</sup> Words substituted by Commissioners for Revenue and Customs Act 2005 c. 11 Sch.4 para.18(2)(c) (April 18, 2005)

<sup>6</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.8 (April 1, 2014)

<sup>7</sup> Words substituted by Commissioners for Revenue and Customs Act 2005 c. 11 Sch.4 para.18(3) (April 18, 2005)

**Extent**

Pt I s. 27A(1)-(4): United Kingdom

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[England and Wales](#) | [Scotland](#)

 Law In Force With Amendments Pending

England and Wales

**28.— Restrictions on disclosure of information.**

(1) In this and the two following subsections—

- (a) “relevant information” means information obtained by a person under section 27(1) or furnished to any person [ , other than the Office for Nuclear Regulation (or an inspector appointed by it), ]<sup>1</sup> [ under section 27A above [ , by virtue of section 43A(6) below ]<sup>3</sup> or ]<sup>2</sup> in pursuance of a requirement imposed by any of the relevant statutory provisions; and
- (b) “the recipient”, in relation to any relevant information, means the person by whom that information was so obtained or to whom that information was so furnished, as the case may be.

(2) Subject to the following subsection, no relevant information shall be disclosed without the consent of the person by whom it was furnished.

(3) The preceding subsection shall not apply to—

- (a) disclosure of information to [...] <sup>4</sup> the Executive, [ the Office for Nuclear Regulation, ] <sup>5</sup> [ the Environment Agency, the Scottish Environment Protection Agency, ] <sup>6</sup> [ the Natural Resources Body for Wales, ] <sup>7</sup> a government department or any enforcing authority;
- (b) without prejudice to paragraph (a) above, disclosure by the recipient of information to any person for the purpose of any function conferred on the recipient by or under any of the relevant statutory provisions;
- (c) without prejudice to paragraph (a) above, disclosure by the recipient of information to—
- (i) an officer of a local authority who is authorised by that authority to receive it,
  - [ (ii) an officer [...] <sup>9</sup> of a water undertaker, sewerage undertaker, water authority or water development board who is authorised by that [...] <sup>9</sup> undertaker, authority or board to receive it, ] <sup>8</sup>
  - (iii) [...] <sup>10</sup>
  - (iv) a constable authorised by a chief officer of police to receive it;
- (d) disclosure by the recipient of information in a form calculated to prevent it from being identified as relating to a particular person or case;
- (e) disclosure of information for the purposes of any legal proceedings or any investigation or inquiry held by virtue of [ section 14(2) or (2A) ] <sup>11</sup>, or for the purposes of a report of any such proceedings or inquiry or of a special report made by virtue of [ section 14(2) or (2A) ] <sup>11</sup> [ ; ] <sup>12</sup>
- [ (f) any other disclosure of information by the recipient, if—
- (i) the recipient is, or is acting on behalf of a person who is, a public authority for the purposes of the Freedom of Information Act 2000, and
  - (ii) the information is not held by the authority on behalf of another person.

] <sup>12</sup>

[(4) In the preceding subsection, any reference to the Executive, [the Office for Nuclear Regulation, ] <sup>14</sup> the Environment Agency, [ the Natural Resources Body for Wales, ] <sup>15</sup> the Scottish Environment Protection Agency, a government department or an enforcing authority includes respectively a reference to an officer of that body or authority (including, in the case of an enforcing authority, any inspector appointed by it), and also, in the case of a reference to the Executive [ or the Office for Nuclear Regulation ] <sup>16</sup>, includes a reference to—

- (a) a person performing any functions of the Executive [ or Office for Nuclear Regulation ] <sup>17</sup> on its behalf by virtue of section 13(3) [ of this Act or, as the case may be, section 95 of the Energy Act 2013 ] <sup>17</sup>;
- (b) an officer of a body which is so performing any such functions; and

(c) an adviser appointed under section 13(7) [ or, in the case of the Office for Nuclear Regulation, a person providing advice to that body ]<sup>18</sup> .  
 ]<sup>13</sup>

(5) A person to whom information is disclosed in pursuance of [ any of paragraphs (a) to (e) of ]<sup>19</sup> subsection (3) above shall not use the information for a purpose other than—

- (a) in a case falling within paragraph (a) of that subsection, a purpose [...] <sup>20</sup> of the Executive [ , of the Office for Nuclear Regulation ]<sup>21</sup> or [ of the Environment Agency [ or of the Natural Resources Body for Wales ]<sup>23</sup> or of the Scottish Environment Protection Agency or ]<sup>22</sup> of the government department in question, or the purposes of the enforcing authority in question in connection with the relevant statutory provisions, as the case may be;
- (b) in the case of information given to an officer of a [ body which is a local authority, [...] <sup>25</sup> a water undertaker, a sewerage undertaker, a water authority, a river purification board or a water development board, the purposes of the body ]<sup>24</sup> in connection with the relevant statutory provisions or any enactment whatsoever relating to public health, public safety or the protection of the environment;
- (c) in the case of information given to a constable, the purposes of the police in connection with the relevant statutory provisions or any enactment whatsoever relating to public health, public safety or the safety of the State.

[ (6) References in subsections (3) and (5) above to a local authority include [ a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021, ]<sup>27</sup> [ the Inner London Education Authority and ]<sup>28</sup> a joint authority established by Part IV of the Local Government Act 1985 [ , [ an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009, a combined authority established under section 103 of that Act ]<sup>30</sup> [ , a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 ]<sup>31</sup> [...] <sup>32</sup> ]<sup>29</sup> [ and the London Fire Commissioner ]<sup>33</sup> . ]<sup>26</sup>

(7) A person shall not disclose any information obtained by him as a result of the exercise of any power conferred by section 14(4)(a) or 20 (including, in particular, any information with respect to any trade secret obtained by him in any premises entered by him by virtue of any such power) except—

- (a) for the purposes of his functions; or
- (b) for the purposes of any legal proceedings or any investigation or inquiry held by virtue of [ section 14(2) or (2A) ]<sup>34</sup> or for the purposes of a report of any such proceedings or inquiry or of a special report made by virtue of [ section 14(2) or (2A) ]<sup>34</sup> ; or
- (c) with the relevant consent.

In this subsection “the relevant consent” means, in the case of information furnished in pursuance of a requirement imposed under section 20, the consent of the person who furnished it, and, in any other case, the consent of a person having responsibilities in relation to the premises where the information was obtained.

(8) Notwithstanding anything in the preceding subsection an inspector shall, in circumstances in which it is necessary to do so for the purpose of assisting in keeping persons (or the representatives of persons) employed at any premises adequately informed about matters affecting their health, safety and welfare, give to such persons or their representatives the following descriptions of information, that is to say—

- (a) factual information obtained by him as mentioned in that subsection which relates to those premises or anything which was or is therein or was or is being done therein; and
- (b) information with respect to any action which he has taken or proposes to take in or in connection with those premises in the performance of his functions;

and, where an inspector does as aforesaid, he shall give the like information to the employer of the first-mentioned persons.

[ (9) Notwithstanding anything in subsection (7) above, a person who has obtained such information as is referred to in that subsection may furnish to a person who appears to him to be likely to be a party to any civil proceedings arising out of any accident, occurrence, situation or other matter, a written statement of relevant facts observed by him in the course of exercising any of the powers referred to in that subsection. ]<sup>35</sup>

[ (9A) Subsection (7) above does not apply if–

- (a) the person who has obtained any such information as is referred to in that subsection is, or is acting on behalf of a person who is, a public authority for the purposes of the Freedom of Information Act 2000, and
- (b) the information is not held by the authority on behalf of another person.

] <sup>36</sup>

[ (9B) Nothing in subsection (7) or (9) applies to a person appointed as an inspector by the Office for Nuclear Regulation in relation to functions which the person has by virtue of that appointment. ]<sup>37</sup>

[ (10) The Broads Authority and every National Park authority shall be deemed to be local authorities for the purposes of this section. ]<sup>38</sup>

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## Notes

- <sup>1</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(2) (April 1, 2014)
- <sup>2</sup> Words inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 5
- <sup>3</sup> Words inserted by Railways and Transport Safety Act 2003 c. 20 Pt 6 s.105(2) (September 10, 2003)
- <sup>4</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(2)(a) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>5</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(3) (April 1, 2014)
- <sup>6</sup> Words added by Environment Act 1995 c. 25 Sch.22 para.30(6)(a) (April 1, 1996)
- <sup>7</sup> Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(2) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- <sup>8</sup> S. 28(3)(c)(ii) substituted by Water Act 1989 (c.15), s. 190, Sch. 25 para. 46(a) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)&ndash;(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58
- <sup>9</sup> Words repealed by Environment Act 1995 c. 25 Sch.24 para.1 (April 1, 1996: as in SI 1996/186)
- <sup>10</sup> Repealed by Environment Act 1995 c. 25 Sch.24 para.1 (April 1, 1996: as in SI 1996/186)
- <sup>11</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(2)(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>12</sup> Added by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(2) (January 1, 2005)
- <sup>13</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(3) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>14</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(a)(i) (April 1, 2014)

- 15 Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(3) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- 16 Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(a)(ii) (April 1, 2014)
- 17 Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(b) (April 1, 2014)
- 18 Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(c) (April 1, 2014)
- 19 Words inserted by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(3) (January 1, 2005)
- 20 Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(4) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- 21 Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(5) (April 1, 2014)
- 22 Words added by Environment Act 1995 c. 25 Sch.22 para.30(6)(f)(i) (April 1, 1996)
- 23 Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(4) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- 24 Words substituted by Water Act 1989 (c.15), s. 190, Sch. 25 para. 46(b) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)&ndash;(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58
- 25 Words repealed by Environment Act 1995 c. 25 Sch.24 para.1 (April 1, 1996 as SI 1996/186)
- 26 S. 28(6) substituted by Local Government Act 1985 (c.51), s. 84, Sch. 14 para. 52 and, as amended as indicated below, subsection (6)
- 27 Words inserted by Corporate Joint Committees (General) (Wales) Regulations 2022/372 Pt 9 reg.46 (March 25, 2022)
- 28 Words repealed by Education Reform Act 1988 (c.40), ss. 231(7), 235(6), 237(2), Sch. 13 Pt. I
- 29 Words inserted by Local Government and Public Involvement in Health Act 2007 c. 28 Sch.13(2) para.32 (April 1, 2008)
- 30 Words inserted by Local Democracy, Economic Development and Construction Act 2009 c. 20 Sch.6 para.42 (December 17, 2009)
- 31 Words inserted by Policing and Crime Act 2017 c. 3 Sch.1(2) para.35 (April 3, 2017)
- 32 Words repealed by Deregulation Act 2015 c. 20 Sch.13(3) para.6(10) (May 26, 2015)
- 33 Words substituted by Policing and Crime Act 2017 c. 3 Sch.2(2) para.50 (April 1, 2018)
- 34 Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(5) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- 35 S. 28(9) inserted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 9
- 36 Added by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(4) (January 1, 2005)
- 37 Added by Energy Act 2013 c. 32 Sch.12(1) para.9(6) (April 1, 2014)
- 38 Substituted by Environment Act 1995 c. 25 Sch.10 para.12 (November 23, 1995)

Scotland

## [ 28.— Restrictions on disclosure of information.

(1) In this and the two following subsections—

(a) “relevant information” means information obtained by a person under section 27(1) or furnished to any person [, other than the Office for Nuclear Regulation (or an inspector

appointed by it), ]<sup>2</sup> under section 27A above [ , by virtue of section 43A(6) below ]<sup>3</sup> or in pursuance of a requirement imposed by any of the relevant statutory provisions ; and  
 (b) “the recipient”, in relation to any relevant information, means the person by whom that information was so obtained or to whom that information was so furnished, as the case may be.

(2) Subject to the following subsection, no relevant information shall be disclosed without the consent of the person by whom it was furnished.

(3) The preceding subsection shall not apply to—

- (a) disclosure of information to [...] <sup>4</sup> the Executive, [ the Office for Nuclear Regulation, ] <sup>5</sup> the Environment Agency, [ the Natural Resources Body for Wales, ] <sup>6</sup> the Scottish Environment Protection Agency, a government department or any enforcing authority;
  - (b) without prejudice to paragraph (a) above, disclosure by the recipient of information to any person for the purpose of any function conferred on the recipient by or under any of the relevant statutory provisions;
  - (c) without prejudice to paragraph (a) above, disclosure by the recipient of information to—
    - (i) an officer of a local authority who is authorised by that authority to receive it,
    - (ii) an officer of a water undertaker, sewerage undertaker [ or Scottish Water ] <sup>7</sup> who is authorised by [ that undertaker or, as the case may be, Scottish Water ] <sup>7</sup> to receive it,
    - (iii) [...] <sup>8</sup>
    - (iv) a constable authorised by a chief officer of police to receive it;
  - (d) disclosure by the recipient of information in a form calculated to prevent it from being identified as relating to a particular person or case;
  - (e) disclosure of information for the purposes of any legal proceedings or any investigation or inquiry held by virtue of [ section 14(2) or (2A) ] <sup>9</sup>, or for the purposes of a report of any such proceedings or inquiry or of a special report made by virtue of [ section 14(2) or (2A) ] <sup>9</sup> [ ; ] <sup>10</sup>
  - [ (f) any other disclosure of information by the recipient, if—
    - (i) the recipient is, or is acting on behalf of a person who is, a public authority for the purposes of the Freedom of Information Act 2000 [ or a Scottish public authority for the purposes of the Freedom of Information (Scotland) Act 2002 ] <sup>11</sup>, and
    - (ii) the information is not held by the authority on behalf of another person.
- ] <sup>10</sup>

[(4) In the preceding subsection, any reference to the Executive, [ the Office for Nuclear Regulation, ] <sup>13</sup> the Environment Agency, [ the Natural Resources Body for Wales, ] <sup>14</sup> the Scottish Environment Protection Agency, a government department or an enforcing authority includes respectively a reference to an officer of that body or authority (including, in the case of an enforcing authority, any inspector appointed by it), and also, in the case of a reference to the Executive [ or the Office for Nuclear Regulation ] <sup>15</sup>, includes a reference to—

- (a) a person performing any functions of the Executive [ or Office for Nuclear Regulation ] <sup>16</sup> on its behalf by virtue of section 13(3) [ of this Act or, as the case may be, section 95 of the Energy Act 2013 ] <sup>16</sup>;
- (b) an officer of a body which is so performing any such functions; and
- (c) an adviser appointed under section 13(7) [ or, in the case of the Office for Nuclear Regulation, a person providing advice to that body ] <sup>17</sup>.



] <sup>12</sup>

(5) A person to whom information is disclosed in pursuance of [ any of paragraphs (a) to (e) of ] <sup>18</sup> subsection (3) above shall not use the information for a purpose other than—

- (a) in a case falling within paragraph (a) of that subsection, a purpose [...] <sup>19</sup> of the Executive [ , of the Office for Nuclear Regulation ] <sup>20</sup> or [ of the Environment Agency [ or of the Natural Resources Body for Wales ] <sup>22</sup> or of the Scottish Environment Protection Agency or ] <sup>21</sup> of the government department in question, or the purposes of the enforcing authority in question in connection with the relevant statutory provisions, as the case may be;
- (b) [ in the case of information given to an officer of a body which is a local authority, a water undertaker [ or a sewerage undertaker or to an officer of Scottish Water, ] <sup>7</sup> the purposes of the [ authority, undertaker or, as the case may be, Scottish Water ] <sup>7</sup> in connection ] <sup>23</sup> with the relevant statutory provisions or any enactment whatsoever relating to public health, public safety or the protection of the environment;
- (c) in the case of information given to a constable, the purposes of the police in connection with the relevant statutory provisions or any enactment whatsoever relating to public health, public safety or the safety of the State.

(6) References in subsections (3) and (5) above to a local authority include [ a corporate joint committee established by regulations under Part 5 of the Local Government and Elections (Wales) Act 2021, ] <sup>24</sup> the Inner London Education Authority and a joint authority established by Part IV of the Local Government Act 1985 [ , [ an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009, a combined authority established under section 103 of that Act ] <sup>26</sup> [ , a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 ] <sup>27</sup> [...] <sup>28</sup> ] <sup>25</sup> [ and the London Fire Commissioner ] <sup>29</sup> .

(7) A person shall not disclose any information obtained by him as a result of the exercise of any power conferred by section 14(4)(a) or 20 (including, in particular, any information with respect to any trade secret obtained by him in any premises entered by him by virtue of any such power) except—

- (a) for the purposes of his functions; or
- (b) for the purposes of any legal proceedings or any investigation or inquiry held by virtue of [ section 14(2) or (2A) ] <sup>30</sup> or for the purposes of a report of any such proceedings or inquiry or of a special report made by virtue of [ section 14(2) or (2A) ] <sup>30</sup> ; or
- (c) with the relevant consent.

In this subsection “the relevant consent” means, in the case of information furnished in pursuance of a requirement imposed under section 20, the consent of the person who furnished it, and, in any other case, the consent of a person having responsibilities in relation to the premises where the information was obtained.

(8) Notwithstanding anything in the preceding subsection an inspector shall, in circumstances in which it is necessary to do so for the purpose of assisting in keeping persons (or the representatives of persons) employed at any premises adequately informed about matters affecting their health, safety and welfare, give to such persons or their representatives the following descriptions of information, that is to say—

- (a) factual information obtained by him as mentioned in that subsection which relates to those premises or anything which was or is therein or was or is being done therein; and



(b) information with respect to any action which he has taken or proposes to take in or in connection with those premises in the performance of his functions;  
and, where an inspector does as aforesaid, he shall give the like information to the employer of the first-mentioned persons.

(9) Notwithstanding anything in subsection (7) above, a person who has obtained such information as is referred to in that subsection may furnish to a person who appears to him to be likely to be a party to any civil proceedings arising out of any accident, occurrence, situation or other matter, a written statement of relevant facts observed by him in the course of exercising any of the powers referred to in that subsection.

[ (9A) Subsection (7) above does not apply if–

- (a) the person who has obtained any such information as is referred to in that subsection is, or is acting on behalf of a person who is, a public authority for the purposes of the Freedom of Information Act 2000 [ or a Scottish public authority for the purposes of the Freedom of Information (Scotland) Act 2002 ]<sup>11</sup>, and
- (b) the information is not held by the authority on behalf of another person.

] <sup>31</sup>

[ (9B) Nothing in subsection (7) or (9) applies to a person appointed as an inspector by the Office for Nuclear Regulation in relation to functions which the person has by virtue of that appointment. ] <sup>32</sup>

(10) The Broads Authority and every National Park authority shall be deemed to be local authorities for the purposes of this section.

