

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

Power of enforcing authorities to indemnify their inspectors

^{F1F2}28. Where—

- (a) 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
- (b) 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 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.

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

F2 mod. by 2002 c. 8 (NI)

Modifications etc. (not altering text)

- C1** Art. 28 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** Art. 28 applied (with modifications) (10.5.2010 with effect as mentioned in reg. 41 of the amending Regulations) by [Train Driving Licences and Certificates Regulations \(Northern Ireland\) 2010 \(S.R. 2010/132\)](#), regs. 1(2), **40(2)(3)(e)**
- C5** Art. 28 applied (with modifications) (16.1.2012) by [Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), **reg. 40(2)(3)(e)** (with reg. 3)
- C6** 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)
- C7** Arts. 27A-30 applied (with modifications) (1.3.2014) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013 \(S.I. 2013/1506\)](#), regs. 2(4), **20** (with regs. 3(4)(5), 31)

Status: Point in time view as at 21/10/2016. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 28. (See end of Document for details)

- C8** 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)**
- C9** 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)
- C10** Art. 28 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)(c)** (with regs. 3(2), 27(3))
- C11** 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))
- C12** Arts. 23-33 applied (with modifications) (21.10.2016) by The Making Available on the Market and Supervision of Transfers of Explosives Regulations (Northern Ireland) 2016 (S.R. 2016/366), reg. 1, Sch. 2 paras. 6(a), **7** (with Sch. 2 para. 7(2))

Status:

Point in time view as at 21/10/2016. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 28.