
STATUTORY INSTRUMENTS

1978 No. 1039

Health and Safety at Work (Northern Ireland) Order 1978

^{F1} PART II

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

Enforcement

Authorities responsible for enforcement of the relevant statutory provisions

^{F1F2}20.—(1) It shall be the duty of the Department concerned^{[F3} and the Executive] to make adequate arrangements for the enforcement of the relevant statutory provisions except to the extent that some other authority is by any of those provisions or by regulations under paragraph (2) made responsible for their enforcement.

^{[F3}(2) Regulations may—

- (a) make a specified authority or authorities of any specified class 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—
 - (i) transferred from the Executive to a specified authority or from that authority to the Executive; or
 - (ii) assigned to the Executive or to a specified authority for the purpose of removing any uncertainty as to what are under this paragraph their respective responsibilities for the enforcement of those provisions;

and any regulations made in pursuance of sub-paragraph (b) 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 paragraph (2) shall have effect subject to any provision made by health and safety regulations in pursuance of Article 17(3)(c).

(4) Where any authority other than the Department concerned^{[F3} or the Executive] is by any of the relevant statutory provisions or by regulations under paragraph (2) made responsible for the enforcement of any of those provisions to any extent, that authority shall—

- (a) make adequate arrangements for the enforcement of those provisions to that extent; and
- (b) perform the duty imposed on it by sub-paragraph (a) and any other functions conferred on it by any of the relevant statutory provisions^{[F3} in accordance with such guidance as the Executive may give to the authority].

F1 mod. by SR 2000/87; 2000/120

F2 mod. by 2002 c. 8 (NI)

F3 1998 NI 18

Modifications etc. (not altering text)

- C1** Art. 20 applied (2.4.2006) by [The Railways \(Interoperability\) Regulations 2006 \(S.I. 2006/397\)](#), **reg. 35**
- C2** Arts. 18-30 applied (with modifications) (27.7.2009) by [Chemicals \(Hazard Information and Packaging for Supply\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/238\)](#), **reg. 14(1)(a)**
- C3** Arts. 18-30 applied (with modifications) (24.8.2009) by [Explosives \(Hazard Information and Packaging for Supply\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/273\)](#), **reg. 14(1)(a)**
- C4** Arts. 20-28 applied (with modifications) (1.9.2013) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/206\)](#), regs. 2(1), **7(1)(a)** (with regs. 3, 8-15, 19)
- C5** Arts. 20-30 applied with modification(s) (1.6.2015) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **5(1)(a)**
- C6** Arts. 20-30 applied (with modifications) (1.6.2015) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/206\)](#), regs. 2(2), **16** (with regs. 3, 19)
- C7** Arts. 18-23 applied (with modifications) (28.9.2015) by [The Control of Major Accident Hazards Regulations \(Northern Ireland\) 2015 \(S.R. 2015/325\)](#), regs. 1, **27(1)(a)** (with regs. 3(2), 27(3))
- C8** Arts. 18-28 applied (23.10.2015) by [The Genetically Modified Organisms \(Contained Use\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/339\)](#), regs. 1, **30(2)(a)** (with reg. 3(1)(2))
- C9** Arts. 18-24 applied (19.12.2016) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/406\)](#), regs. 1, **36(1)(a)** (with reg. 4(2), Sch. 15)
- C10** Arts. 20-23 applied (19.12.2016) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/406\)](#), regs. 1, **36(8)(a)** (with reg. 4(2), Sch. 15)
- C11** Art. 20(1) applied (with modifications) (28.9.2015) by [The Control of Major Accident Hazards Regulations \(Northern Ireland\) 2015 \(S.R. 2015/325\)](#), regs. 1, **27(2)** (with regs. 3(2), 27(3))
- C12** Art. 20(1) applied (19.12.2016) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/406\)](#), regs. 1, **36(3)** (with reg. 4(2), Sch. 15)
- C13** Art. 20(1) applied (19.12.2016) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/406\)](#), regs. 1, **36(9)** (with reg. 4(2), Sch. 15)

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 20.