] <sup>1</sup>

## Notes

- <sup>1</sup> Substituted by Environment Act 1995 c. 25 Sch.22 para.30(6)(c) (April 1, 1996)
- <sup>2</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(2) (April 1, 2014)
- <sup>3</sup> Words inserted by Railways and Transport Safety Act 2003 c. 20 Pt 6 s.105(2) (September 10, 2003)
- <sup>4</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(2)(a) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>5</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(3) (April 1, 2014)
- <sup>6</sup> Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(2) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- <sup>7</sup> Amended by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004/1822 Sch.1(1) para.8 (July 14, 2004)
- <sup>8</sup> Repealed by Environment Act 1995 c. 25 Sch.24 para.1 (April 1, 1996: as in SI 1996/186)
- <sup>9</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(2)(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>10</sup> Added by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(2) (January 1, 2005)
- <sup>11</sup> Amended by Freedom of Information (Relaxation of Statutory Prohibitions on Disclosure of Information) (Scotland) Order 2008/339 (Scottish SI) art.5 (October 13, 2008)
- <sup>12</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(3) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>13</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(a)(i) (April 1, 2014)

- <sup>14</sup> Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(3) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- <sup>15</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(a)(ii) (April 1, 2014)
- <sup>16</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(b) (April 1, 2014)
- <sup>17</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(4)(c) (April 1, 2014)
- <sup>18</sup> Words inserted by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(3) (January 1, 2005)
- <sup>19</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(4) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>20</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.9(5) (April 1, 2014)
- <sup>21</sup> Words added by Environment Act 1995 c. 25 Sch.22 para.30(6)(f)(i) (April 1, 1996)
- <sup>22</sup> Words inserted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.112(4) (April 1, 2013: insertion has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- <sup>23</sup> Words substituted by Environment Act 1995 c. 25 Sch.22 para.30(6)(f)(iii) (April 1, 1996)
- <sup>24</sup> Words inserted by Corporate Joint Committees (General) (Wales) Regulations 2022/372 Pt 9 reg.46 (March 25, 2022)
- <sup>25</sup> Words inserted by Local Government and Public Involvement in Health Act 2007 c. 28 Sch.13(2) para.32 (April 1, 2008)
- <sup>26</sup> Words inserted by Local Democracy, Economic Development and Construction Act 2009 c. 20 Sch.6 para.42 (December 17, 2009)
- <sup>27</sup> Words inserted by Policing and Crime Act 2017 c. 3 Sch.1(2) para.35 (April 3, 2017)
- <sup>28</sup> Words repealed by Deregulation Act 2015 c. 20 Sch.13(3) para.6(10) (May 26, 2015)
- <sup>29</sup> Words substituted by Policing and Crime Act 2017 c. 3 Sch.2(2) para.50 (April 1, 2018)
- <sup>30</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.12(5) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 9 and 11)
- <sup>31</sup> Added by Freedom of Information (Removal and Relaxation of Statutory Prohibitions on Disclosure of Information) Order 2004/3363 art.5(4) (January 1, 2005)
- <sup>32</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.9(6) (April 1, 2014)

### Amendments Pending

Pt I s. 28(3)(c)(ii): words substituted by Local Government etc. (Scotland) Act 1994 c. 39 Sch. 13 para. 93(2)(a) (date to be appointed: substitution cannot take effect as 1994 c.39 Sch.13 para.93(2) never came into force)

Pt I s. 28(5)(b): words substituted by Local Government etc. (Scotland) Act 1994 c. 39 Sch. 13 para. 93(2)(b) (date to be appointed: substitution cannot take effect as 1994 c.39 Sch.13 para.93(2) never came into force)

### Commencement

Pt I s. 28: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 28-(10): United Kingdom

## *Special provisions relating to agriculture*

 Repealed

**29. [...]**<sup>1</sup>  
2 3

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#### Notes

- <sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
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 Repealed

**30.— [...]**<sup>1</sup>  
2 3

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#### Notes

- <sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- 

 Repealed

**31. [...]**<sup>1</sup>  
2 3

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#### Notes

- <sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- 

 Repealed

**32. [...]**<sup>1</sup>  
2 3

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#### Notes

- <sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

- <sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

### *Provisions as to offences*

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:  
[England and Wales](#) | [Scotland](#)

✓ Law In Force

England and Wales

## **[ 33.— Offences.**

(1) It is an offence for a person—

- (a) to fail to discharge a duty to which he is subject by virtue of sections 2 to 7;
- (b) to contravene section 8 or 9;
- (c) to contravene any health and safety regulations or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);
- (d) to contravene any requirement imposed by or under regulations under section 14 or intentionally to obstruct any person in the exercise of his powers under that section;
- (e) to contravene any requirement imposed by an inspector under section 20 or 25;
- (f) to prevent or attempt to prevent any other person from appearing before an inspector or from answering any question to which an inspector may by virtue of section 20(2) require an answer;
- (g) to contravene any requirement or prohibition imposed by an improvement notice or a prohibition notice (including any such notice as modified on appeal);
- (h) intentionally to obstruct an inspector in the exercise or performance of his powers or duties or to obstruct a customs officer in the exercise of his powers under section 25A;
- (i) to contravene any requirement imposed by a notice under section 27(1);
- (j) to use or disclose any information in contravention of section 27(4) or 28;
- (k) to make a statement which he knows to be false or recklessly to make a statement which is false where the statement is made—
  - (i) in purported compliance with a requirement to furnish any information imposed by or under any of the relevant statutory provisions; or
  - (ii) for the purpose of obtaining the issue of a document under any of the relevant statutory provisions to himself or another person;

- (l) intentionally to make a false entry in any register, book, notice or other document required by or under any of the relevant statutory provisions to be kept, served or given or, with intent to deceive, to make use of any such entry which he knows to be false;
  - (m) with intent to deceive, to use a document issued or authorised to be issued under any of the relevant statutory provisions or required for any purpose thereunder or to make or have in his possession a document so closely resembling any such document as to be calculated to deceive;
  - (n) falsely to pretend to be an inspector;
  - (o) to fail to comply with an order made by a court under section 42.
- (2) Schedule 3A (which specifies the mode of trial and maximum penalty applicable to offences under this section and the existing statutory provisions) has effect.
- (3) Schedule 3A is subject to any provision made by virtue of section 15(6)(c) or (d).
- J<sup>1</sup>

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#### Notes

- <sup>1</sup> S.33(2) and (3) substituted for s.33(1A)-(4) by Health and Safety (Offences) Act 2008 c. 20 s.1(1) (January 16, 2009)

Scotland

### 33.— Offences.

- (1) It is an offence for a person—
- (a) to fail to discharge a duty to which he is subject by virtue of sections 2 to 7;
  - (b) to contravene section 8 or 9;
  - (c) to contravene any health and safety regulations or any requirement or prohibition imposed under any such regulations (including any requirement or prohibition to which he is subject by virtue of the terms of or any condition or restriction attached to any licence, approval, exemption or other authority issued, given or granted under the regulations);
  - (d) to contravene any requirement imposed by or under regulations under section 14 or intentionally to obstruct any person in the exercise of his powers under that section;
  - (e) to contravene any requirement imposed by an inspector under section 20 or 25;
  - (f) to prevent or attempt to prevent any other person from appearing before an inspector or from answering any question to which an inspector may by virtue of section 20(2) require an answer;
  - (g) to contravene any requirement or prohibition imposed by an improvement notice or a prohibition notice (including any such notice as modified on appeal);
  - (h) intentionally to obstruct an inspector in the exercise or performance of his powers or duties or to obstruct a customs officer in the exercise of his powers under section 25A;
  - (i) to contravene any requirement imposed by a notice under section 27(1);
  - (j) to use or disclose any information in contravention of section 27(4) or 28;
  - (k) to make a statement which he knows to be false or recklessly to make a statement which is false where the statement is made—

- (i) in purported compliance with a requirement to furnish any information imposed by or under any of the relevant statutory provisions; or
  - (ii) for the purpose of obtaining the issue of a document under any of the relevant statutory provisions to himself or another person;
  - (l) intentionally to make a false entry in any register, book, notice or other document required by or under any of the relevant statutory provisions to be kept, served or given or, with intent to deceive, to make use of any such entry which he knows to be false;
  - (m) with intent to deceive, to forge or use a document issued or authorised to be issued under any of the relevant statutory provisions or required for any purpose thereunder or to make or have in his possession a document so closely resembling any such document as to be calculated to deceive;
  - (n) falsely to pretend to be an inspector;
  - (o) to fail to comply with an order made by a court under section 42.
- (2) Schedule 3A (which specifies the mode of trial and maximum penalty applicable to offences under this section and the existing statutory provisions) has effect.
- (3) Schedule 3A is subject to any provision made by virtue of section 15(6)(c) or (d).

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#### Commencement

Pt I s. 33(1)(a)-(1)(b): April 1, 1975 (SI 1974/1439 art. 2, Sch. 3 para. 1)

Pt I s. 33(1)(c)-(1)(o): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

Pt I s. 33(1A): Date not available

Pt I s. 33(2): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

Pt I s. 33(2A): Date not available

Pt I s. 33(3)-(6): January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Pt I s. 33(1)-(6): United Kingdom

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Law In Force

### 34.— Extension of time for bringing summary proceedings.

#### (1) Where—

- (a) a special report on any matter to which section 14 of this Act applies is made by virtue of [ subsection (2) ]<sup>1</sup> of that section; or
- (b) a report is made by the person holding an inquiry into any such matter by virtue of [ subsection (2A) ]<sup>2</sup> of that section; or
- (c) [ an investigation under Part 1 of the Coroners and Justice Act 2009 is conducted into ]<sup>3</sup> the death of any person whose death may have been caused by an accident which happened while he was at work or by a disease which he contracted or probably contracted at work or by any accident, act or omission which occurred in connection with the work of any person whatsoever; or
- [ (d) an inquiry into any death that may have been so caused is held under the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, ]<sup>4</sup>

and it appears [from the report or investigation or, in a case falling within paragraph (d) above, from the proceedings at the ]<sup>5</sup> inquiry, that any of the relevant statutory provisions was contravened at a time which is material in relation to the subject-matter of the [report, investigation or inquiry ]<sup>6</sup>, summary proceedings against any person liable to be proceeded against in respect of the contravention may be commenced at any time within three months of the making of the report or, in a case falling within paragraph (c) or (d) above, within three months of the [conclusion of the investigation ]<sup>7</sup> or inquiry.

(2) Where an offence under any of the relevant statutory provisions is committed by reason of a failure to do something at or within a time fixed by or under any of those provisions, the offence shall be deemed to continue until that thing is done.

(3) Summary proceedings for an offence to which this subsection applies may be commenced at any time within six months from the date on which there comes to the knowledge of a responsible enforcing authority evidence sufficient in the opinion of that authority to justify a prosecution for that offence; and for the purposes of this subsection—

- (a) a certificate of an enforcing authority stating that such evidence came to its knowledge on a specified date shall be conclusive evidence of that fact; and
- (b) a document purporting to be such a certificate and to be signed by or on behalf of the enforcing authority in question shall be presumed to be such a certificate unless the contrary is proved.

(4) The preceding subsection applies to any offence under any of the relevant statutory provisions which a person commits by virtue of any provision or requirement to which he is subject as the designer, manufacturer, importer or supplier of any thing; and in that subsection “responsible enforcing authority” means an enforcing authority within whose field of responsibility the offence in question lies, whether by virtue of section 35 or otherwise.

(5) In the application of subsection (3) above to Scotland—

- (a) for the words from “there comes” to “that offence” there shall be substituted the words “evidence, sufficient in the opinion of the enforcing authority to justify a report to the Lord Advocate with a view to consideration of the question of prosecution, comes to the knowledge of the authority”;
- (b) at the end of paragraph (b) there shall be added the words

“and

- (c) section [331(3) of the Criminal Procedure (Scotland) Act 1975 ]<sup>8</sup> (date of commencement of proceedings) shall have effect as it has effect for the purposes of that section.”

[ (6) In the application of subsection (4) above to Scotland, after the words ‘applies to’ there shall be inserted the words ‘any offence under section 33(1)(c) above where the health and safety regulations concerned were made for the general purpose mentioned in section 18(1) of the Gas Act 1986 and’. ]<sup>9</sup>

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## Notes

<sup>1</sup> Word substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.13(a) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)



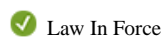
- <sup>2</sup> Word substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.13(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>3</sup> Words substituted by Coroners and Justice Act 2009 c. 25 Sch.21(1) para.25(2) (July 25, 2013)
- <sup>4</sup> Substituted by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016/1142 Sch.1(2) para.3(3) (June 15, 2017: substitution has effect subject to saving provision specified in SI 2016/1142 reg.7(2))
- <sup>5</sup> Words substituted by Coroners and Justice Act 2009 c. 25 Sch.21(1) para.25(3) (July 25, 2013)
- <sup>6</sup> Words substituted by Coroners and Justice Act 2009 c. 25 Sch.21(1) para.25(4) (July 25, 2013)
- <sup>7</sup> Words substituted by Coroners and Justice Act 2009 c. 25 Sch.21(1) para.25(5) (July 25, 2013)
- <sup>8</sup> Words substituted by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 9 para. 51
- <sup>9</sup> S. 34(6) inserted by Gas Act 1986 (c.44), s. 67(1), Sch. 7 para. 18

### Commencement

Pt I s. 34: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 34-(6): United Kingdom



Law In Force

### 35. Venue.

An offence under any of the relevant statutory provisions committed in connection with any plant or substance may, if necessary for the purpose of bringing the offence within the field of responsibility of any enforcing authority or conferring jurisdiction on any court to entertain proceedings for the offence, be treated as having been committed at the place where that plant or substance is for the time being.

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### Notes

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.35 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt I s. 35: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 35: United Kingdom



### 36.— Offences due to fault of other person.

(1) Where the commission by any person of an offence under any of the relevant statutory provisions is due to the act or default of some other person, that other person shall be guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this subsection whether or not proceedings are taken against the first-mentioned person.

(2) Where there would be or have been the commission of an offence under section 33 by the Crown but for the circumstance that that section does not bind the Crown, and that fact is due to the act or default of a person other than the Crown, that person shall be guilty of the offence which, but for that circumstance, the Crown would be committing or would have committed, and may be charged with and convicted of that offence accordingly.

(3) The preceding provisions of this section are subject to any provision made by virtue of section 15(6).

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#### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S.36 applied by S.I. 1989/840, arts. 2–10

#### Commencement

Pt I s. 36: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Pt I s. 36-(3): United Kingdom

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### 37.— Offences by bodies corporate.

(1) Where an offence under any of the relevant statutory provisions committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, the preceding subsection shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

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#### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.37 applied by S.I. 1989/840, arts. 2–10S. 37 applied by S.I. 1990/556, reg. 5(2)

### Commencement

Pt I s. 37: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 37-(2): United Kingdom

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## 38. Restriction on institution of proceedings in England and Wales.

Proceedings for an offence under any of the relevant statutory provisions shall not, in England and Wales, be instituted except by an inspector [ , the Environment Agency or the Natural Resources Body for Wales ]<sup>1</sup> [ or ]<sup>2</sup> by or with the consent of the Director of Public Prosecutions.

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### Notes

- <sup>1</sup> Words substituted by Natural Resources Body for Wales (Functions) Order 2013/755 Sch.2(1) para.113 (April 1, 2013: substitution has effect subject to transitional provisions specified in SI 2013/755 art.10 and Sch.7)
- <sup>2</sup> Words added by Environment Act 1995 c. 25 Sch.22 para.30(7) (April 1, 1996)

### Commencement

Pt I s. 38: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 38: United Kingdom

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## 39.— Prosecutions by inspectors.

(1) An inspector, if authorised in that behalf by the enforcing authority which appointed him, may, although not of counsel or a solicitor, prosecute before a magistrates' court proceedings for an offence under any of the relevant statutory provisions.

(2) This section shall not apply to Scotland.

<sup>1 2 3</sup>

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### Notes

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.39 applied by S.I. 1989/840, arts. 2–10

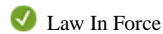
**Commencement**

Pt I s. 39: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 39-(2): United Kingdom

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Law In Force

**40. Onus of proving limits of what is practicable etc.**

In any proceedings for an offence under any of the relevant statutory provisions consisting of a failure to comply with a duty or requirement to do something so far as is practicable or so far as is reasonably practicable, or to use the best practicable means to do something, it shall be for the accused to prove (as the case may be) that it was not practicable or not reasonably practicable to do more than was in fact done to satisfy the duty or requirement, or that there was no better practicable means than was in fact used to satisfy the duty or requirement.

1 2 3

**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S.40 applied by S.I. 1989/840, arts. 2–10

**Commencement**

Pt I s. 40: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 40: United Kingdom

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Law In Force

**41.— Evidence.**

(1) Where an entry is required by any of the relevant statutory provisions to be made in any register or other record, the entry, if made, shall, as against the person by or on whose behalf it was made, be admissible as evidence or in Scotland sufficient evidence of the facts stated therein.

(2) Where an entry which is so required to be so made with respect to the observance of any of the relevant statutory provisions has not been made, that fact shall be admissible as evidence or in Scotland sufficient evidence that that provision has not been observed.

1 2 3

**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S.41 applied by S.I. 1989/840, arts. 2–10

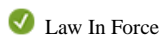
### Commencement

Pt I s. 41: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 41-(2): United Kingdom

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Law In Force

## **42.— Power of court to order cause of offence to be remedied or, in certain cases, forfeiture.**

(1) Where a person is convicted of an offence under any of the relevant statutory provisions in respect of any matters which appear to the court to be matters which it is in his power to remedy, the court may, in addition to or instead of imposing any punishment, order him, within such time as may be fixed by the order, to take such steps as may be specified in the order for remedying the said matters.

(2) The time fixed by an order under subsection (1) above may be extended or further extended by order of the court on an application made before the end of that time as originally fixed or as extended under this subsection, as the case may be.

(3) Where a person is ordered under subsection (1) above to remedy any matters, that person shall not be liable under any of the relevant statutory provisions in respect of those matters in so far as they continue during the time fixed by the order or any further time allowed under subsection (2) above.

[ (3A) Subsection (4) applies where a person is convicted of an offence consisting of acquiring or attempting to acquire, possessing or using an explosive article or substance (within the meaning of any of the relevant statutory provisions) in contravention of any of the relevant statutory provisions. ]<sup>1</sup>

(4) Subject to the following subsection, the court by or before which [ the person is convicted of the offence ]<sup>2</sup> may order the article or substance in question to be forfeited and either destroyed or dealt with in such other manner as the court may order.

(5) The court shall not order anything to be forfeited under the preceding subsection where a person claiming to be the owner of or otherwise interested in it applies to be heard by the court, unless an opportunity has been given to him to show cause why the order should not be made.

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### Notes

<sup>1</sup> Added by Health and Safety (Offences) Act 2008 c. 20 Sch.3 para.2(2) (January 16, 2009)


<sup>2</sup> Words substituted by Health and Safety (Offences) Act 2008 c. 20 Sch.3 para.2(3) (January 16, 2009)

### Commencement

Pt I s. 42: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**Pt I s. 42-(5): United Kingdom

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*Financial provisions* Law In Force**43.— Financial provisions.**

(1) It shall be the duty of the Secretary of State to pay to [the Executive]<sup>1</sup> such sums as are approved by the Treasury and as he considers appropriate for the purpose of enabling [the Executive]<sup>1</sup> to perform its functions [...]<sup>2</sup> .

(2) Regulations may provide for such fees as may be fixed by or determined under the regulations to be payable for or in connection with the performance by or on behalf of any authority to which this subsection applies of any function conferred on that authority by or under any of the relevant statutory provisions.

(3) Subsection (2) above applies to the following authorities, namely [...]<sup>3</sup> the Executive, the Secretary of State, [...]<sup>4</sup> every enforcing authority, and any other person on whom any function is conferred by or under any of the relevant statutory provisions.

(4) Regulations under this section may specify the person by whom any fee payable under the regulations is to be paid; but no such fee shall be made payable by a person in any of the following capacities, namely an employee, a person seeking employment, a person training for employment, and a person seeking training for employment.

(5) Without prejudice to section 82(3), regulations under this section may fix or provide for the determination of different fees in relation to different functions, or in relation to the same function in different circumstances.

[(6) The power to make regulations under this section shall be exercisable by the Secretary of State [...]<sup>6</sup> . ]<sup>5</sup>

(8) In subsection (4) above the references to a person training for employment and a person seeking training for employment shall include respectively a person attending an industrial rehabilitation course provided by virtue of the Employment and Training Act 1973 and a person seeking to attend such a course.

(9) For the purposes of this section the performance by an inspector of his functions shall be treated as the performance by the enforcing authority which appointed him of functions conferred on that authority by or under any of the relevant statutory provisions.

