
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**

General duties

General duties of persons concerned with premises to persons other than their employees

6 ^{F1}.—^{F2F3}(1) This Article 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 Article 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 Article 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 paragraph (2), as being a person who has control of the matters to which his obligation extends.

(4) Any reference in this Article 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).

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

F2 enforcing authority DED for certain purposes—SR 1989/321

F3 mod. by 2002 c. 8 (NI)

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 6 .