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STATUTORY INSTRUMENTS

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**1978 No. 1039 (N.I. 9)**

Health and Safety at Work (Northern Ireland) Order 1978

- - - - [25th July 1978]

HEALTH AND SAFETY AT WORK  
(NORTHERN IRELAND) ORDER 1978

PART I

INTRODUCTORY

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2. Interpretation

PART II

HEALTH, SAFETY AND WELFARE IN CONNECTION WITH  
WORK, AND CONTROL OF DANGEROUS SUBSTANCES

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3. Preliminary

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5. General duties of employers and self-employed to persons other than their employees
6. General duties of persons concerned with premises to persons other than their employees
7. General duties of manufacturers etc. as regards articles and substances for use at work
8. General duties of employees at work
9. Duty not to interfere with or misuse things provided pursuant to certain provisions
10. Duty not to charge employees for things done or provided pursuant to certain specific requirements
11. General duty of the Department concerned

*The Health and Safety Executive for Northern Ireland*

12. Establishment of the Executive
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**Changes to legislation:** There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978. (See end of Document for details)

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16. Investigations and inquiries

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17. Health and safety regulations
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29. Obtaining of information
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38. Evidence
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40. Financial provisions

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- 48. The employment medical advisory service
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- 53. Application to explosives
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- 55. Regulations  
Art.56(1), with Schedule 6, effects amendments; para.(2), with Schedule 7,...

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### SCHEDULES

#### SCHEDULE 1 — EXISTING STATUTORY PROVISIONS

- 1. The provisions of the Acts mentioned in the following table which are specified in the...
- 2. The provisions of any regulations, orders or other instruments of a legislative character made or...
- 3. The provisions of— (a) the Explosives Act 1875, and (b) the Explosives Act (Northern Ireland)...

#### SCHEDULE 2 — THE HEALTH AND SAFETY EXECUTIVE FOR NORTHERN IRELAND

##### — Status

- 1. The Executive shall be a body corporate to which, subject...  
Para.2 rep by 1998 NI 18
- Members
- 3. Persons may be appointed as whole-time or part-time members of...
- 4. Subject to paragraphs 5 and 6 a person shall hold...
- 5. A person may at any time resign office as chairman,...
- 6. (1) The Head of the Department may at any time...
- 7. Past service as chairman, deputy chairman or member of the...  
— Remuneration of members
- 8. The Department may pay or make such payments towards the...  
— Proceedings
- 9. The Executive may regulate its own procedure and business including...
- 10. A person authorised in writing in that behalf by the...
- 11. The validity of any proceedings of the Executive shall not...  
— The Seal

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12. The fixing of the common seal of the Executive shall...
  - Instruments
13. A document purporting to be duly executed under the common...
14. Any contract or instrument which, if entered into or executed...
  - Staff
15. (1) Subject to sub-paragraph (2), the Executive with the approval...
  - Performance of functions
16. The Executive may authorise any member of the Executive or...
17. The Executive with the consent of the Department concerned may...
- 17A (1) The Executive shall prepare in respect of the period...
  - Accounts and reports
18. (1) The Executive shall— (a) keep proper accounts and proper...

### SCHEDULE 3 — SUBJECT-MATTER OF HEALTH AND SAFETY REGULATIONS

1. (1) Regulating or prohibiting— (a) the manufacture, supply or use of any plant; (b) the...
2. (1) Prohibiting or regulating the transport of articles or substances of any specified description. (2)...
3. (1) Prohibiting the carrying on of any specified activity or the doing of any specified...
4. Requiring any person, premises or thing to be registered in any specified circumstances or as...
5. (1) Requiring, in specified circumstances, the appointment (whether in a specified capacity or not) of...
6. Regulating or prohibiting in specified circumstances the employment of persons.
7. (1) Requiring the making of arrangements for securing the health of persons at work or...
8. Imposing requirements with respect to any matter affecting the conditions in which persons work, including...
9. Securing the provision of specified welfare facilities for persons at work, including in particular such...
10. Imposing requirements with respect to the provision and use in specified circumstances of protective clothing...
11. Requiring in specified circumstances the taking of specified precautions in connection with the risk of...
12. (1) Prohibiting or imposing requirements in connection with the emission within any premises of any...
13. Imposing requirements with respect to the instruction, training and supervision of persons at work.
14. (1) Requiring, in specified circumstances, specified matters to be notified in a specified manner to...
15. Imposing requirements with respect to the keeping and preservation of records and other documents, including...
16. Imposing requirements with respect to the management of animals.
17. The following purposes as regards premises of any specified description where persons work, namely— (a)...
18. Conferring, in specified circumstances involving a risk of fire or explosion, power to search a...
19. Restricting, prohibiting or requiring the doing of any specified thing where any accident or other...

20. As regards cases of any specified class, being a class such that the variety in...
21. Conferring on any district council power to make byelaws with respect to any specified matter,...
22. (1) In this Schedule “specified” means specified in health and safety regulations. (2) Any mention...

**SCHEDULE 3A — OFFENCES: MODE OF TRIAL AND MAXIMUM PENALTY**

The mode of trial and maximum penalty applicable to each offence listed in the first...

— Schedule 4 rep. by 1998 NI 18

**SCHEDULE 5 — THE FACTORIES ACT (NORTHERN IRELAND) 1965 (c.20)**

— Parts I (paras.1#4), II (paras.5#11)—Amendments

**PART III — TRANSITIONAL PROVISION**

12. Where, at the commencement of this Schedule, a person's employment is unlawful under section 74(2)...

— Schedule 6—Amendments

— Schedule 7—Repeals

**Changes to legislation:**

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