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**Notes**

<sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.14(a)(i) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)

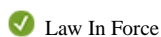
- <sup>2</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.14(a)(ii) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>3</sup> Words repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.14(b) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>4</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>5</sup> S. 43(6) substituted for s. 43(6)(7) by Employment Protection Act 1975 (c. 71), Sch. 15 para. 12
- <sup>6</sup> Words repealed by Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002/794 Sch.2 para.1 (March 27, 2002)

### Commencement

Pt I s. 43: October 1, 1974 in relation to payments to the Commission; January 1, 1975 otherwise (SI 1974/1439 art. 2, Sch. 1 para. 1, Sch. 2 para. 1)

### Extent

Pt I s. 43-(9): United Kingdom



Law In Force

## [ 43A Railway safety levy

- (1) The Secretary of State may make regulations requiring persons who provide railway services to pay railway safety levy.
- (2) Railway safety levy shall be applied only for the purpose of meeting expenses incurred—  
 [(a) in respect of activities undertaken by the [ Office of Rail and Road ]<sup>3</sup> under or by virtue of this Act or Schedule 3 to the Railways Act 2005; or  
 (b) in respect of activities in relation to a transport system falling within paragraph 1(3) of that Schedule that are undertaken by that Office under or by virtue of any other enactment. ]<sup>2</sup>
- (3) The railway safety levy shall not be used to meet—  
 (a) an expense in respect of which a fee is payable under regulations made under section 43, or  
 (b) an expense in respect of a matter specified by the regulations for the purpose of this paragraph.
- (4) Where an expense is incurred partly in respect of activity within subsection (2)(a) or (b) and partly in respect of other activity, the railway safety levy may be used to meet a part of that expense which is reasonably referable to activity within subsection (2)(a) or (b).
- (5) Regulations under subsection (1) may, in particular, determine or enable the [ Office of Rail and Road ]<sup>3</sup> to determine—  
 (a) the total amount of the railway safety levy to be imposed in respect of a specified period;  
 (b) the persons by whom the levy is to be paid;  
 (c) the criteria for assessing the proportion of the levy to be paid by a particular person (which may, in particular, refer to the size of a person's income or provide for an amount to be reduced or waived in specified circumstances);  
 (d) the periods in respect of which the levy is to be paid;



- (e) the manner in which the levy is to be paid;
  - (f) the person to whom the levy is to be paid;
  - (g) when the levy is to be paid.
- (6) Regulations under subsection (1) may, in particular, enable the [ Office of Rail and Road ]<sup>3</sup> –
- (a) to require a person who provides railway services to supply information for the purposes of the consideration of a matter specified in subsection (5);
  - (b) where information requested is not supplied, to make assumptions;
  - (c) to revise a determination of a matter specified in subsection (5) (whether before, during or after the period to which it relates);
  - (d) to make refunds.
- (7) Regulations by virtue of subsection (6)(a) may, in particular, make provision–
- (a) about the manner and timing of the supply of information;
  - (b) about certification of the accuracy of information supplied;
  - (c) creating a criminal offence in connection with the supply of inaccurate or misleading information (but not an offence punishable with imprisonment).
- (8) Regulations under subsection (1) may enable payment to be enforced by civil proceeding.
- (9) For the purposes of this section a person provides railway services if he manages or controls, or participates in managing or controlling, a transport system [ falling within paragraph 1(3) of Schedule 3 to the Railways Act 2005 ]<sup>4</sup> .
- ] <sup>1</sup>

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#### Notes

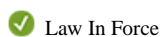
- <sup>1</sup> Added by Railways and Transport Safety Act 2003 c. 20 Pt 6 s.105(1) (September 10, 2003)
- <sup>2</sup> Substituted by Railways Act 2005 c. 14 Sch.3 para.12(2) (February 7, 2006)
- <sup>3</sup> Words substituted by Office of Rail Regulation (Change of Name) Regulations 2015/1682 Sch.1(1) para.4(c)(iii) (October 16, 2015)
- <sup>4</sup> Words substituted by Railways Act 2005 c. 14 Sch.3 para.12(4) (February 7, 2006)

#### Extent

Pt I s. 43A(1)-(9): United Kingdom

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### *Miscellaneous and supplementary*



Law In Force

#### **44.— Appeals in connection with licensing provisions in the relevant statutory provisions.**

- (1) Any person who is aggrieved by a decision of an authority having power to issue licences [...] <sup>1</sup> under any of the relevant statutory provisions—
- (a) refusing to issue him a licence, to renew a licence held by him, or to transfer to him a licence held by another;
  - (b) issuing him a licence on or subject to any term, condition or restriction whereby he is aggrieved;

(c) varying or refusing to vary any term, condition or restriction on or subject to which a licence is held by him; or  
 (d) revoking a licence held by him,  
 may appeal to the Secretary of State.

(2) The Secretary of State may, in such cases as he considers it appropriate to do so, having regard to the nature of the questions which appear to him to arise, direct that an appeal under this section shall be determined on his behalf by a person appointed by him for that purpose.

(3) Before the determination of an appeal the Secretary of State shall ask the appellant and the authority against whose decision the appeal is brought whether they wish to appear and be heard on the appeal and—

- (a) the appeal may be determined without a hearing of the parties if both of them express a wish not to appear and be heard as aforesaid;
- (b) the Secretary of State shall, if either of the parties expresses a wish to appear and be heard, afford to both of them an opportunity of so doing.

(4) The Tribunals and Inquiries Act [ 1992 ]<sup>2</sup> shall apply to a hearing held by a person appointed in pursuance of subsection (2) above to determine an appeal as it applies to a statutory inquiry held by the Secretary of State, but as if in [ section 10(1) ]<sup>3</sup> of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State included a reference to a decision taken on his behalf by that person.

(4A) [...] <sup>4</sup>

(5) A person who determines an appeal under this section on behalf of the Secretary of State and the Secretary of State, if he determines such an appeal, may give such directions as he considers appropriate to give effect to his determination.

(6) The Secretary of State may pay to any person appointed to hear or determine an appeal under this section on his behalf such remuneration and allowances as the Secretary of State may with the approval of the Minister for the Civil Service determine.

(7) In this section—

- (a) “licence” means a licence under any of the relevant statutory provisions [...] <sup>5</sup> [ . ] <sup>6</sup>
- (b) [...] <sup>6</sup>

(8) [...] <sup>7</sup>

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## Notes

<sup>1</sup> Words repealed by Energy Act 2013 c. 32 Sch.12(1) para.10(2) (April 1, 2014)

<sup>2</sup> Words substituted by Tribunals and Inquiries Act 1992 c. 53 Sch.3 para.9(b) (October 1, 1992)

<sup>3</sup> Words substituted by Tribunals and Inquiries Act 1992 c. 53 Sch.3 para.9(a) (October 1, 1992)

<sup>4</sup> Repealed by Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013/2042 Sch.1 para.2 (August 19, 2013)

<sup>5</sup> Words repealed by Energy Act 2013 c. 32 Sch.12(1) para.10(3)(a) (April 1, 2014)

<sup>6</sup> Repealed by Energy Act 2013 c. 32 Sch.12(1) para.10(3)(b) (April 1, 2014)

<sup>7</sup> Repealed by Energy Act 2013 c. 32 Sch.12(1) para.10(4) (April 1, 2014)

## Commencement

Pt I s. 44: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 44-(8) definition of "nuclear reactor": United Kingdom

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✓ Law In Force

**45.— Default powers.**

(1) Where, in the case of a local authority who are an enforcing authority, [ the Executive ]<sup>1</sup> is of the opinion that an investigation should be made as to whether that local authority have failed to perform any of their enforcement functions [ the Executive ]<sup>1</sup> may make a report to the Secretary of State.

(2) The Secretary of State may, after considering a report submitted to him under the preceding subsection, cause a local inquiry to be held; and the provisions of subsections (2) to (5) of section 250 of the Local Government Act 1972 as to local inquiries shall, without prejudice to the generality of subsection (1) of that section, apply to a local inquiry so held as they apply to a local inquiry held in pursuance of that section.

(3) If the Secretary of State is satisfied, after having caused a local inquiry to be held into the matter, that a local authority have failed to perform any of their enforcement functions, he may make an order declaring the authority to be in default.

(4) An order made by virtue of the preceding subsection which declares an authority to be in default may, for the purpose of remedying the default, direct the authority (hereafter in this section referred to as “the defaulting authority”) to perform such of their enforcement functions as are specified in the order in such manner as may be so specified and may specify the time or times within which those functions are to be performed by the authority.

(5) If the defaulting authority fail to comply with any direction contained in such an order the Secretary of State may, instead of enforcing the order by mandamus, make an order transferring to the Executive such of the enforcement functions of the defaulting authority as he thinks fit.

(6) Where any enforcement functions of the defaulting authority are transferred in pursuance of the preceding subsection, the amount of any expenses which the Executive certifies were incurred by it in performing those functions shall on demand be paid to it by the defaulting authority.

(7) Any expenses which in pursuance of the preceding subsection are required to be paid by the defaulting authority in respect of any enforcement functions transferred in pursuance of this section shall be defrayed by the authority in the like manner, and shall be debited to the like account, as if the enforcement functions had not been transferred and the expenses had been incurred by the authority in performing them.

(8) Where the defaulting authority are required to defray any such expenses the authority shall have the like powers for the purpose of raising the money for defraying those expenses as they would have had for the purpose of raising money required for defraying expenses incurred for the purpose of the enforcement functions in question.

(9) An order transferring any enforcement functions of the defaulting authority in pursuance of subsection (5) above may provide for the transfer to the Executive of such of the rights, liabilities and obligations of the authority as the Secretary of State considers appropriate; and where such an order is revoked the Secretary of State may, by the revoking order or a subsequent order, make

such provision as he considers appropriate with respect to any rights, liabilities and obligations held by the Executive for the purposes of the transferred enforcement functions.

(10) The Secretary of State may by order vary or revoke any order previously made by him in pursuance of this section.

(11) In this section “enforcement functions”, in relation to a local authority, means the functions of the authority as an enforcing authority.

(12) In the application of this section to Scotland—

(a) in subsection (2) for the words “subsections (2) to (5) of section 250 of the Local Government Act 1972” there shall be substituted the words “subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973”, except that before 16th May 1975 for the said words there shall be substituted the words “subsections (2) to (9) of section 355 of the Local Government (Scotland) Act 1947”;

(b) in subsection (5) the words “instead of enforcing the order by mandamus” shall be omitted.

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### Notes

- <sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.15 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)

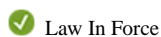
### Commencement

Pt I s. 45: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt I s. 45-(12)(b): United Kingdom

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Law In Force

## 46.— Service of notices.

(1) Any notice required or authorised by any of the relevant statutory provisions to be served on or given to an inspector may be served or given by delivering it to him or by leaving it at, or sending it by post to, his office.

(2) Any such notice required or authorised to be served on or given to a person other than an inspector may be served or given by delivering it to him, or by leaving it at his proper address, or by sending it by post to him at that address.

(3) Any such notice may—

(a) in the case of a body corporate, be served on or given to the secretary or clerk of that body;

(b) in the case of a partnership, be served on or given to a partner or a person having the control or management of the partnership business or, in Scotland, the firm.

(4) For the purposes of this section and of [ section 7 of the Interpretation Act 1978 ]<sup>1</sup> (service of documents by post) in its application to this section, the proper address of any person on or to whom any such notice is to be served or given shall be his last known address, except that—

(a) in the case of a body corporate or their secretary or clerk, it shall be the address of the registered or principal office of that body;

(b) in the case of a partnership or a person having the control or the management of the partnership business, it shall be the principal office of the partnership;

and for the purposes of this subsection the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom shall be their principal office within the United Kingdom.

(5) If the person to be served with or given any such notice has specified an address within the United Kingdom other than his proper address within the meaning of subsection (4) above as the one at which he or someone on his behalf will accept notices of the same description as that notice, that address shall also be treated for the purposes of this section and [ section 7 of the Interpretation Act 1978 ]<sup>1</sup> as his proper address.

(6) Without prejudice to any other provision of this section, any such notice required or authorised to be served on or given to the owner or occupier of any premises (whether a body corporate or not) may be served or given by sending it by post to him at those premises, or by addressing it by name to the person on or to whom it is to be served or given and delivering it to some responsible person who is or appears to be resident or employed in the premises.

(7) If the name or the address of any owner or occupier of premises on or to whom any such notice as aforesaid is to be served or given cannot after reasonable inquiry be ascertained, the notice may be served or given by addressing it to the person on or to whom it is to be served or given by the description of “owner” or “occupier” of the premises (describing them) to which the notice relates, and by delivering it to some responsible person who is or appears to be resident or employed in the premises, or, if there is no such person to whom it can be delivered, by affixing it or a copy of it to some conspicuous part of the premises.

(8) The preceding provisions of this section shall apply to the sending or giving of a document as they apply to the giving of a notice.

<sup>2 3 4</sup>

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## Notes

<sup>1</sup> Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>3</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>4</sup> S.46 applied by S.I. 1989/840, arts. 2–10

## Commencement

Pt I s. 46: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

## Extent

Pt I s. 46-(8): United Kingdom

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## 47.— Civil liability.

(1) Nothing in this Part shall be construed—

- (a) as conferring a right of action in any civil proceedings in respect of any failure to comply with any duty imposed by sections 2 to 7 or any contravention of section 8; or
- (b) [...] <sup>1</sup>
- (c) as affecting the operation of section 12 of the Nuclear Installations Act 1965 (right to compensation by virtue of certain provisions of that Act).

[(2) Breach of a duty imposed by a statutory instrument containing (whether alone or with other provision) health and safety regulations shall not be actionable except to the extent that regulations under this section so provide.

(2A) Breach of a duty imposed by an existing statutory provision shall not be actionable except to the extent that regulations under this section so provide (including by modifying any of the existing statutory provisions).

(2B) Regulations under this section may include provision for—

- (a) a defence to be available in any action for breach of the duty mentioned in subsection (2) or (2A);
- (b) any term of an agreement which purports to exclude or restrict any liability for such a breach to be void.

] <sup>2</sup>

(3) No provision made by virtue of section 15(6)(b) shall afford a defence in any civil proceedings [...] <sup>3</sup> .

(4) Subsections (1)(a) [, (2) and (2A)] <sup>4</sup> above are without prejudice to any right of action which exists apart from the provisions of this Act, and subsection [(2B)(a)] <sup>5</sup> above is without prejudice to any defence which may be available apart from the provisions of the regulations there mentioned.

(5)-(6) [...] <sup>6</sup>

[(7) The power to make regulations under this section shall be exercisable by the Secretary of State.] <sup>7</sup>

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### Notes

<sup>1</sup> Repealed by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(2) (April 25, 2013: repeal has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)

<sup>2</sup> S.47(2)-(2B) substituted for s.47(2) by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(3) (April 25, 2013: substitution has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)

<sup>3</sup> Words repealed by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(4) (April 25, 2013: repeal has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)

<sup>4</sup> Words substituted by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(5)(a) (April 25, 2013: substitution has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under

or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)

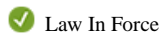
- <sup>5</sup> Word substituted by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(5)(b) (April 25, 2013: substitution has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)
- <sup>6</sup> Repealed by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(6) (April 25, 2013: repeal has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)
- <sup>7</sup> Added by Enterprise and Regulatory Reform Act 2013 c. 24 Pt 5 s.69(7) (April 25, 2013: insertion has effect from April 25, 2013 in relation to enabling the exercise on or after that date of any power (arising under or by virtue of that provision) to make provision by regulations, rules or order made by statutory instrument subject to transitional provisions specified in 2013 c.24 s.69(9) and (10); October 1, 2013 otherwise)

### Commencement

Pt I s. 47: January 1, 1975 except in relation to 1974 c.37 ss 2-8; April 1, 1975 otherwise (SI 1974/1439 art. 2, Sch. 2 para. 1, Sch. 3 para. 1)

### Extent

Pt I s. 47-(6): United Kingdom



Law In Force

## 48.— Application to Crown.

- (1) Subject to the provisions of this section, the provisions of this Part, except sections 21 to 25 and 33 to 42, and of regulations made under this Part shall bind the Crown.
- (2) Although they do not bind the Crown, sections 33 to 42 shall apply to persons in the public service of the Crown as they apply to other persons.
- (3) For the purposes of this Part and regulations made thereunder persons in the service of the Crown shall be treated as employees of the Crown whether or not they would be so treated apart from this subsection.
- (4) Without prejudice to section 15(5), the Secretary of State may, to the extent that it appears to him requisite or expedient to do so in the interests of the safety of the State or the safe custody of persons lawfully detained, by order exempt the Crown either generally or in particular respects from all or any of the provisions of this Part which would, by virtue of subsection (1) above, bind the Crown.
- (5) The power to make orders under this section shall be exercisable by statutory instrument, and any such order may be varied or revoked by a subsequent order.
- (6) Nothing in this section shall authorise proceedings to be brought against Her Majesty in her private capacity, and this subsection shall be construed as if section 38(3) of the Crown Proceedings Act 1947 (interpretation of references in that Act to Her Majesty in her private capacity) were contained in this Act.

123



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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- <sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3
- <sup>3</sup> S.48 applied by S.I. 1989/840, arts. 2–10

**Commencement**

Pt I s. 48: January 1, 1975 except in relation to 1974 c.37 ss 2-9; April 1, 1975 otherwise (SI 1974/1439 art. 2, Sch. 2 para. 1, Sch. 3 para. 1)

**Extent**

Pt I s. 48-(6): United Kingdom

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Law In Force

**49.— Adaptation of enactments to metric units or appropriate metric units.**

(1) [ Regulations made under this subsection may amend ]<sup>1</sup> —

- (a) any of the relevant statutory provisions; or
- (b) any provision of an enactment which relates to any matter relevant to any of the general purposes of this Part but is not among the relevant statutory provisions; or
- (c) any provision of an instrument made or having effect under any such enactment as is mentioned in the preceding paragraph,

by substituting an amount or quantity expressed in metric units for an amount or quantity not so expressed or by substituting an amount or quantity expressed in metric units of a description specified in the regulations for an amount or quantity expressed in metric units of a different description.

(2) The amendments shall be such as to preserve the effect of the provisions mentioned except to such extent as in the opinion of the [ authority making the regulations ]<sup>1</sup> is necessary to obtain amounts expressed in convenient and suitable terms.

(3) Regulations made [...] <sup>2</sup> under this subsection may, in the case of a provision which falls within any of paragraphs (a) to (c) of subsection (1) above and contains words which refer to units other than metric units, repeal those words [ if the authority making the regulations ]<sup>1</sup> is of the opinion that those words could be omitted without altering the effect of that provision.

[ (4) The power to make regulations under this section shall be exercisable by the Secretary of State [...] <sup>4</sup> . ]<sup>3</sup>

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**Notes**

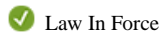
- <sup>1</sup> Words substituted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 15(1)
- <sup>2</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>3</sup> S. 49(4) substituted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 15(2)
- <sup>4</sup> Words repealed by Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002/794 Sch.2 para.1 (March 27, 2002)

**Commencement**

Pt I s. 49: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt I s. 49-(4): United Kingdom



Law In Force

**50.— Regulations under the relevant statutory provisions.**

[(1) Where any power to make regulations under any of the relevant statutory provisions is exercisable by the Secretary of State, that power may be exercised either—

- (a) so as to give effect (with or without modifications) to proposals submitted by the Executive under section 11(3); or
- (b) subject to subsection (1AA), independently of such proposals.

(1AA) [The Secretary of State shall not exercise the power referred to in subsection (1) independently of proposals from the Executive unless the Secretary of State has consulted—

- (a) the Executive,
- (b) the Office for Nuclear Regulation, and
- (c) such other bodies as appear to the Secretary of State to be appropriate.]<sup>2</sup>

] <sup>1</sup>

[(1A) Subsection (1) does not apply to the exercise of a power to make regulations so far as it is exercised—

- (a) for giving effect (with or without modifications) to proposals submitted by the [ Office of Rail and Road ]<sup>4</sup> under paragraph 2(5) of Schedule 3 to the Railways Act 2005; or
- (b) otherwise for or in connection with the railway safety purposes.

] <sup>3</sup>

(2) [ Where the authority who is to exercise any such power as is mentioned in subsection (1) above proposes to exercise that power so as to give effect to any such proposals as are there mentioned with modifications, he shall, before making the regulations, consult—

- (a) the Executive, and
- (b) the Office for Nuclear Regulation.]<sup>5</sup>

(3) Where [ the Executive ]<sup>6</sup> proposes to submit [ under [ section 11(3) ]<sup>8</sup> ]<sup>7</sup> any such proposals as are mentioned in subsection (1) above except proposals for the making of regulations under section 43(2), it shall, before so submitting them, consult—

[ (za) the Office for Nuclear Regulation; ]<sup>9</sup>

- (a) any government department or other body that appears to [ the Executive ]<sup>6</sup> to be appropriate (and, in particular, in the case of proposals for the making of regulations under section 18(2) , any body representing local authorities that so appears [...] <sup>10</sup> ;
- (b) such government departments and other bodies, if any, as, in relation to any matter dealt with in the proposals, [ the Executive ]<sup>6</sup> is required to consult under this subsection by virtue of directions given to it by the Secretary of State.

(4) [...] <sup>11</sup>

[ (4) If the Executive has consulted the Office for Nuclear Regulation under subsection (3) in relation to a proposal under section 11(3) for regulations under any of the relevant statutory provisions, it must, when it submits the proposal (with or without modification) to the Secretary of State, also submit—

- (a) any representations made by the Office for Nuclear Regulation in response to the consultation, and
- (b) any response to those representations given by the Executive to the Office for Nuclear Regulation.

(5) The preceding provisions of this section do not apply to the exercise of the power in section 43 to make ONR fees regulations, but the Secretary of State must consult the Office for Nuclear Regulation before—

- (a) making ONR fees regulations independently of any proposals submitted by the Office for Nuclear Regulation under section 81(1) of the Energy Act 2013, or
- (b) making ONR fees regulations which give effect to such proposals but with modifications.

(6) In subsection (5) “ONR fees regulations” means regulations under section 43 so far as they make provision in relation to fees payable for or in connection with the performance of a function by or on behalf of—

- (a) the Office for Nuclear Regulation, or
- (b) any inspector appointed by the Office for Nuclear Regulation.

] <sup>12</sup>

(5) [...] <sup>11</sup>

## Notes

- <sup>1</sup> S.50(1) and (1AA) substituted for s.50(1) subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.16(2) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>2</sup> Words and s.50(1AA)(a)-(c) substituted for words by Energy Act 2013 c. 32 Sch.12(1) para.11(2) (April 1, 2014)
- <sup>3</sup> Added by Railways Act 2005 c. 14 Sch.3 para.13 (April 1, 2006)
- <sup>4</sup> Words substituted by Office of Rail Regulation (Change of Name) Regulations 2015/1682 Sch.1(1) para.4(c)(iv) (October 16, 2015)
- <sup>5</sup> S.50(2)(a) and (b) substituted for words by Energy Act 2013 c. 32 Sch.12(1) para.11(3) (April 1, 2014)
- <sup>6</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.16(4)(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11)
- <sup>7</sup> Words substituted by Employment Protection Act 1975 (c. 71), Sch. 15 para. 16(3)
- <sup>8</sup> Word substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.16(4)(a) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 10 and 11)
- <sup>9</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.11(4) (April 1, 2014)
- <sup>10</sup> Words repealed by Health and Social Care Act 2012 c. 7 Sch.7 para.6 (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
- <sup>11</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>12</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.11(5) (April 1, 2014)

## Commencement

Pt I s. 50: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 50-(6)(b): United Kingdom

✓ Law In Force

**51. Exclusion of application to domestic employment.**

Nothing in this Part shall apply in relation to a person by reason only that he employs another, or is himself employed, as a domestic servant in a private household.

1 2 3

**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S.51 applied by S.I. 1989/840, arts. 2–10

**Commencement**

Pt I s. 51: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Pt I s. 51: United Kingdom

✓ Law In Force

**[ 51A.— Application of Part to police.**

(1) For the purposes of this Part, a person who, otherwise than under a contract of employment, holds the office of constable or an appointment as police cadet shall be treated as an employee of the relevant officer.

(2) In this section “the relevant officer” —

(a) in relation to a member of a police force or a special constable or police cadet appointed for a police area, [ means— ]<sup>2</sup>

[ (i) the chief officer of police of that force, or

(ii) in the case of a member of the force or a special constable who is, by virtue of a collaboration agreement under section 22A of the Police Act 1996, under the direction and control of a chief officer (within the meaning given by section 23I of that Act), that chief officer, ]<sup>2</sup>

[ (b) in relation to a member of a police force seconded to the [ National Crime Agency to serve as a National Crime Agency officer ]<sup>4</sup>, means that Agency, and ]<sup>3</sup>

(c) in relation to any other person holding the office of constable or an appointment as police cadet, [ means— ]<sup>5</sup>

[ (i) the person who has the direction and control of the body of constables or cadets in question, or

(ii) in the case of a constable who is, by virtue of a collaboration agreement under section 22A of the Police Act 1996, under the direction and control of a chief officer (within the meaning given by section 23I of that Act), that chief officer.]<sup>5</sup>

[ (2A) For the purposes of this Part the relevant officer, as defined by subsection (2)(a) or (c) above, shall [ , if not a corporation sole, ]<sup>7</sup> be treated as a corporation sole.

(2B) Where, in a case in which the relevant officer, as so defined, is guilty of an offence by virtue of this section, it is proved—

(a) that the officer-holder personally consented to the commission of the offence,  
 (b) that he personally connived in its commission, or  
 (c) that the commission of the offence was attributable to personal neglect on his part,  
 the office-holder (as well as the corporation sole) shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2C) In subsection (2B) above “the office-holder”, in relation to the relevant officer, means an individual who, at the time of the consent, connivance or neglect—

(a) held the office or other position mentioned in subsection (2) above as the office or position of that officer; or  
 (b) was for the time being responsible for exercising and performing the powers and duties of that office or position.

(2D) The provisions mentioned in subsection (2E) below (which impose the same liability for unlawful conduct of constables on persons having their direction or control as would arise if the constables were employees of those persons) do not apply to any liability by virtue of this Part.

(2E) Those provisions are—

[ (a) section 24 of the Police and Fire Reform (Scotland) Act 2012 (asp 8); ]<sup>8</sup>  
 (b) section 88(1) of the Police Act 1996;  
 (c)-(d) [...] <sup>9</sup>  
 (e) paragraph 14(1) of Schedule 3 to the Criminal Justice and Police Act 2001;  
 [ (f) paragraph 2 of Schedule 4 to the Crime and Courts Act 2013; ]<sup>10</sup>  
 [ (g) paragraph 20 of Schedule 1 to the Police and Justice Act 2006. ]<sup>11</sup>

(2F) In the application of this section to Scotland—

(a) subsection (2A) shall have effect as if for the words “corporation sole” there were substituted “distinct juristic person (that is to say, as a juristic person distinct from the individual who for the time being is the office-holder)”;  
 (b) subsection (2B) shall have effect as if for the words “corporation sole” there were substituted “juristic person”; and  
 (c) subsection (2C) shall have effect as if for the words “subsection (2B)” there were substituted “subsections (2A) and (2B)”.

] <sup>6</sup>

(3) For the purposes of regulations under section 2(4) above—

(a) the Police Federation for England and Wales shall be treated as a recognised trade union recognised by each chief officer of police in England and Wales,  
 (b) the Police Federation for Scotland shall be treated as a recognised trade union recognised by [ the chief constable of the Police Service of Scotland ]<sup>8</sup> , and

(c) any body recognised by the Secretary of State for the purposes of section 64 of the Police Act 1996 shall be treated as a recognised trade union recognised by each chief officer of police in England, Wales and Scotland.

(4) Regulations under section 2(4) above may provide, in relation to persons falling within subsection (2)(b) or (c) above, that a body specified in the regulations is to be treated as a recognised trade union recognised by such person as may be specified.

] <sup>1</sup>

## Notes

- <sup>1</sup> Added by Police (Health and Safety) Act 1997 c. 42 s.1 (July 1, 1998)
- <sup>2</sup> S.51(2)(a)(i)-(ii) and word substituted for words by Police Reform and Social Responsibility Act 2011 c. 13 Sch.16(3) para.119(2)(a) (January 16, 2012)
- <sup>3</sup> Substituted by Serious Organised Crime and Police Act 2005 c. 15 Sch.4 para.20 (April 1, 2006)
- <sup>4</sup> Words substituted by Crime and Courts Act 2013 c. 22 Sch.8(2) para.21(2) (October 7, 2013: substitution has effect as SI 2013/1682 subject to savings and transitional provisions as specified in 2013 c.22 s.15 and Sch.8)
- <sup>5</sup> S.51(2)(c)(i)-(ii) and word substituted for words by Police Reform and Social Responsibility Act 2011 c. 13 Sch.16(3) para.119(2)(b) (January 16, 2012)
- <sup>6</sup> Added by Serious Organised Crime and Police Act 2005 c. 15 Pt 5 s.158(1) (April 7, 2005)
- <sup>7</sup> Words inserted by Police Reform and Social Responsibility Act 2011 c. 13 Sch.16(3) para.119(3) (January 16, 2012)
- <sup>8</sup> Amended by Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013/602 Sch.1 para.2 (April 1, 2013)
- <sup>9</sup> Repealed by Police and Justice Act 2006 c. 48 Sch.15(1)(A) para.1 (April 1, 2007 subject to savings and transitional provisions specified in 2007/709 art.6(2)-(5))
- <sup>10</sup> Substituted by Crime and Courts Act 2013 c. 22 Sch.8(2) para.21(3) (October 7, 2013: substitution has effect as SI 2013/1682 subject to savings and transitional provisions as specified in 2013 c.22 s.15 and Sch.8)
- <sup>11</sup> Added by Police and Justice Act 2006 c. 48 Sch.1(7) para.54 (April 1, 2007)

## Extent

Pt I s. 51A(1)-(4): United Kingdom

 Law In Force

## 52.— Meaning of work and at work.

(1) For the purposes of this Part—

- (a) “work” means work as an employee or as a self-employed person;
- (b) an employee is at work throughout the time when he is in the course of his employment, but not otherwise; [...] <sup>1</sup>  
[ (bb) a person holding the office of constable is at work throughout the time when he is on duty, but not otherwise; and ] <sup>1</sup>
- (c) a self-employed person is at work throughout such time as he devotes to work as a self-employed person;

and, subject to the following subsection, the expressions “work” and “at work”, in whatever context, shall be construed accordingly.

(2) Regulations made under this subsection may—

- (a) extend the meaning of “work” and “at work” for the purposes of this Part; and
- (b) in that connection provide for any of the relevant statutory provisions to have effect subject to such adaptations as may be specified in the regulations.

[ (3) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State [...] ]<sup>2</sup>

#### Notes

<sup>1</sup> Added by Police (Health and Safety) Act 1997 c. 42 s.2 (July 1, 1998)

<sup>2</sup> S. 52(3) substituted for s. 52(3)(4) by Employment Protection Act 1975 (c. 71), Sch. 15 para. 17

<sup>3</sup> Words repealed by Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002/794 Sch.2 para.1 (March 27, 2002)

#### Commencement

Pt I s. 52: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt I s. 52-(3): United Kingdom

✓ Law In Force

### 53.— General interpretation of Part I.

(1) In this Part, unless the context otherwise requires—

[...] <sup>1</sup>

“article for use at work” means—

(a) any plant designed for use or operation (whether exclusively or not) by persons at work, and

(b) any article designed for use as a component in any such plant;

[ ‘article of fairground equipment’ means any fairground equipment or any article designed for use as a component in any such equipment; ] <sup>2</sup>

[ “the building enactments” means the provisions of, and of instruments made under—

(a) the Building Act 1984, and

(b) Parts 2 and 4 of the Building Safety Act 2022;

“building function” has the meaning given by section 3 of the Building Safety Act 2022; ] <sup>3</sup>

“code of practice” (without prejudice to section 16(8)) includes a standard, a specification and any other documentary form of practical guidance;

[...] <sup>4</sup>

“conditional sale agreement” means an agreement for the sale of goods under which the purchase price or part of it is payable by instalments, and the property in the goods is to remain in the seller (notwithstanding that the buyer is to be in possession of the goods) until such conditions as to the payment of instalments or otherwise as may be specified in the agreement are fulfilled;

“contract of employment” means a contract of employment or apprenticeship (whether express or implied and, if express, whether oral or in writing);

“credit-sale agreement” means an agreement for the sale of goods, under which the purchase price or part of it is payable by instalments, but which is not a conditional sale agreement;



[ 'customs officer' means an officer within the meaning of the Customs and Excise Management Act 1979; ]<sup>5</sup>

“domestic premises” means premises occupied as a private dwelling (including any garden, yard, garage, outhouse or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling), and “non-domestic premises” shall be construed accordingly;

“employee” means an individual who works under a contract of employment [ or is treated by section 51A as being an employee ]<sup>6</sup> , and related expressions shall be construed accordingly ;

“enforcing authority” has the meaning assigned by section 18(7);

“the Executive” has the meaning assigned by [ section 10(1) ]<sup>7</sup> ;

“the existing statutory provisions” means the following provisions while and to the extent that they remain in force, namely the provisions of the Acts mentioned in Schedule 1 which are specified in the third column of that Schedule and of the regulations, orders or other instruments of a legislative character made or having effect under any provision so specified; [...]<sup>8</sup>

[ 'fairground equipment' means any fairground ride, any similar plant which is designed to be in motion for entertainment purposes with members of the public on or inside it or any plant which is designed to be used by members of the public for entertainment purposes either as a slide or for bouncing upon, and in this definition the reference to plant which is designed to be in motion with members of the public on or inside it includes a reference to swings, dodgems and other plant which is designed to be in motion wholly or partly under the control of, or to be put in motion by, a member of the public; ]<sup>9</sup>

“the general purposes of this Part” has the meaning assigned by section 1;

“health and safety regulations” has the meaning assigned by section 15(1);

“hire-purchase agreement” means an agreement other than a conditional sale agreement, under which—

(a) goods are bailed or (in Scotland) hired in return for periodical payments by the person to whom they are bailed or hired; and

(b) the property in the goods will pass to that person if the terms of the agreement are complied with and one or more of the following occurs:

(i) the exercise of an option to purchase by that person;

(ii) the doing of any other specified act by any party to the agreement;

(iii) the happening of any other event;

and “hire-purchase” shall be construed accordingly;

“improvement notice” means a notice under section 21;

“inspector” means an inspector appointed under section 19;

[...]<sup>8</sup>

“local authority” means—

(a) in relation to England [...]<sup>10</sup> , a county council, [...]<sup>11</sup> a district council, a London borough council, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple,

[ (aa) in relation to Wales, a county council or a county borough council, ]<sup>12</sup>

(b) in relation to Scotland, a [ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ]<sup>13</sup> ;

[ 'micro-organism' includes any microscopic biological entity which is capable of replication; ]<sup>14</sup>

[“nuclear safeguards purposes” has the same meaning as in Part 3 of the Energy Act 2013 (nuclear regulation etc.) (see section 72 of that Act);

“nuclear safety purposes” has the same meaning as in that Part of that Act (see section 68 of that Act);

“nuclear security purposes” has the same meaning as in that Part of that Act (see section 70 of that Act); ]<sup>15</sup>

“offshore installation” means any installation which is intended for underwater exploitation of mineral resources or exploration with a view to such exploitation;

[“the ONR's purposes” has the same meaning as in Part 3 of the Energy Act 2013 (see section 67 of that Act); ]<sup>16</sup>

“personal injury” includes any disease and any impairment of a person's physical or mental condition;

“plant” includes any machinery, equipment or appliance;

“premises” includes any place and, in particular, includes—

- (a) any vehicle, vessel, aircraft or hovercraft,
- (b) any installation on land (including the foreshore and other land intermittently covered by water), any offshore installation, and any other installation (whether floating, or resting on the seabed or the subsoil thereof, or resting on other land covered with water or the subsoil thereof), and
- (c) any tent or movable structure;

“prescribed” means prescribed by regulations made by the Secretary of State;

“prohibition notice” means a notice under section 22;

[...] <sup>8</sup>

[“the radioactive material transport purposes” means the transport purposes within the meaning of Part 3 of the Energy Act 2013 (see section 73 of that Act); ]<sup>17</sup>

[“railway safety purposes” has the same meaning as in Schedule 3 to the Railways Act 2005; ]<sup>18</sup>

“the relevant statutory provisions” means—

- (a) the provisions of this Part and of any health and safety regulations [...] <sup>19</sup>; and
- (b) the existing statutory provisions;

“self-employed person” means an individual who works for gain or reward otherwise than under a contract of employment, whether or not he himself employs others;

“substance” means any natural or artificial substance [(including micro-organisms)] <sup>20</sup>, whether in solid or liquid form or in the form of a gas or vapour;

[...] <sup>21</sup>

“supply”, where the reference is to supplying articles or substances, means supplying them by way of sale, lease, hire or hire-purchase, whether as principal or agent for another.

(2) [...] <sup>22</sup>

(3) [...] <sup>22</sup>

(4) [...] <sup>22</sup>

(5) [...] <sup>22</sup>

(6) [...] <sup>22</sup>

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## Notes

<sup>1</sup> Definitions repealed by Employment Protection Act 1975 (c. 71), Sch. 18

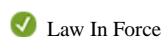
- <sup>2</sup> Definition inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 7(a)
- <sup>3</sup> Definitions inserted by Building Safety Act 2022 c. 30 Sch.1 para.7 (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>4</sup> Definition repealed subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.17(a) (April 1, 2008: repeal has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>5</sup> Definition inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 7(b)
- <sup>6</sup> Words inserted by Police (Health and Safety) Act 1997 c. 42 s.6(1) (July 1, 1998)
- <sup>7</sup> Word substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.17(b) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>8</sup> Definition repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>9</sup> Definition inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 7(c)
- <sup>10</sup> Words repealed by Local Government (Wales) Act 1994 c. 19 Sch.18 para.1 (April 1, 1996 as SI 1996/396)
- <sup>11</sup> Words repealed by Local Government Act 1985 (c.51), s. 102, Sch. 17
- <sup>12</sup> Added by Local Government (Wales) Act 1994 c. 19 Sch.9 para.9 (April 1, 1996)
- <sup>13</sup> Words substituted by Local Government etc. (Scotland) Act 1994 c. 39 Sch.13 para.93(3) (April 1, 1996)
- <sup>14</sup> Definition inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 7(d)
- <sup>15</sup> Definitions inserted by Energy Act 2013 c. 32 Sch.12(1) para.12(a) (April 1, 2014)
- <sup>16</sup> Definition inserted by Energy Act 2013 c. 32 Sch.12(1) para.12(b) (April 1, 2014)
- <sup>17</sup> Definition inserted by Energy Act 2013 c. 32 Sch.12(1) para.12(c) (April 1, 2014)
- <sup>18</sup> Definition inserted by Railways Act 2005 c. 14 Sch.3 para.15(3) (April 1, 2006)
- <sup>19</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18
- <sup>20</sup> Words inserted by Consumer Protection Act 1987 (c.43), s. 36, Sch. 3 para. 7(e)
- <sup>21</sup> Definition of “substance for use at work” repealed by Consumer Protection Act 1987 (c.43), s. 48(3), Sch. 5
- <sup>22</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18

### Commencement

Pt I s. 53: October 1, 1974 for the purpose specified in SI 1974/1439 art.2 Sch.1; January 1, 1975 for the purpose specified in SI 1974/1439 art.2 Sch.2; April 1, 1975 otherwise (SI 1974/1439 art. 2, Sch. 1 para. 1, Sch. 2 para. 1, Sch. 3 para. 1)

### Extent

Pt I s. 53-(6): United Kingdom



Law In Force

### 54. Application of Part I to Isles of Scilly.

This Part, in its application to the Isles of Scilly, shall apply as if those Isles were a local government area and the Council of those Isles were a local authority.

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### Notes

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Pt. I extended by S.I. 1978/752, reg. 3, S.I. 1981/1011, reg. 9, 1983/1919, reg. 3, Gas Act 1986 (c.44), ss. 18, 48(3)(4), S.I. 1989/1671, reg. 4, applied by Gas Act 1986 (c.44), s. 67(3), Sch. 8 para. 6(2), Consumer Protection Act 1987 (c.43), s. 36, S.I. 1988/1222, regs. 3, 4, S.I. 1989/1810, reg. 3, S.I. 1990/1380, reg. 3

<sup>3</sup> S. 54 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt I s. 54: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

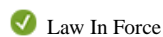
### Extent

Pt I s. 54: United Kingdom

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## Part II

### The Employment Medical Advisory Service



Law In Force

#### **55.— Functions of, and responsibility for maintaining, employment medical advisory service.**

(1) There shall continue to be an employment medical advisory service, which shall be maintained for the following purposes, that is to say—

- (a) securing that the Secretary of State, [the Health and Safety Executive]<sup>1</sup>[...] <sup>2</sup> and others concerned with the health of employed persons or of persons seeking or training for employment can be kept informed of, and adequately advised on, matters of which they ought respectively to take cognisance concerning the safeguarding and improvement of the health of those persons;
- (b) giving to employed persons and persons seeking or training for employment information and advice on health in relation to employment and training for employment;
- (c) other purposes of the Secretary of State's functions relating to employment.

(2) The authority responsible for maintaining the said service shall be the Secretary of State; but if arrangements are made by the Secretary of State for that responsibility to be discharged on his behalf by [the Health and Safety Executive]<sup>1</sup> or some other body, then, while those arrangements operate, the body so discharging that responsibility (and not the Secretary of State) shall be the authority responsible for maintaining that service.

(3) The authority for the time being responsible for maintaining the said service may also for the purposes mentioned in subsection (1) above, and for the purpose of assisting employment medical advisers in the performance of their functions, investigate or assist in, arrange for or make payments in respect of the investigation of problems arising in connection with any such matters as are so mentioned or otherwise in connection with the functions of employment medical advisers, and for the purpose of investigating or assisting in the investigation of such problems may provide and maintain such laboratories and other services as appear to the authority to be requisite.

(4) Any arrangements made by the Secretary of State in pursuance of subsection (2) above may be terminated by him at any time, but without prejudice to the making of other arrangements at any

time in pursuance of that subsection (including arrangements which are to operate from the time when any previous arrangements so made cease to operate).

[ (5) Without prejudice to section 12, it shall be the duty of the Health and Safety Executive, if so directed by the Secretary of State, to enter into arrangements with him for the Executive to be responsible for maintaining the said service. ]<sup>3</sup>

(6) In subsection (1) above—

(a) the reference to persons training for employment shall include persons attending industrial rehabilitation courses provided by virtue of the Employment and Training Act 1973; and

(b) the reference to persons (other than the Secretary of State and [ the Health and Safety Executive ]<sup>4</sup>) concerned with the health of employed persons or of persons seeking or training for employment shall be taken to include organisations representing employers, employees and occupational health practitioners respectively.

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### Notes

- <sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.18(2) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>2</sup> Words repealed by virtue of Employment Act 1988 (c.19), s. 33(1), Sch. 3 Pt. II para. 7(a) and Employment Act 1989 (c.38), s. 29(3)(4), Sch. 6 para. 11(2), Sch. 7 Pt. I
- <sup>3</sup> Substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.18(3) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)
- <sup>4</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.18(4) (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)

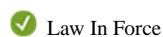
### Commencement

Pt II s. 55: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt II s. 55-(6)(b): England, Wales, Scotland

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Law In Force

## 56.— Functions of authority responsible for maintaining the service.

(1) The authority for the time being responsible for maintaining the employment medical advisory service shall for the purpose of discharging that responsibility appoint persons to be employment medical advisers, and may for that purpose appoint such other officers and servants as it may determine, subject however to the requisite approval as to numbers, that is to say—

- (a) where that authority is the Secretary of State, the approval of the Minister for the Civil Service;
- (b) otherwise, the approval of the Secretary of State given with the consent of that Minister.

(2) A person shall not be qualified to be appointed, or to be, an employment medical adviser unless he is a fully registered medical practitioner [ who holds a licence to practise ]<sup>1</sup>.

(3) The authority for the time being responsible for maintaining the said service may determine the cases and circumstances in which the employment medical advisers or any of them are to perform the duties or exercise the powers conferred on employment medical advisers by or under this Act or otherwise.

(4) Where as a result of arrangements made in pursuance of section 55(2) the authority responsible for maintaining the said service changes, the change shall not invalidate any appointment previously made under subsection (1) above, and any such appointment subsisting when the change occurs shall thereafter have effect as if made by the new authority.

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#### Notes

- <sup>1</sup> Words added by Medical Act 1983 (Amendment) Order 2002/3135 Sch.1(I) para.7(1) (November 16, 2009 as specified on page 14478 and 14479 of the London Gazette dated August 21, 2009)

#### Commencement

Pt II s. 56: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Pt II s. 56-(4): England, Wales, Scotland

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Law In Force

### 57.— Fees.

(1) The Secretary of State may by regulations provide for such fees as may be fixed by or determined under the regulations to be payable for or in connection with the performance by the authority responsible for maintaining the employment medical advisory service of any function conferred for the purposes of that service on that authority by virtue of this Part or otherwise.

(2) For the purposes of this section, the performance by an employment medical adviser of his functions shall be treated as the performance by the authority responsible for maintaining the said service of functions conferred on that authority as mentioned in the preceding subsection.

(3) The provisions of subsections (4), (5) and (8) of section 43 shall apply in relation to regulations under this section with the modification that references to subsection (2) of that section shall be read as references to subsection (1) of this section.

(4) Where an authority other than the Secretary of State is responsible for maintaining the said service, the Secretary of State shall consult that authority before making any regulations under this section.

<sup>1 2</sup>

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#### Notes

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)  
<sup>2</sup> S.57 applied by S.I. 1989/840, arts. 2–10

#### Commencement

Pt II s. 57: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt II s. 57-(4): England, Wales, Scotland

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✓ Law In Force

**58.— Other financial provisions.**

(1) The authority for the time being responsible for maintaining the employment medical advisory service may pay—

- (a) to employment medical advisers such salaries or such fees and travelling or other allowances; and
- (b) to other persons called upon to give advice in connection with the execution of the authority's functions under this Part such travelling or other allowances or compensation for loss of remunerative time; and
- (c) to persons attending for medical examinations conducted by, or in accordance with arrangements made by, employment medical advisers (including pathological, physiological and radiological tests and similar investigations so conducted) such travelling or subsistence allowances or such compensation for loss of earnings,

as the authority may, with the requisite approval, determine.

(2) For the purposes of the preceding subsection the requisite approval is—

- (a) where the said authority is the Secretary of State, the approval of the Minister for the Civil Service;
- (b) otherwise, the approval of the Secretary of State given with the consent of that Minister.

(3) Where an authority other than the Secretary of State is responsible for maintaining the said service, it shall be the duty of the Secretary of State to pay to that authority such sums as are approved by the Treasury and as he considers appropriate for the purpose of enabling the authority to discharge that responsibility.

<sup>1 2</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> S.58 applied by S.I. 1989/840, arts. 2–10

**Commencement**

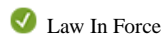
Pt II s. 58: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt II s. 58-(3): England, Wales, Scotland

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**59.— Duty of responsible authority to keep accounts and to report.**

(1) It shall be the duty of the authority for the time being responsible for maintaining the employment medical advisory service—

- (a) to keep, in relation to the maintenance of that service, proper accounts and proper records in relation to the accounts;
- (b) to prepare in respect of each accounting year a statement of accounts relating to the maintenance of that service in such form as the Secretary of State may direct with the approval of the Treasury; and
- (c) to send copies of the statement to the Secretary of State and the Comptroller and Auditor General before the end of the month of November next following the accounting year to which the statement relates.

(2) The Comptroller and Auditor General shall examine, certify and report on each statement received by him in pursuance of subsection (1) above and shall lay copies of each statement and of his report before each House of Parliament.

(3) It shall also be the duty of the authority responsible for maintaining the employment medical advisory service to make to the Secretary of State, as soon as possible after the end of each accounting year, a report on the discharge of its responsibilities in relation to that service during that year; and the Secretary of State shall lay before each House of Parliament a copy of each report made to him in pursuance of this subsection.

(4) Where as a result of arrangements made in pursuance of section 55(2) the authority responsible for maintaining the employment medical advisory service changes, the change shall not affect any duty imposed by this section on the body which was responsible for maintaining that service before the change.

(5) No duty imposed on the authority for the time being responsible for maintaining the employment medical advisory service by subsection (1) or (3) above shall fall on [ the Executive ]<sup>1</sup> (which is subject to corresponding duties under Schedule 2) or on the Secretary of State.

(6) In this section “accounting year” means, except so far as the Secretary of State otherwise directs, the period of twelve months ending with 31st March in any year.

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**Notes**

<sup>1</sup> Words substituted subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11 by Legislative Reform (Health and Safety Executive) Order 2008/960 art.19 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 para.11)

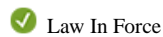
**Commencement**

Pt II s. 59: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Pt II s. 59-(6): England, Wales, Scotland

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**60.— Supplementary.**

(1) It shall be the duty of the Secretary of State to secure that [ [ NHS England ]<sup>2</sup> or each [ integrated care board ]<sup>3</sup> (in relation to England) and each Local Health Board (in relation to Wales) ]<sup>1</sup> [ arranges for ]<sup>4</sup> a fully registered medical practitioner [ who holds a licence to practise ]<sup>5</sup> to furnish, on the application of an employment medical adviser, such particulars of the school medical record of a person who has not attained the age of eighteen and such other information relating to his medical history as the adviser may reasonably require for the efficient performance of his functions; but no particulars or information about any person which may be furnished to an adviser in pursuance of this subsection shall (without the consent of that person) be disclosed by the adviser otherwise than for the efficient performance of his functions.

(2) In its application to Scotland the preceding subsection shall have effect with the substitution of the words “every Health Board arrange [...]”<sup>6</sup> for the words from [ “the National” to “arranges” ]<sup>7</sup>.

(3) [...]”<sup>8</sup>

(4) References to the chief employment medical adviser or a deputy chief employment medical adviser in any provision of an enactment or instrument made under an enactment shall be read as references to a person appointed for the purposes of that provision by the authority responsible for maintaining the employment medical advisory service.

(5) The following provisions of the Employment Medical Advisory Service Act 1972 (which are superseded by the preceding provisions of this Part or rendered unnecessary by provisions contained in Part I), namely sections 1 and 6 and Schedule 1, shall cease to have effect; but—

(a) in so far as anything done under or by virtue of the said section 1 or Schedule 1 could have been done under or by virtue of a corresponding provision of Part I or this Part, it shall not be invalidated by the repeal of that section and Schedule by this Act but shall have effect as if done under or by virtue of that corresponding provision; and

(b) any order made under the said section 6 which is in force immediately before the repeal of that section by this Act shall remain in force notwithstanding that repeal, but may be revoked or varied by regulations under section 43(2) or 57, as if it were an instrument containing regulations made under section 43(2) or 57, as the case may require.

(6) Where any Act (whether passed before, or in the same Session as, this Act) or any document refers, either expressly or by implication, to or to any enactment contained in any of the provisions of the said Act of 1972 which are mentioned in the preceding subsection, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.

(7) Nothing in subsection (5) or (6) above shall be taken as prejudicing the operation of [ sections 16(1) and 17(2)(a) of the Interpretation Act 1978 ]<sup>9</sup> (which relates to the effect of repeals).

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**Notes**

<sup>1</sup> Words substituted by Health and Social Care Act 2012 c. 7 Sch.5 para.19(2) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)

<sup>2</sup> Words substituted by Health and Care Act 2022 c. 31 Sch.1 para.1(1) (July 1, 2022)

<sup>3</sup> Words substituted by Health and Care Act 2022 c. 31 Sch.4 para.12 (July 1, 2022)

<sup>4</sup> Words substituted by Health Authorities Act 1995 c. 17 Sch.1(III) para.99 (June 28, 1995 as specified in 1995 c.17 s.8(1); April 1, 1996 otherwise)

- <sup>5</sup> Words inserted by Medical Act 1983 (Amendment) Order 2002/3135 Sch.1(I) para.7(2) (November 16, 2009 as specified on page 14478 and 14479 of the London Gazette dated August 21, 2009)
- <sup>6</sup> Words repealed by Health and Social Care Act 2012 c. 7 Sch.5 para.19(3)(a) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
- <sup>7</sup> Words substituted by Health and Social Care Act 2012 c. 7 Sch.5 para.19(3)(b) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
- <sup>8</sup> Repealed by Statute Law (Repeals) Act 1986 (c.12), s. 1(1), Sch. 1 Pt. XIII
- <sup>9</sup> Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 25(2)

### Commencement

Pt II s. 60: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

### Extent

Pt II s. 60-(7): England, Wales, Scotland

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## Part III

### Building Regulations, and Amendment of Building (Scotland) Act 1959

 Repealed

**61.— [...]**<sup>1</sup>  
<sup>2</sup>

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#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

 Repealed

**62.— [...]**<sup>1</sup>  
<sup>2</sup>

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#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

 Repealed

**63.— Miscellaneous provisions as to the approval of plans.**

(1) [...]<sup>1</sup>

(2) [...]¹

(3) [...]¹

(4) [...]¹

(5) [...]²

(6) [...]²

(7) [...]²

³

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#### Notes

¹ Repealed by Local Government (Miscellaneous Provisions) Act 1982 (c.30), s. 47, Sch. 7 Pt. XVI

² Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

³ Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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Repealed

**64.—** [...]¹

²

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#### Notes

¹ Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

² Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---



Repealed

**65.—** [...]¹

²

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#### Notes

¹ Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

² Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---



Repealed

**66.—** [...]¹

²

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#### Notes

¹ Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

² Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

 Repealed

**67.— [...]**<sup>1</sup>  
2

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#### Notes

<sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

 Repealed

**68.— [...]**<sup>1</sup>  
2

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#### Notes

<sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

 Repealed

**69.— [...]**<sup>1</sup>  
2

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#### Notes

<sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

 Repealed

**70.— [...]**<sup>1</sup>  
2

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#### Notes

<sup>1</sup> Repealed by Building Act 1984 (c.55), ss. 132, 133(2), Sch. 5 para. 5, Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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 Repealed

**71.— [...]**<sup>1</sup>  
2

---

#### Notes

<sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

 Repealed

**72.— [...]**<sup>1</sup>  
<sup>2</sup>

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#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

 Repealed

**73.— [...]**<sup>1</sup>  
<sup>2</sup>

---

#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

 Repealed

**74.— [...]**<sup>1</sup>  
<sup>2</sup>

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#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

 Repealed

**75. [...]**<sup>1</sup>  
<sup>2</sup>

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#### Notes

- <sup>1</sup> Provides for amendments of Building (Scotland) Act 1959 (c.24) specified in Sch. 7 and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

 Repealed

**76.— [...]**<sup>1</sup>  
<sup>2</sup>

---

#### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

---

## Part IV

### Miscellaneous and General

 Repealed

**77.— [...]**<sup>1</sup>

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#### Notes

<sup>1</sup> Repealed by Health Protection Agency Act 2004 c. 17 Sch.4 para.1 (April 1, 2005)

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The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:  
[Scotland](#) | [England and Wales](#)

 Repealed

Scotland

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**78.— [...]**<sup>1</sup>

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#### Notes

<sup>1</sup> Repealed in relation to England and Wales by Regulatory Reform (Fire Safety) Order SI 2005/1541 sch4 (October 1, 2006) and in relation to Scotland by Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006/475 (Scottish SI) Sch.2 para.1 (October 1, 2006)

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England and Wales

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**[...]**<sup>1</sup>

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#### Notes

<sup>1</sup> Repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)

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 Repealed

**79. [...]**<sup>1</sup>  
2


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#### Notes

<sup>1</sup> Repealed by Companies Consolidation (Consequential Provisions) Act 1985 (c.9), s. 29, Sch. 1

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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 Law In Force

#### **80.— General power to repeal or modify Acts and instruments.**

(1) Regulations made under this subsection may repeal or modify any provision to which this subsection applies if it appears to the authority making the regulations that the repeal or, as the case may be, the modification of that provision is expedient in consequence of or in connection with any provision made by or under Part I.

(2) Subsection (1) above applies to any provision, not being among the relevant statutory provisions, which—

(a) is contained in this Act or in any other Act passed before or in the same Session as this Act; or

(b) is contained in any regulations, order or other instrument of a legislative character which was made under an Act before the passing of this Act; or

(c) applies, excludes or for any other purpose refers to any of the relevant statutory provisions and is contained in any Act not falling within paragraph (a) above or in any regulations, order or other instrument of a legislative character which is made under an Act but does not fall within paragraph (b) above.

[ (2A) Subsection (1) above shall apply to provisions in [ the Employment Rights Act 1996 or the Trade Union and Labour Relations (Consolidation) Act 1992 which derive from provisions of the Employment Protection (Consolidation) Act 1978 which re-enacted ]<sup>2</sup> provisions previously contained in the Redundancy Payments Act 1965, the Contracts of Employment Act 1972 or the Trade Union and Labour Relations Act 1974 as it applies to provisions contained in Acts passed before or in the same Session as this Act. ]<sup>1</sup>

(3) Without prejudice to the generality of subsection (1) above, the modifications which may be made by regulations thereunder include modifications relating to the enforcement of provisions to which this section applies (including the appointment of persons for the purpose of such enforcement, and the powers of persons so appointed).

[ (4) The power to make regulations under subsection (1) above shall be exercisable by the Secretary of State [...]<sup>4</sup> ; but the authority who is to exercise the power shall, before exercising it, consult such bodies as appear to him to be appropriate.

(5) In this section “the relevant statutory provisions” has the same meaning as in Part I. ]<sup>3</sup>

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#### Notes

<sup>1</sup> S. 80(2A) inserted by Employment Protection (Consolidation) Act 1978 (c. 44), Sch. 16 para. 17

<sup>2</sup> Words substituted by Employment Rights Act 1996 c. 18 Sch.1 para.5 (August 22, 1996)

<sup>3</sup> S. 80(4)(5) substituted for S. 80(4)&ndash;(6) by Employment Protection Act 1975 (c. 71), Sch. 15 para. 19

<sup>4</sup> Words repealed by Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002/794 Sch.2 para.1 (March 27, 2002)

### Commencement

Pt IV s. 80: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Pt IV s. 80-(5): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

✓ Law In Force

## 81. Expenses and receipts.

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred by a Minister of the Crown or government department for the purposes of this Act; and
- (b) any increase attributable to the provisions of this Act in the sums payable under any other Act out of money so provided;

and any sums received by a Minister of the Crown or government department by virtue of this Act shall be paid into the Consolidated Fund.

12

### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> S.81 applied by S.I. 1989/840, arts. 2–10

### Commencement

Pt IV s. 81: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Pt IV s. 81-(b): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

✓ Law In Force

## 82.— General provisions as to interpretation and regulations.

(1) In this Act—

- (a) “Act” includes a provisional order confirmed by an Act;
- (b) “contravention” includes failure to comply, and “contravene” has a corresponding meaning;
- (c) “modifications” includes additions, omissions and amendments, and related expressions shall be construed accordingly;

(d) any reference to a Part, section or Schedule not otherwise identified is a reference to that Part or section of, or Schedule to, this Act.

(2) Except in so far as the context otherwise requires, any reference in this Act to an enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment, including this Act.

(3) Any power conferred by Part I or II or this Part to make regulations—

(a) includes power to make different provision by the regulations for different circumstances or cases and to include in the regulations such incidental, supplemental and transitional provisions as the authority making the regulations considers appropriate in connection with the regulations; and

(b) shall be exercisable by statutory instrument, which [ (unless [ subsection (3A), (3B) or (4) ]<sup>2</sup> applies) ]<sup>1</sup> shall be subject to annulment in pursuance of a resolution of either House of Parliament.

[ (3A) In the case of a statutory instrument which also contains regulations under section 74 of the Energy Act 2013 (nuclear regulations), subsection (3) is subject to section 113 of that Act (subordinate legislation). ]<sup>3</sup>

[ (3B) Regulations under section 3(2) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament. ]<sup>4</sup>

[ (4) The first regulations under section 43A(1) shall not be made unless a draft has been laid before and approved by resolution of each House of Parliament. ]<sup>5</sup>

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#### Notes

<sup>1</sup> Words inserted by Railways and Transport Safety Act 2003 c. 20 Pt 6 s.105(3)(a) (September 10, 2003)

<sup>2</sup> Words substituted by Deregulation Act 2015 c. 20 s.1(5)(a) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)

<sup>3</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.13(3) (April 1, 2014)

<sup>4</sup> Added by Deregulation Act 2015 c. 20 s.1(5)(b) (March 26, 2015 so far as is necessary for enabling the exercise on or after that day of any power to make provision by an order or regulations made by statutory instrument; October 1, 2015 otherwise)

<sup>5</sup> Added by Railways and Transport Safety Act 2003 c. 20 Pt 6 s.105(3)(b) (September 10, 2003)

#### Commencement

Pt IV s. 82: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt IV s. 82-(3)(b): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

Pt IV s. 82(3A)-(4): United Kingdom

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 Partially In Force

### 83.

(1) [...] <sup>1</sup>

(2) [...] <sup>2</sup>  
<sup>3</sup>

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#### Notes

- <sup>1</sup> Provides for amendments of enactments mentioned in Sch. 9  
<sup>2</sup> Repeals enactments mentioned in Sch. 10  
<sup>3</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)


#### Commencement

Pt IV s. 83: October 1, 1974 for provisions specified in SI 1974/1439 art.2 Sch.1; January 1, 1975 for provisions specified in SI 1974/1439 art.2 Sch.2; not yet in force otherwise (SI 1974/1439 art. 2)

#### Extent

Pt IV s. 83(1)-(2): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

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 Law In Force

### 84.— Extent, and application of Act.

(1) This Act, except—

- (a) Part I and this Part so far as may be necessary to enable regulations under section 15[...] <sup>1</sup> to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3; and
- (b) [...] <sup>2</sup> paragraph 3 of Schedule 9,

does not extend to Northern Ireland.

(2) Part III, except section 75 and Schedule 7, does not extend to Scotland.

(3) Her Majesty may by Order in Council provide that the provisions of Parts I and II and this Part shall, to such extent and for such purposes as may be specified in the Order, apply (with or without modification) to or in relation to persons, premises, work, articles, substances and other matters (of whatever kind) outside Great Britain as those provisions apply within Great Britain or within a part of Great Britain so specified.

For the purposes of this subsection “premises”, “work” and “substance” have the same meanings as they have for the purposes of Part I.

(4) An Order in Council under subsection (3) above—

- (a) may make different provision for different circumstances or cases;
- (b) may (notwithstanding that this may affect individuals or bodies corporate outside the United Kingdom) provide for any of the provisions mentioned in that subsection, as applied by such an Order, to apply to individuals whether or not they are British subjects and to bodies corporate whether or not they are incorporated under the law of any part of the United Kingdom;

(c) may make provision for conferring jurisdiction on any court or class of courts specified in the Order with respect to offences under Part I committed outside Great Britain or with respect to causes of action arising by virtue of section 47(2) in respect of acts or omissions taking place outside Great Britain, and for the determination, in accordance with the law in force in such part of Great Britain as may be specified in the Order, of questions arising out of such acts or omissions;

(d) may exclude from the operation of section 3 of the Territorial Waters Jurisdiction Act 1878 (consents required for prosecutions) proceedings for offences under any provision of Part I committed outside Great Britain;

(e) may be varied or revoked by a subsequent Order in Council under this section;

and any such Order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) [...] <sup>3</sup>

(6) Any jurisdiction conferred on any court under this section shall be without prejudice to any jurisdiction exercisable apart from this section by that or any other court.

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#### Notes

<sup>1</sup> Words repealed by Employment Protection Act 1975 (c. 71), Sch. 18

<sup>2</sup> Words repealed by House of Commons Disqualification Act 1975 (c. 24), Sch. 3

<sup>3</sup> Repealed by Offshore Safety Act 1992 c. 15 Sch.2 para.1 (March 6, 1992 except for repeals specified in 1992 c.15 s.7(3)(c); November 30, 1993 for repeal specified in SI 1993/2406 art.2(b); March 1, 1996 otherwise, for repeal specified in SI 1996/487 art.2)

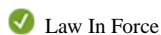
#### Commencement

Pt IV s. 84: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Pt IV s. 84-(6): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

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### 85.— Short title and commencement.

(1) This Act may be cited as the Health and Safety at Work etc. Act 1974.

(2) This Act shall come into operation on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed under this subsection for different purposes.

(3) An order under this section may contain such transitional provisions and savings as appear to the Secretary of State to be necessary or expedient in connection with the provisions thereby brought into force, including such adaptations of those provisions or any provision of this Act then in force as appear to him to be necessary or expedient in consequence of the partial operation of this Act (whether before or after the day appointed by the order).

12

**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

<sup>2</sup> Power of appointment conferred by section 85 partly exercised: S.I. 1974/1439, 1975/344, 1364, 1977/294, 1980/208, 269


**Commencement**

Pt IV s. 85: July 31, 1974

**Extent**

Pt IV s. 85(1)-(3): United Kingdom (extends to Northern Ireland only so far as may be necessary to enable regulations under section 15 or 30 to be made and operate for the purpose mentioned in paragraph 2 of Schedule 3)

**SCHEDULE 1****Existing Enactments which are Relevant Statutory Provisions****Sections 1 and 53.**

 Law In Force With Amendments Pending

Chapter	Short title	Provisions which are relevant statutory provisions
1875 c. 17.	The Explosives Act 1875.	The whole Act except sections 30 to 32, 80 and 116 to 121.
1882 c. 22.	The Boiler Explosions Act 1882.	The whole Act.
1890 c. 35.	The Boiler Explosions Act 1890.	The whole Act.
1906 c. 14.	The Alkali, &c. Works Regulation Act 1906.	The whole Act.
1909 c. 43.	The Revenue Act 1909.	Section 11.
[...]	...	...] <sup>1</sup>
1920 c. 65.	The Employment of Women, Young Persons and Children Act 1920.	The whole Act.
[...]	...	...] <sup>2</sup>
[...]	...	...] <sup>3</sup>
1926 c. 43.	The Public Health (Smoke Abatement) Act 1926.	The whole Act.
1928 c. 32.	The Petroleum (Consolidation) Act 1928.	The whole Act.
1936 c. 22.	The Hours of Employment (Conventions) Act 1936.	The whole Act except section 5.
1936 c. 27.	The Petroleum (Transfer of Licences) Act 1936.	The whole Act.
1937 c. 45.	The Hydrogen Cyanide (Fumigation) Act 1937.	The whole Act.
1945 c. 19.	The Ministry of Fuel and Power Act 1945.	Section 1(1) so far as it relates to maintaining and improving the safety, health and welfare

		of persons employed in or about mines and quarries in Great Britain.
1946 c. 59.	The Coal Industry Nationalisation Act 1946.	Section 42(1) and (2).
1948 c. 37.	The Radioactive Substances Act 1948.	Section 5(1)(a).
1951 c. 21.	The Alkali, &c. Works Regulation (Scotland) Act 1951.	The whole Act.
[...]	...	...] <sup>3</sup>
1952 c. 60	The Agriculture (Poisonous Substances) Act 1952.	The whole Act.
[...]	...	...] <sup>3</sup>
[...] <sup>4</sup>		
1954 c. 70	The Mines and Quarries Act 1954.	The whole Act except section 151.
1956 c. 49.	The Agriculture (Safety, Health and Welfare Provisions) Act 1956.	The whole Act.
1961 c. 34.	The Factories Act 1961.	The whole Act except section 135.
1961 c. 64.	The Public Health Act 1961.	Section 73.
1962 c. 58.	The Pipe-Lines Act 1962.	Sections 20 to 26, 33, 34 and 42, Schedule 5.
1963 c. 41.	The Offices, Shops and Railway Premises Act 1963.	The whole Act.
[...]	...	...] <sup>5</sup>
[...]	...	...] <sup>6</sup>
1971 c. 20.	The Mines Management Act 1971.	The whole Act.
1972 c. 28.	The Employment Medical Advisory Service Act 1972.	The whole Act except sections 1 and 6 and Schedule 1.

## Notes

- <sup>1</sup> Entry repealed by Anthrax Prevention Order 1971 etc. (Revocation) Regulations 2005/228 reg.2(2) (April 6, 2005)
- <sup>2</sup> Entry repealed by Health and Safety (Miscellaneous Repeals, Revocations and Amendments) Regulations 2013/448 Sch.1 para.1 (April 6, 2013)
- <sup>3</sup> Entries repealed by Manufacture and Storage of Explosives Regulations 2005/1082 Sch.5(1) para.14 (April 26, 2005)
- <sup>4</sup> Entry relating to the Baking Industry (Hours of Work) Act 1954 repealed by Sex Discrimination Act 1986 (c.59), s. 9(2), Sch. Pt. III
- <sup>5</sup> Entry repealed by Energy Act 2013 c. 32 Sch.12(1) para.14 (April 1, 2014)
- <sup>6</sup> Entry repealed by Mines Regulations 2014/3248 Sch.3(1) para.1 (April 6, 2015: repeal has effect subject to transitional provisions specified in SI 2014/3248 regs 71 and 72)

## Amendments Pending

Sch. 1 para. 1: words repealed by Fireworks Act 2003 c. 22 Sch. 1 para. 1 (date to be appointed)

## Commencement

Sch. 1 para. 1: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

## Extent

Sch. 1 para. 1: England, Wales, Scotland



## SCHEDULE 2

### [Additional Provisions Relating to the Constitution etc. of the Health and Safety Executive]<sup>1</sup>

#### Section 10.

##### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

### *[ The Health and Safety Executive ]<sup>1</sup>*

##### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

✓ Law In Force

#### [ 1.

The Executive shall consist of—

- (a) the Chair of the Executive, and
- (b) at least seven and no more than [ twelve ]<sup>2</sup> other members (referred to in this Schedule as “members”).

]<sup>1</sup>

##### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- <sup>2</sup> Word substituted by Energy Act 2013 c. 32 Sch.12(1) para.15(2) (April 1, 2014)

##### Commencement

Sch. 2 para. 1: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

##### Extent

Sch. 2 para. 1-(b): England, Wales, Scotland

✓ Law In Force

**[ 2.—**

(1) The Secretary of State shall appoint the Chair of the Executive.

(2) [ Subject to sub-paragraph (3A), the ]<sup>2</sup> Secretary of State shall appoint the other members of the Executive according to sub-paragraph (3).

(3) The Secretary of State—

- (a) shall appoint three members after consulting such organisations representing employers as he considers appropriate;
- (b) shall appoint three members after consulting such organisations representing employees as he considers appropriate;
- (c) shall appoint one member after consulting such organisations representing local authorities as he considers appropriate; and
- (d) may appoint up to four other members after consulting, as he considers appropriate—
  - (i) the Scottish Ministers,
  - (ii) the Welsh Ministers, or
  - (iii) such organisations as he considers appropriate, including professional bodies, whose activities are concerned with matters relating to the general purposes of this Part [ , building safety, building standards or fire safety ]<sup>3</sup> .

[ (3A) The Office for Nuclear Regulation may appoint a member from among the non-executive members of the Office for Nuclear Regulation (“an ONR member”).

(3B) The Office for Nuclear Regulation must notify the Executive and the Secretary of State whenever it appoints an ONR member. ]<sup>4</sup>

(4) Service as the Chair or as another member of the Executive is not service in the civil service of the State.

(5) The Secretary of State, with the approval of the Chair, may appoint one of the other members appointed under sub-paragraph (2) to be the deputy chair of the Executive.

] <sup>1</sup>

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**Notes**

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(3) (April 1, 2014)

<sup>3</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.8(2) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

<sup>4</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.15(4) (April 1, 2014)

**Commencement**

Sch. 2 para. 2: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 2 para. 2-(5): England, Wales, Scotland

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✓ Law In Force

### 3.—

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

#### Commencement

Sch. 2 para. 3: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Sch. 2 para. 3-(2): England, Wales, Scotland

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✓ Law In Force

### 4.—

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

#### Commencement

Sch. 2 para. 4: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Sch. 2 para. 4-(2): England, Wales, Scotland

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### *[ Terms of Appointment of the Executive ]<sup>1</sup>*

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
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✓ Law In Force

**[ 3.**

Subject to [ paragraphs 4, 4A and 5 ]<sup>2</sup>, a person shall hold and vacate office as the Chair or as another member according to the terms of the instrument appointing him to that office.

]<sup>1</sup>

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**Notes**

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Word inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(5) (April 1, 2014)

**Extent**

Sch. 2 para. 3: England, Wales, Scotland

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✓ Law In Force

**[ 4.**

The Chair or any other member of the Executive [ , other than an ONR member, ]<sup>2</sup> may at any time resign his office by giving notice in writing to the Secretary of State.

]<sup>1</sup>

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**Notes**

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(6) (April 1, 2014)

**Extent**

Sch. 2 para. 4: England, Wales, Scotland

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✓ Law In Force

**[ 4A**

(1) An ONR member may at any time resign from office by giving notice in writing to the Office for Nuclear Regulation.

(2) An ONR member ceases to be a member of the Executive upon ceasing to be a non-executive member of the Office for Nuclear Regulation.

(3) The Office for Nuclear Regulation may remove an ONR member from office by giving notice in writing.

(4) The Office for Nuclear Regulation must notify the Executive and the Secretary of State whenever an ONR member—

- (a) resigns from office,
- (b) ceases to be a non-executive member of the Office for Nuclear Regulation, or
- (c) is removed from office.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.15(7) (April 1, 2014)

#### Extent

Sch. 2 para. 4A(1)-(4)(c): England, Wales, Scotland

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 Law In Force

[ 5.

The Secretary of State may remove a Chair or other member [ , other than an ONR member, ] <sup>2</sup> who—

- (a) has been absent from meetings of the Executive for a period longer than six months without the permission of the Executive;
- (b) has become bankrupt or [ has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him or ] <sup>3</sup> has made an arrangement with his creditors;
- (c) in Scotland, has had his estate sequestrated or has made a trust deed for creditors or a composition contract;
- (d) has become incapacitated by physical or mental illness; or
- (e) is otherwise, in the opinion of the Secretary of State, unable or unfit to carry out his functions.

] <sup>1</sup>

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#### Notes

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(8) (April 1, 2014)

<sup>3</sup> Words inserted by Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012/2404 Sch.2 para.6 (October 1, 2012: insertion has effect subject to transitional provisions specified in SI 2012/2404 art.5)

#### Commencement

Sch. 2 para. 5: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Sch. 2 para. 5-(e): England, Wales, Scotland

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✓ Law In Force

## 6.

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

### Commencement

Sch. 2 para. 6: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 2 para. 6: England, Wales, Scotland

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✓ Law In Force

## 7.

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

### Commencement

Sch. 2 para. 7: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 2 para. 7: England, Wales, Scotland

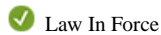
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## *[ Remuneration of Members ]<sup>1</sup>*

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### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
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## [ 6.—

(1) [ The Executive shall pay—

(a) to each member, other than an ONR member, such remuneration, and

(b) to each member such travelling and other allowances,

as may be determined by the Secretary of State. ]<sup>2</sup>

(2) The Executive shall pay to, or in respect of, any member [ other than an ONR member ]<sup>3</sup> , such sums by way of pension, superannuation allowances and gratuities as the Secretary of State may determine.

(3) Where a person ceases to be a member [ other than an ONR member ]<sup>4</sup> otherwise than on the expiry of his term of office, and the Secretary of State determines that there are special circumstances which make it right that he should receive compensation, the Executive shall pay to him such amount by way of compensation as the Secretary of State may determine.

[ (4) Where—

(a) a member appointed under paragraph 4(4)(a) of Schedule 7 to the Energy Act 2013 to be a member of the Office for Nuclear Regulation (the “HSE member of the ONR”)—

(i) ceases to be the HSE member of the ONR otherwise than on the expiry of his or her term of office as HSE member of the ONR, but

(ii) does not cease to be a member of the Executive, and

(b) it appears to the Executive that there are special circumstances that make it right for that person to receive compensation,

the Executive may pay the member such amount by way of compensation as the Secretary of State may determine.

] <sup>5</sup>

] <sup>1</sup>

### Notes

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Sch.2 para.5(1)(a) and (b) substituted for words by Energy Act 2013 c. 32 Sch.12(1) para.15(10) (April 1, 2014)

<sup>3</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(11) (April 1, 2014)

<sup>4</sup> Words inserted by Energy Act 2013 c. 32 Sch.12(1) para.15(12) (April 1, 2014)

<sup>5</sup> Added by Energy Act 2013 c. 32 Sch.12(1) para.15(13) (March 10, 2014)

### Extent

Sch. 2 para. 6(1)-(4)(b): England, Wales, Scotland



## 8.

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>



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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)


**Commencement**

Sch. 2 para. 8: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 2 para. 8: England, Wales, Scotland

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 Law In Force

**9.**

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

**Commencement**

Sch. 2 para. 9: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 2 para. 9: England, Wales, Scotland


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*[ Proceedings of the Executive ]<sup>1</sup>*

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
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 Law In Force

**[ 7.—**

(1) The Executive may regulate its own procedure.

(2) The validity of any proceedings of the Executive shall not be affected by any vacancy among the members or by any defect in the appointment of a member.

(3) The Executive shall consult with the Secretary of State before making or revising its rules and procedures for dealing with conflicts of interest.

(4) The Executive shall from time to time publish a summary of its rules and procedures.

] <sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

#### Extent

Sch. 2 para. 7(1)-(4): England, Wales, Scotland

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 Law In Force

#### 10.

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ] <sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)


#### Commencement

Sch. 2 para. 10: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

#### Extent

Sch. 2 para. 10: England, Wales, Scotland

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 Law In Force

#### 11.

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ] <sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)


**Commencement**

Sch. 2 para. 11: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Sch. 2 para. 11: England, Wales, Scotland

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 Law In Force

**12.**

[ Existing Sch.2 is not repealed but has been substituted for a new Sch.2 consisting of paras 1–12. ]<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

**Commencement**

Sch. 2 para. 12: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Sch. 2 para. 12: England, Wales, Scotland


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*[ Staff ]*<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Law In Force

**[ 8.—**

- (1) The Executive shall, with the consent of the Secretary of State, appoint a person to act as Chief Executive on such terms and conditions as the Secretary of State may determine.
- (2) The Executive shall appoint such other staff to the service of the Executive as it may determine, with the consent of the Secretary of State as to numbers of persons appointed and as to the terms and conditions of their service.
- (3) The Executive shall pay to the Minister for the Civil Service at such times as that Minister may direct, such sums as the Minister may determine in respect of any increase attributable to this

paragraph in the sums payable out of monies provided by Parliament under the Superannuation Act 1972.

(4) A person appointed to the staff of the Executive may not at the same time be a member of the Executive.

(5) Service as a member of staff of the Executive is service in the civil service of the State.

] <sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

#### Extent

Sch. 2 para. 8(1)-(5): England, Wales, Scotland

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 Repealed

### 13. [...] <sup>1</sup>

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

### *[ Performance of functions ] <sup>1</sup>*

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#### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Law In Force

### [ 9.—

(1) Subject to sub-paragraphs (2) to (4), anything authorised or required to be done by the Executive (including exercising the powers under this paragraph) may be done by—

- (a) such members of the Executive or members of staff of the Executive as the Executive considers fit to authorise for that purpose, whether generally or specifically; or
- (b) any committee of the Executive which has been so authorised.

(2) Sub-paragraph (1)(b) does not apply to a committee whose members include a person who is neither a member of the Executive nor a member of staff of the Executive.

(3) The Executive—

(a) shall authorise such of its members of staff as it considers fit to authorise for that purpose, to perform on its behalf those of its functions which consist of the enforcement of the relevant statutory provisions in any particular case; but

(b) shall not authorise any member or committee of the Executive to make decisions concerning the enforcement of the relevant statutory provisions [, or the building enactments, ]<sup>2</sup> in any particular case.

(4) The Executive shall not authorise any person to legislate by subordinate instrument.

(5) The Executive shall publish any authorisations which it makes under this paragraph.

] <sup>1</sup>

#### Notes

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

<sup>2</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.8(3) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

#### Extent

Sch. 2 para. 9(1)-(5): England, Wales, Scotland

 Repealed

**14.— [...]**<sup>1</sup>

#### Notes

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

 Repealed

**15. [...]**<sup>1</sup>


#### Notes

<sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

## [Accounts and Reports]<sup>1</sup>

### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

 Law In Force

### [ 10.—

(1) It shall be the duty of the Chief Executive—

- (a) to keep proper accounts and proper records in relation to the accounts;
- (b) to prepare in respect of each accounting year a statement of accounts in such form as the Secretary of State may direct with the approval of the Treasury; and
- (c) to send copies of the statement to the Secretary of State and the Comptroller and Auditor General before the end of November next following the accounting year to which the statement relates.

(2) The Comptroller and the Auditor General shall examine, certify and report on each statement referred to in sub-paragraph (1)(c) and shall lay copies of each statement and his report before each House of Parliament.

(3) As soon as possible after the end of the accounting year, the Executive shall make to the Secretary of State a report on the performance of the Executive's functions during the year.

(4) The Secretary of State shall lay the report referred to in sub-paragraph (3) before each House of Parliament.

(5) In this paragraph, “accounting year” means the period of 12 months ending with 31st March in any year; but the first accounting year of the Executive shall, if the Secretary of State so directs, be of such other period not exceeding 2 years as may be specified in the direction.

] <sup>1</sup>

### Notes

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

### Extent

Sch. 2 para. 10(1)-(5): England, Wales, Scotland

 Repealed

16. [...] <sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Repealed

**17. [...]¹**

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Repealed

**18. [...]¹**

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Repealed

**19. [...]¹**

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
- 

 Repealed

**20.— [...]¹**

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
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[ Supplemental ]<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)
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 Law In Force

**[ 11.**

The Secretary of State shall not make any determination or give his consent under paragraph 6 or 8 of this Schedule except with the approval of the Minister for the Civil Service.

**]**<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)

**Extent**

Sch. 2 para. 11: England, Wales, Scotland

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 Law In Force

**[ 12.—**

(1) The fixing of the common seal of the Executive shall be authenticated by the signature of the Chair or some other person authorised by the Executive to act for that purpose.

(2) A document purporting to be duly executed under the seal of the Executive [ or signed on its behalf ]<sup>2</sup> shall be received in evidence and shall be deemed to be so executed [ or signed ]<sup>3</sup> unless the contrary is proved.

(3) This paragraph does not apply to Scotland.

**]**<sup>1</sup>

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**Notes**

- <sup>1</sup> Existing Sch.2 is substituted for a new Sch.2 consisting of paras 1-12 subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11 by Legislative Reform (Health and Safety Executive) Order 2008/960 Sch.1 para.1 (April 1, 2008: substitution has effect subject to transitional provisions as specified in SI 2008/960 Sch.2 paras 2-4 and 11)


- <sup>2</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.8(4)(a) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)
- <sup>3</sup> Words inserted by Building Safety Act 2022 c. 30 Sch.1 para.8(4)(b) (June 28, 2022: 2022 c.30 Sch.1 came into force on April 28, 2022 as specified in 2022 c.30 s.170(2)(a) for the limited purpose of making regulations; June 28, 2022 as specified in SI 2022/561 reg.3(a) otherwise)

**Extent**

Sch. 2 para. 12(1)-(3): England, Wales, Scotland

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**SCHEDULE 3****Subject-Matter of Health and Safety Regulations****Section 15.**

 Law In Force

**1.—****(1) Regulating or prohibiting—**

- (a) the manufacture, supply or use of any plant;
- (b) the manufacture, supply, keeping or use of any substance;
- (c) the carrying on of any process or the carrying out of any operation.

(2) Imposing requirements with respect to the design, construction, guarding, siting, installation, commissioning, examination, repair, maintenance, alteration, adjustment, dismantling, testing or inspection of any plant.

(3) Imposing requirements with respect to the marking of any plant or of any articles used or designed for use as components in any plant, and in that connection regulating or restricting the use of specified markings.

(4) Imposing requirements with respect to the testing, labelling or examination of any substance.

(5) Imposing requirements with respect to the carrying out of research in connection with any activity mentioned in subparagraphs (1) to (4) above.

<sup>1</sup>

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**Notes**

- <sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 1: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 1-(5): United Kingdom

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✓ Law In Force

## 2.—

(1) Prohibiting the importation into the United Kingdom or the landing or unloading there of articles or substances of any specified description, whether absolutely or unless conditions imposed by or under the regulations are complied with.

(2) Specifying, in a case where an act or omission in relation to such an importation, landing or unloading as is mentioned in the preceding subparagraph constitutes an offence under a provision of this Act and of [ the Customs and Excise Acts 1979 ]<sup>1</sup>, the Act under which the offence is to be punished.

<sup>2</sup>

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### Notes

<sup>1</sup> Words substituted by Customs and Excise Management Act 1979 (c. 2), Sch. 4 para. 12 Table Pt. I

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 2: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 2-(2): United Kingdom

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✓ Law In Force

## 3.—

(1) Prohibiting or regulating the transport of articles or substances of any specified description.

(2) Imposing requirements with respect to the manner and means of transporting articles or substances of any specified description, including requirements with respect to the construction, testing and marking of containers and means of transport and the packaging and labelling of articles or substances in connection with their transport.

<sup>1</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 3: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 3-(2): United Kingdom

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✓ Law In Force

#### 4.—

(1) Prohibiting the carrying on of any specified activity or the doing of any specified thing except under the authority and in accordance with the terms and conditions of a licence, or except with the consent or approval of a specified authority.

(2) Providing for the grant, renewal, variation, transfer and revocation of licences (including the variation and revocation of conditions attached to licences).

<sup>1</sup>

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#### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

#### Commencement

Sch. 3 para. 4: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Sch. 3 para. 4-(2): United Kingdom

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✓ Law In Force

#### 5.

Requiring any person, premises or thing to be registered in any specified circumstances or as a condition of the carrying on of any specified activity or the doing of any specified thing.

<sup>1</sup>

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#### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

#### Commencement

Sch. 3 para. 5: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### Extent

Sch. 3 para. 5: United Kingdom

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✓ Law In Force

#### 6.—

(1) Requiring, in specified circumstances, the appointment (whether in a specified capacity or not) of persons (or persons with specified qualifications or experience, or both) to perform specified functions, and imposing duties or conferring powers on persons appointed (whether in pursuance of the regulations or not) to perform specified functions.

(2) Restricting the performance of specified functions to persons possessing specified qualifications or experience.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)


**Commencement**

Sch. 3 para. 6: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 6-(2): United Kingdom

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 Law In Force

**7.**

Regulating or prohibiting the employment in specified circumstances of all persons or any class of persons.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)


**Commencement**

Sch. 3 para. 7: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 7: United Kingdom

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 Law In Force

**8.—**

(1) Requiring the making of arrangements for securing the health of persons at work or other persons, including arrangements for medical examinations and health surveys.

(2) Requiring the making of arrangements for monitoring the atmospheric or other conditions in which persons work.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)


**Commencement**

Sch. 3 para. 8: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 8-(2): United Kingdom

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 Law In Force

**9.**

Imposing requirements with respect to any matter affecting the conditions in which persons work, including in particular such matters as the structural condition and stability of premises, the means of access to and egress from premises, cleanliness, temperature, lighting, ventilation, overcrowding, noise, vibrations, ionising and other radiations, dust and fumes.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 9: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 9: United Kingdom

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 Law In Force

**10.**

Securing the provision of specified welfare facilities for persons at work, including in particular such things as an adequate water supply, sanitary conveniences, washing and bathing facilities, ambulance and first-aid arrangements, cloakroom accommodation, sitting facilities and refreshment facilities.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 10: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 10: United Kingdom

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✓ Law In Force

## 11.

Imposing requirements with respect to the provision and use in specified circumstances of protective clothing or equipment, including clothing affording protection against the weather.

<sup>1</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 11: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 11: United Kingdom

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✓ Law In Force

## 12.

Requiring in specified circumstances the taking of specified precautions in connection with the risk of fire.

<sup>1</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 12: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 12: United Kingdom

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✓ Law In Force

## 13.—

(1) Prohibiting or imposing requirements in connection with the emission into the atmosphere of any specified gas, smoke or dust or any other specified substance whatsoever.

(2) Prohibiting or imposing requirements in connection with the emission of noise, vibrations or any ionising or other radiations.

(3) Imposing requirements with respect to the monitoring of any such emission as is mentioned in the preceding sub-paragraphs.

<sup>1</sup>



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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 13: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 13-(3): United Kingdom

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✓ Law In Force

**14.**

Imposing requirements with respect to the instruction, training and supervision of persons at work.  
<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 14: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 14: United Kingdom

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✓ Law In Force

**15.—**

(1) Requiring in specified circumstances, specified matters to be notified in a specified manner to specified persons.

(2) Empowering inspectors in specified circumstances to require persons to submit written particulars of measures proposed to be taken to achieve compliance with any of the relevant statutory provisions.  
<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 15: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 15-(2): United Kingdom

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✓ Law In Force

**16.**

Imposing requirements with respect to the keeping and preservation of records and other documents, including plans and maps.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 16: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 16: United Kingdom

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✓ Law In Force

**17.**

Imposing requirements with respect to the management of animals.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 17: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 17: United Kingdom

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✓ Law In Force

**18.**

The following purposes as regards premises of any specified description where persons work, namely—

- (a) requiring precautions to be taken against dangers to which the premises or persons therein are or may be exposed by reason of conditions (including natural conditions) existing in the vicinity;
- (b) securing that persons in the premises leave them in specified circumstances.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)


**Commencement**

Sch. 3 para. 18: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 18-(b): United Kingdom

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 Law In Force

**19.**

Conferring, in specified circumstances involving a risk of fire or explosion, power to search a person or any article which a person has with him for the purpose of ascertaining whether he has in his possession any article of a specified kind likely in those circumstances to cause a fire or explosion, and power to seize and dispose of any article of that kind found on such a search.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 19: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 19: United Kingdom

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 Law In Force

**20.**

Restricting, prohibiting or requiring the doing of any specified thing where any accident or other occurrence of a specified kind has occurred.

<sup>1</sup>

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**Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 3 para. 20: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

**Extent**

Sch. 3 para. 20: United Kingdom

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✓ Law In Force

## 21.

As regards cases of any specified class, being a class such that the variety in the circumstances of particular cases within it calls for the making of special provision for particular cases, any of the following purposes, namely—

- (a) conferring on employers or other persons power to make rules or give directions with respect to matters affecting health or safety;
- (b) requiring employers or other persons to make rules with respect to any such matters;
- (c) empowering specified persons to require employers or other persons either to make rules with respect to any such matters or to modify any such rules previously made by virtue of this paragraph; and
- (d) making admissible in evidence without further proof, in such circumstances and subject to such conditions as may be specified, documents which purport to be copies of rules or rules of any specified class made under this paragraph.

<sup>1</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 21: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 21-(d): United Kingdom

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✓ Law In Force

## 22.

Conferring on any local or public authority power to make byelaws with respect to any specified matter, specifying the authority or person by whom any byelaws made in the exercise of that power need to be confirmed, and generally providing for the procedure to be followed in connection with the making of any such byelaws.

<sup>1</sup>

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### Notes

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

### Commencement

Sch. 3 para. 22: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

### Extent

Sch. 3 para. 22: United Kingdom

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### *Interpretation*

✓ Law In Force

#### **23.—**

(1) In this Schedule “specified” means specified in health and safety regulations.

(2) It is hereby declared that the mention in this Schedule of a purpose that falls within any more general purpose mentioned therein is without prejudice to the generality of the more general purpose.

<sup>1</sup>

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#### **Notes**

<sup>1</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

#### **Commencement**

Sch. 3 para. 23: October 1, 1974 (SI 1974/1439 art. 2, Sch. 1 para. 1)

#### **Extent**

Sch. 3 para. 23-(2): United Kingdom

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## **[ SCHEDULE 3A**

### **OFFENCES: MODE OF TRIAL AND MAXIMUM PENALTY**

<sup>1</sup>

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#### **Notes**

<sup>1</sup> Added by Health and Safety (Offences) Act 2008 c. 20 Sch.1 para.1 (January 16, 2009)

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The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [England and Wales](#)

✓ Law In Force

Scotland

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## [ 1

The mode of trial and maximum penalty applicable to each offence listed in the first column of the following table are as set out opposite that offence in the subsequent columns of the table.

<i>Offence</i>	<i>Mode of trial</i>	<i>Penalty on summary conviction</i>	<i>Penalty on conviction on indictment</i>
An offence under section 33(1)(a) consisting of a failure to discharge a duty to which a person is subject by virtue of sections 2 to 6.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(a) consisting of a failure to discharge a duty to which a person is subject by virtue of section 7.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding the statutory maximum, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(b) consisting of a contravention of section 8.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(b) consisting of a contravention of section 9.	Summarily or on indictment.	A fine not exceeding £20,000.	A fine.
An offence under section 33(1)(c).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(d).	Summarily only.	A fine not exceeding level 5 on the standard scale.	
An offence under section 33(1)(e), (f) or (g).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(h).	Summarily only.	Imprisonment for a term not exceeding 51 weeks (in England and Wales) or 12 months (in Scotland), or a fine not exceeding level 5 on the standard scale, or both.	
An offence under section 33(1)(i).	Summarily or on indictment.	A fine not exceeding the statutory maximum.	A fine.
An offence under section 33(1)(j).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding the statutory maximum, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(k), (l) or (m).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(n).	Summarily only.	A fine not exceeding level 5 on the standard scale.	
An offence under section 33(1)(o).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under the existing statutory provisions for which no other penalty is specified.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine not exceeding £20,000, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.

] <sup>1</sup>**Notes**

<sup>1</sup> Added by Health and Safety (Offences) Act 2008 c. 20 Sch.1 para.1 (January 16, 2009)

England and Wales

**[ 1**

The mode of trial and maximum penalty applicable to each offence listed in the first column of the following table are as set out opposite that offence in the subsequent columns of the table.

<i>Offence</i>	<i>Mode of trial</i>	<i>Penalty on summary conviction</i>	<i>Penalty on conviction on indictment</i>
An offence under section 33(1)(a) consisting of a failure to discharge a duty to which a person is subject by virtue of sections 2 to 6.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(a) consisting of a failure to discharge a duty to which a person is subject by virtue of section 7.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a [ fine ] <sup>2</sup> , or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(b) consisting of a contravention of section 8.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(b) consisting of a contravention of section 9.	Summarily or on indictment.	A fine.	A fine.
An offence under section 33(1)(c).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(d).	Summarily only.	A [ fine ] <sup>3</sup> .	
An offence under section 33(1)(e), (f) or (g).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(h).	Summarily only.	Imprisonment for a term not exceeding 51 weeks (in England and Wales) or 12 months (in Scotland), or a [ fine ] <sup>3</sup> , or both.	
An offence under section 33(1)(i).	Summarily or on indictment.	A [ fine ] <sup>2</sup> .	A fine.
An offence under section 33(1)(j).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a [ fine ] <sup>2</sup> , or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(k), (l) or (m).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under section 33(1)(n).	Summarily only.	A [ fine ] <sup>3</sup> .	



<i>Offence</i>	<i>Mode of trial</i>	<i>Penalty on summary conviction</i>	<i>Penalty on conviction on indictment</i>
An offence under section 33(1)(o).	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.
An offence under the existing statutory provisions for which no other penalty is specified.	Summarily or on indictment.	Imprisonment for a term not exceeding 12 months, or a fine, or both.	Imprisonment for a term not exceeding two years, or a fine, or both.

] <sup>1</sup>**Notes**

- <sup>1</sup> Word substituted by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015/664 Sch.4(1) para.7(a) (March 12, 2015: substitution has effect subject to transitional provisions and savings specified in SI 2015/664 reg.5(1))
- <sup>2</sup> Words substituted by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015/664 Sch.4(1) para.7(b) (March 12, 2015: substitution has effect subject to transitional provisions and savings specified in SI 2015/664 reg.5(1))
- <sup>3</sup> Words substituted by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015/664 Sch.4(1) para.7(c) (March 12, 2015: substitution has effect subject to transitional provisions and savings specified in SI 2015/664 reg.5(1))

**Extent**

Sch. 3A para. 1: England, Wales, Scotland

 Law In Force
**[ 2**

- (1) This paragraph makes transitional modifications of the table as it applies to England and Wales.
- (2) In relation to an offence committed before [ 2 May 2022 ] <sup>2</sup>, a reference to imprisonment for a term not exceeding 12 months is to be read as a reference to imprisonment for a term not exceeding six months.
- (3) In relation to an offence committed before the commencement of section 281(5) of that Act (alteration of penalties for summary offences), a reference to imprisonment for a term not exceeding 51 weeks is to be read as a reference to imprisonment for a term not exceeding six months.

] <sup>1</sup>**Notes**

- <sup>1</sup> Added by Health and Safety (Offences) Act 2008 c. 20 Sch.1 para.1 (January 16, 2009)
- <sup>2</sup> Words substituted by Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022/500 Sch.1(1) para.1 (April 28, 2022)

**Extent**

Sch. 3A para. 2(1)-(3): England, Wales, Scotland

## SCHEDULE 4 Modifications of Part I in Connection with Agriculture [...]<sup>1</sup>

### Notes

- <sup>1</sup> Repealed by Employment Protection Act 1975 (c. 71), Sch. 18

## SCHEDULE 5 [...]<sup>1</sup>

### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

## SCHEDULE 6 [...]<sup>1</sup>

### Notes

- <sup>1</sup> Repealed by Building Act 1984 (c.55), s. 133(2), Sch. 7

## SCHEDULE 7

### Amendments of Building (Scotland) Act 1959

#### Section 75.

 Repealed

#### 1.

- (a) [...]<sup>1</sup>
- (b) [...]<sup>2</sup>
- (c) [...]<sup>3</sup>

4

### Notes

- <sup>1</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 3(2) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>2</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 3(3) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>3</sup> Adds s. 3(7) to Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>4</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

 Repealed

2.

(a) [...] <sup>1</sup>

(b) [...] <sup>2</sup>

(c) [...] <sup>3</sup>

4

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#### Notes

<sup>1</sup> Substitutes new s. 4(5)(5A) for s. 4(5) in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>2</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 4(6)(7) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>3</sup> Inserts s. 4(7A) in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>4</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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 Repealed

3. [...] <sup>1</sup>

2

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#### Notes

<sup>1</sup> Inserts s. 4B in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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 Repealed

4.

(a) [...] <sup>1</sup>

(b) [...] <sup>2</sup>

3

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#### Notes

<sup>1</sup> Inserts s. 6(3A) in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>2</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 6(10) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>3</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

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 Repealed

5.

(a) [...] <sup>1</sup>

- (b) [...]²  
 (c) [...]³  
 (d) [...]⁴

5

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**Notes**

- <sup>1</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 9(2) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>2</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 9(3) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>3</sup> Inserts s. 9(3A) in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>4</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 9(4) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>5</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 



Repealed

**6. [...]¹**

2

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**Notes**

- <sup>1</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 11(1)(b) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 



Repealed

**7. [...]¹**

2

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**Notes**

- <sup>1</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 19 and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 



Repealed

**8. [...]¹**

2

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**Notes**

- <sup>1</sup> Inserts s. 19A in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
-

 Repealed

9.

(a) [...] <sup>1</sup>

(b) [...] <sup>2</sup>

3

#### Notes

<sup>1</sup> Amends Building (Scotland) Act 1959 (c. 24), s. 26(1) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>2</sup> Inserts s. 26(2A)&ndash;(2F) in Building (Scotland) Act 1959 (c. 24) and repealed on May 1, 2005 by Building (Scotland) Act 2003 (asp.8), s. 58, Sch. 6 para. 9

<sup>3</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

## SCHEDULE 8

### Transitional Provisions with respect to Fire Certificates under Factories Act 1961 or Offices, Shops and Railway Premises Act 1963

#### Section 78.

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [England and Wales](#)

 Repealed

Scotland

1. [...] <sup>1</sup>

#### Notes

<sup>1</sup> Repealed in relation to England and Wales by Regulatory Reform (Fire Safety) Order SI 2005/1541 sch4 (October 1, 2006) and in relation to Scotland by Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006/475 (Scottish SI) Sch.2 para.1 (October 1, 2006)

England and Wales

[...] <sup>1</sup>

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**Notes**

- <sup>1</sup> Repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)
- 

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

[Scotland](#) | [England and Wales](#)



Repealed

Scotland

## 2.— [...]¹

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**Notes**

- <sup>1</sup> Repealed in relation to England and Wales by Regulatory Reform (Fire Safety) Order SI 2005/1541 sch4 (October 1, 2006) and in relation to Scotland by Fire (Scotland) Act 2005 (Consequential Modifications and Savings) Order 2006/475 (Scottish SI) Sch.2 para.1 (October 1, 2006)
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England and Wales

## [...]¹

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**Notes**

- <sup>1</sup> Repealed by Regulatory Reform (Fire Safety) Order 2005/1541 Sch.4 para.1 (October 1, 2006 as amended by SI 2006/484 art.2)
- 




Repealed

## 3. [...]¹

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**Notes**

- <sup>1</sup> Repealed by Statute Law (Repeals) Act 1993 c. 50 Sch.1(XVI) para.1 (November 5, 1993)
-

**SCHEDULE 9****Minor and Consequential Amendments****Section 83.***The Coroners (Amendment) Act 1926* Law In Force**1. [...]**<sup>1</sup>  
2

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**Notes**

- <sup>1</sup> Amends Coroners (Amendment) Act 1926 (c. 59), s. 13(2)(c)  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)

**Commencement**

Sch. 9 para. 1: January 1, 1975 (SI 1974/1439 art. 2, Sch. 2 para. 1)

**Extent**

Sch. 9 para. 1: England, Wales, Scotland

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*The House of Commons Disqualification Act 1957* Repealed**2. [...]**<sup>1</sup>  
2

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**Notes**

- <sup>1</sup> Repealed by House of Commons Disqualification Act 1975 (c. 24), s. 10, Sch. 3  
<sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

*The Parliamentary Commissioner Act 1967* Repealed**3. [...]**<sup>1</sup>  
2

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**Notes**

- <sup>1</sup> Repealed by Parliamentary and Health Service Commissioners Act 1987 (c.39), s. 10(2), Sch. 2
- <sup>2</sup> Act applied by S.I. 1990/13, reg. 11(5), S.I. 1988/778, reg. 11(1)
- 

**SCHEDULE 10 Repeals [...] <sup>1</sup>**

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**Notes**

- <sup>1</sup> Mentions enactments repealed by s. 83(2) Repealed in part by Building Act 1984 (c.55), s. 133(2), Sch. 7, Local Government Act 1985 (c.51), s. 102, Sch. 17; table entries repealed as specified in Sch. 7 to the Building Societies Act 1984 (c.54) on June 1, 1991
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## Modifications

Provision	Modification	Notes	Further Information
<b>Pt I</b>	Control of Substances Hazardous to Health Regulations 1994/3246, reg. 19	Modified in relation to the meaning of "work"	
	Control of Substances Hazardous to Health Regulations 1999/437, reg. 19	Modified in relation to the meaning of "work"	
	Control of Substances Hazardous to Health Regulations 2002/2677, reg. 19	Modified in relation to the meaning of "work"	
	Gas Act 1995 c. 45, Sch. 4 para. 10(1)	Modified in consequence of the provisions of 1995 c.45	
	Genetically Modified Organisms (Contained Use) Regulations 1992/3217, Pt I reg. 4	Modified in relation to the meaning of "work"	
	Health and Safety (Training for Employment) Regulations 1990/1380, reg. 3(a)	Modified in relation to the meaning of "work" for the protection for and duties of employees under the relevant statutory provisions as defined in 1974 c.37 to those who are provided with "relevant training"	
	Offshore Installations and Pipeline Works (First-Aid) Regulations 1989/1671, reg. 4(a)	Modified in relation to meaning of "work" and "at work" for offshore installations and pipeline works within the scope of SI 1989/840 and to premises and activities connected with those installations or works	
<b>Pt I s. 1(1)(c)</b>	Health and Safety at Work etc. Act 1974 (Application to Environmentally Hazardous Substances) Regulations 1996/2075, reg. 2(1)	Modified for the purposes only of enabling regulations under 1974 c.37 s.15 to be made to implement any obligation imposed by any of the Directives or to deal with any matter arising out of or related to any such obligation	
	Health and Safety at Work etc. Act 1974 (Application to Environmentally Hazardous Substances) Regulations 2002/282, reg. 3	Modified for the purposes only of enabling regulations under 1974 c.37 s.15 to be made to implement any obligation imposed by any of the Directives or to deal with any matter arising out of or related to any such obligation	
	Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) (No. 2) Regulations 1995/2075, reg. 2(1)	Modified for the purposes only of enabling regulations under 1974 c.37 s.15 to be made to implement any obligation imposed by any of the Directives or to deal with any matter arising out of or related to any such obligation	

<b>Pt I s. 2</b>	Genetically Modified Organisms (Contained Use) Regulations 2014/1663, Pt 1 reg. 4(2)	Modified in relation to contained use	
<b>Pt I s. 2(1)</b>	Genetically Modified Organisms (Contained Use) Regulations 2000/2831, Pt I reg. 5(1)	Modified in relation to an activity involving genetic modification	
<b>Pt I s. 2(2)</b>	Genetically Modified Organisms (Contained Use) Regulations 2000/2831, Pt I reg. 5(1)	Modified in relation to an activity involving genetic modification	
<b>Pt I s. 2(3)</b>	Genetically Modified Organisms (Contained Use) Regulations 2000/2831, Pt I reg. 5(1)	Modified in relation to an activity involving genetic modification	
	Management and Administration of Safety and Health at Mines Regulations 1993/1897, Pt I reg. 4(4)	Modified in relation to every employer of persons at work at the mine (other than the owner)	
<b>Pt I s. 3(2)</b>	Control of Substances Hazardous to Health Regulations 1994/3246, reg. 20	Modified in relation to an activity involving the consignment, storage or use of any of the biological agents referred to in SI 1994/3246 reg.19	
	Control of Substances Hazardous to Health Regulations 1999/437, reg. 20	Modified in relation to an activity involving the consignment, storage or use of any of the biological agents referred to in SI 1999/437 reg.19	
	Control of Substances Hazardous to Health Regulations 2002/2677, reg. 20	Modified in relation to an activity involving the consignment, storage or use of any of the biological agents referred to in SI 2002/2677 reg.19	
	Genetically Modified Organisms (Contained Use) Regulations 1992/3217, Pt I reg. 5	Modified in relation to an activity involving genetic modification	
	Genetically Modified Organisms (Contained Use) Regulations 2000/2831, Pt I reg. 5(2)	Modified in relation to an activity involving genetic modification	
	Genetically Modified Organisms (Contained Use) Regulations 2014/1663, Pt 1 reg. 4(3)	Modified in relation to contained use	
<b>Pt I s. 6</b>	Health and Safety (Leasing Arrangements) Regulations 1992/1524, reg. 3	Modified in the case of a first lease	
	Health and Safety (Leasing Arrangements) Regulations 1992/1524, reg. 4	Modified where a further lease is granted in continuation of a lease to which SI 1992/1524 reg.3 applies	
	Ionising Radiations Regulations 1985/1333, Pt VIII reg. 32(1)	Modified in relation to duties of manufacturers etc. of articles for use in work with ionising radiation	

<b>Pt I s. 6(1)</b>	Ionising Radiations Regulations 1999/3232, Pt VI reg. 31(1)	Modified in the case of articles for use at work, where that work is work with ionising radiation	
<b>Pt I s. 7</b>	Genetically Modified Organisms (Contained Use) Regulations 2000/2831, Pt I reg. 5(1)	Modified in relation to an activity involving genetic modification	
	Genetically Modified Organisms (Contained Use) Regulations 2014/1663, Pt 1 reg. 4(2)	Modified in relation to contained use	
<b>Pt I s. 13(1)(b)</b>	Scotland Act 1998 (Modifications of Schedules 4 and 5) Order 1999/1749, art. 6(2)	Modified in relation to Scottish Ministers	
<b>Pt I s. 13(2)</b>	Scotland Act 1998 (Modifications of Schedules 4 and 5) Order 1999/1749, art. 6(2)	Modified in relation to Scottish Ministers	
<b>Pt I s. 14</b>	Railways Act 2005 c. 14, Sch. 3 para. 6(2)	Modified in connection with the transfer of safety functions to the Office of Rail Regulation	Pt 1 s. 2
<b>Pt I s. 16</b>	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
<b>Pt I s. 17</b>	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
<b>Pt I s. 18</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94	

		art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
<b>Pt I s. 18(1)</b>	Control of Major Accident Hazards Regulations 1999/743, Pt 6 reg. 20(3)	Modified in relation to the enforcement of SI 1999/743	
<b>Pt I s. 18(6)</b>	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 18(7)(b)</b>	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 19</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	

	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(a)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	

	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38

	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Explosives Regulations 2014/1638, Sch. 12 para. 3(d)	Modified in relation to the enforcement of SI 2014/1638 reg.8 and Pt 13 and in respect of any related proceedings for a contravention of any of those provisions	
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(a)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	



	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 20(1)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(2)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(2)(a)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(4)(a)	Modified for the purposes of SI 2003/403	
<b>Pt I s. 20(2)(h)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(4)(b)	Modified for the purposes of SI 2003/403	



<b>Pt I s. 20(3)</b>	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)(iv)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
<b>Pt I s. 20(4)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(4)(c)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(5)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(6)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(7)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 20(8)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 21</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of	

		proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environment Act 1995 c. 25, Sch. 22 para. 30(4)	Modified in relation to the appropriate new Agency	Pt V s. 120
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	

	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 22</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(7)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38

	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environment Act 1995 c. 25, Sch. 22 para. 30(4)	Modified in relation to the appropriate new Agency	Pt V s. 120
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Explosives Regulations 2014/1638, Sch. 12 para. 3(e)	Modified in relation to the enforcement of SI 2014/1638 reg.8 and Pt 13 and in respect of any related proceedings for a contravention of any of those provisions	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24

	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(a)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 23</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Environment Act 1995 c. 25, Sch. 22 para. 30(4)	Modified in relation to the appropriate new Agency	Pt V s. 120

	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)(v)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Explosives Regulations 2014/1638, Sch. 12 para. 3(f)	Modified in relation to the enforcement of SI 2014/1638 reg.8 and Pt 13 and in respect of any related proceedings for a contravention of any of those provisions	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the	reg. 19

		enforcement of SI 1991/2749 and in respect of proceedings for contravention	
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 23(1)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 23(2)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 23(3)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
<b>Pt I s. 23(4)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
<b>Pt I s. 23(5)</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	



	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 24</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	



	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(b)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 25</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	

	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(7)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24

	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 25A</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(3) reg. 19(3)(a)	Modified in relation to the export and import of hazardous chemicals	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(c)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission	

		Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 25A(1)</b>	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(4)(a)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	

	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(4)(a)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
<b>Pt I s. 26</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(a)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 16-26 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(c)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 1996/506, reg. 10	Modified in relation to any requirement or prohibition imposed upon any person by Council Regulation (EC) No. 3093/94 art.5(1) to (4) and SI 1996/506 reg.6, in so far as that regulation relates to Council Regulation (EC) No. 3093/94 art.15(1) and (2)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003	

		and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(c)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(c)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17

	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 27</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Environment Act 1995 c. 25, Sch. 22 para. 30(5)	Modified in relation to the appropriate new Agency, in its relevant capacity	Pt V s. 120
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	



	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 27(1)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(5)	Modified for the purposes of SI 2003/403	
<b>Pt I s. 27A</b>	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(3) reg. 19(3)(b)	Modified in relation to the export and import of hazardous chemicals	
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19



	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 27A(1)</b>	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(4)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(4)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
<b>Pt I s. 28</b>	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(b)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	

	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38

	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)(vi)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	
	Explosives Regulations 2014/1638, Sch. 12 para. 3(g)	Modified in relation to the enforcement of SI 2014/1638 reg.8 and Pt 13 and in respect of any related proceedings for a contravention of any of those provisions	
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24

	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 33(1)(c)</b>	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(e)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(f)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	

	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(g)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(h)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(i)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of	

		SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
<b>Pt I s. 33(1)(j)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(k)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(l)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(m)</b>	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(n)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(1)(o)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	

	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 33(2)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 c. 40, Sch. 2(II) para. 1	Modified for the purpose of setting or altering or enabling the Secretary of State to set or alter the penalties or maximum penalties in respect of certain offences or classes or descriptions of offences	s. 3(2)
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 33(2A)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 33(3)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is	



		mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 33(4)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
<b>Pt I s. 33(4)(e)</b>	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 34</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)(vii)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	
	Explosives Regulations 2014/1638, Sch. 12 para. 3(h)	Modified in relation to the enforcement of SI 2014/1638 reg.8 and Pt 13 and in respect of any related proceedings for a	



		contravention of any of those provisions	
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 3(e)(i)	Modified in relation to proceedings for an offence under SI 1991/2749	reg. 19

	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 13(a)	Modified in relation to proceedings for an offence in relation to machinery or partly completed machinery which is not for use at work in Great Britain	Sch. 5 para. 17
<b>Pt I s. 34(2)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 34(3)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 34(4)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	

<b>Pt I s. 34(5)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
<b>Pt I s. 34(6)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
<b>Pt I s. 35</b>	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	

	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
<b>Pt I s. 36</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of	

		proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
<b>Pt I s. 36(1)</b>	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of	

		SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 36(2)</b>	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 37</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of	

		SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	



	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 38</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	



	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15
	Export and Import of Dangerous Chemicals Regulations 2005/928, reg. 4(3)(c)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No. 304/2003, as amended by Commission Regulation (EC) No. 1213/2003 and Commission Regulation (EC) No. 775/2004, and SI 2005/928 subject to SI 2005/928 reg.4(5) and (6)	
	Export and Import of Dangerous Chemicals Regulations 2008/2108, reg. 4(2)	Modified for the purposes of the enforcement in Great Britain of Regulation (EC) No 689/2008 and SI 2008/2108 subject to SI 2008/2108 reg.4(8) and (9)	
	Gas Appliances (Safety) Regulations 1992/711, reg. 28(3)(b)	Modified in relation to such appliances as are mentioned in SI 1992/711 reg.28(4)	
	Gas Appliances (Safety) Regulations 1995/1629, reg. 30(3)(b)	Modified in relation to such appliances as are mentioned in SI 1995/1629 reg.30(4)	
	Lifts Regulations 1997/831, Sch. 15 para. 1	Modified in Great Britain in relation to relevant products for use in the workplace	Pt IV reg. 19
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(3)	Modified for the purposes of SI 2003/403	
	Nuclear Industries Security Regulations 2003/403, Pt 5 reg. 23(6)	Modified for the purposes of SI 2003/403	
	Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999/2892, reg. 16(1)	Modified in relation to any requirement or prohibition imposed upon any licensee by SI 1999/2892 or any requirement imposed upon any person by SI 1999/2892 reg.7	
	Pressure Equipment Regulations 1999/2001, Sch. 8 para. 1	Modified in Great Britain, in relation to pressure equipment or assemblies for use in the workplace	Pt IV reg. 24
	Pyrotechnic Articles (Safety) Regulations 2010/1554, Sch. 4 para. 2	Modified for the purposes of the enforcement of SI 2010/1554 by the Health and Safety Executive	
	Railways (Interoperability) (High-Speed) Regulations 2002/1166, Pt VI reg. 31(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2002/1166	
	Railways (Interoperability) Regulations 2006/397, Pt 6 reg. 34(3)(d)	Modified for the purposes of the enforcement in Great Britain of SI 2006/397, subject to SI 2006/397 reg.34(4)	

	Simple Pressure Vessels (Safety) Regulations 1991/2749, Sch. 5 para. 1	Modified in Great Britain, in relation to vessels and relevant assemblies for use at work for the purposes of providing for the enforcement of SI 1991/2749 and in respect of proceedings for contravention	reg. 19
	Supply of Machinery (Safety) Regulations 2008/1597, Sch. 5 para. 8	Modified for the purposes of the enforcement of SI 2008/1597 by the Health and Safety Executive or the Office of Rail Regulation, and in respect of any related proceedings for contravention of SI 2008/1597	Sch. 5 para. 17
	Train Driving Licences and Certificates Regulations 2010/724, Pt 13 reg. 38(2)	Modified in relation to the duty of the ORR to make adequate arrangements for the enforcement of SI 2010/724	
<b>Pt I s. 39</b>	Adventure Activities Licensing Regulations 1996/772, reg. 17	Modified for the purposes of providing for the enforcement of SI 1996/772 and in respect of proceedings for a contravention thereof	
	Adventure Activities Licensing Regulations 2004/1309, reg. 17	Modified for the purposes of providing for the enforcement of SI 2004/1309 and in respect of proceedings for a contravention thereof	
	Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013/1506, Pt 3(1) reg. 8(6)	Modified in relation to the Biocides Regulation as defined in SI 2013/1506 reg.4(1)	
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(1)(b)	Modified in relation to SI 2001/880	Pt VI reg. 38
	Biocidal Products Regulations 2001/880, Sch. 11 para. 2(3)	Modified as if 1974 c.37 ss 33-42 were health and safety regulations for the purposes of 1974 c.37	Pt VI reg. 38
	Cableway Installations Regulations 2004/129, Pt IV reg. 23(3)(e)	Modified for the purposes of the enforcement in Great Britain of SI 2004/129	
	Channel Tunnel (Safety) Order 2007/3531, art. 4(2)	Modified for the purposes of the enforcement of SI 2007/3531, subject to SI 2007/3531 art.4(4)-(6)	
	Electrical Equipment (Safety) Regulations 1994/3260, reg. 17(3)(b)	Modified in relation to such electrical equipment as is mentioned in SI 1994/3260 reg.17(4)	
	Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 1996/192, Sch. 14 para. 1(b)	Modified for the purposes of providing for the enforcement of SI 1996/192 and in respect of proceedings for contravention thereof	Pt IV reg. 15

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