



# Health and Safety at Work etc. Act 1974

## 1974 CHAPTER 37

### PART I

#### HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

##### *Enforcement*

#### **22 Prohibition notices.**

- (1) This section applies to any activities which are being or are [F1likely] 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 [F1likely] 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.

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- [<sup>F2</sup>(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.]

#### Textual Amendments

- F1** Word substituted by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), s. 36, **Sch. 3 para. 2(a)**  
**F2** S. 22(4) substituted by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), s. 36, **Sch. 3 para. 2(b)**

#### Modifications etc. (not altering text)

- C1** S. 22 applied by [S.I. 1989/840, arts. 2-10](#)  
 S. 22 excluded (with saving) (E.W.S.) (1.12.1997) by [S.I. 1997/1840, regs. 7, 9](#)  
 S. 22 applied (with modifications) (9.1.1995) by [S.I. 1994/3260, reg. 17\(3\)\(5\)](#)  
 S. 22: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15, ss. 2\(4\)\(c\), 5](#) (with s. 3(5))  
 S. 22 applied (with modifications) (E.W.S.) (16.4.1996) by [S.I. 1996/772, reg. 17](#)  
 S. 22 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192, reg. 15, Sch. 14 para. 1\(b\)](#)  
**S. 22** applied (with modifications) (E.W.S.) (1.7.1997) by [S.I. 1997/831, reg. 19\(1\)-\(4\), Sch. 15 para. 1\(a\)\(b\)](#)  
 S. 22 applied (15.11.2000) by [S.I. 2000/2831, reg. 26\(1\)\(a\)](#)
- C2** S. 22 applied (with modifications) (1.1.1993) by [S.I. 1992/3073, reg. 28, Sch. 6 para. 1\(b\)](#)  
 S. 21 applied (with modifications) (9.1.1995) by [S.I. 1994/3260, reg. 13\(1\)](#)
- C3** S. 22 modified (6.4.1992) by [S.I. 1992/711, regs. 1\(2\), 28\(3\)\(b\)\(5\)\(a\)](#)  
 S. 22 modified (E.W.S.) (1.4.1996) by [1995 c. 25, s. 120\(1\), Sch. 22 para. 30\(4\)](#) (with ss. 7(6), 115, 117); [S.I. 1996/186, art. 3](#)  
 S. 22 applied (E.W.S.) (24.7.2002) by [S.I. 2002/1689, reg. 14\(1\)\(a\)](#)  
 S. 22 applied (31.3.2002) by [S.I. 2002/528, reg. 10](#)  
 S. 22 applied (16.5.2002) by [S.I. 2002/1166, reg. 31](#) (with art. 37)
- C4** S. 22 applied (with modifications) (19.11.1999) by [S.I. 1999/2892, reg. 16\(1\)](#)
- C5** S. 22 applied (with modifications) (29.11.1999) by [S.I. 1999/2001, reg. 24\(1\), Sch. 8 para. 1\(b\)](#)
- C6** S. 22 applied (11.7.2001) by [S.I. 2001/2127, arts. 4\(1\), 5\(1\)\(2\), 6\(1\), 7\(1\), 8\(1\), 10](#) (with art. 11) (as amended by [S.I. 2009/1750, art. 2\(2\)\(4\)](#))
- C7** S. 19-22 applied (with modifications) (E.W.S.) (3.5.2004) by [S.I. 2004/129, reg. 23\(3\)\(a\)](#); s. 22 applied (with modifications) (E.W.S.) (9.6.2004) by [S.I. 2004/1309, reg. 17](#); ss. 19-22 applied (2.4.2006) by [S.I. 2006/397, reg. 34](#)
- C8** S. 22 applied (with modifications) (E.W.S.) (the amendment coming into force in accordance with art. 1(1) of the amending S.I.) by [The Channel Tunnel \(Safety\) Order 2007 \(S.I. 2007/3531\), art. 4\(2\)\(3\)\(b\)](#) (subject to (4)-(6)) (with art. 7)
- C9** Ss. 1-59, 80-82 applied (temp.) (5.8.2009) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) Order 2001 \(S.I. 2001/2127\)](#), arts. 8A, 8B (as inserted by [S.I. 2009/1750, art. 2\(3\)](#))
- C10** S. 22 applied (with modifications) (E.W.S.) (6.4.2010) by [The Rail Vehicle Accessibility \(Non-Interoperable Rail System\) Regulations 2010 \(S.I. 2010/432\), reg. 6\(2\)\(3\)\(b\)](#)
- C11** S. 22 applied (with modifications) (E.W.S.) (6.4.2010) by [The Train Driving Licences and Certificates Regulations 2010 \(S.I. 2010/724\)](#), regs. 1(2), **38(2)(3)(b)**
- C12** Ss. 19-28 applied (with modifications) (E.W.S.) (4.7.2010 for certain purposes and otherwise 4.7.2013) by [The Pyrotechnic Articles \(Safety\) Regulations 2010 \(S.I. 2010/1554\), regs. 1, 18, 37\(1\)](#), {Sch. 4 paras. 1, 2}
- C13** Ss. 1-59 applied by [S.I. 2001/2127 art. 8A 8B](#) (as inserted (E.W.S.) (6.4.2011) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) \(Variation\) Order 2011 \(S.I. 2011/745\)](#), arts. 1(1), **3(2)**)

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- C14 S. 22 applied (with modifications) (16.1.2012) by The Railways (Interoperability) Regulations 2011 (S.I. 2011/3066), regs. 1(2), **39(2)(3)(b)** (with reg. 3)
- C15 Ss. 18-26 applied (with modifications) (E.W.S.) (1.9.2013) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), regs. 2(1), **8(1)** (with reg. 3(4), (5), 8(2)-(7), 31)
- C16 Ss. 16-26 applied (E.W.S.) (1.10.2014) by The Genetically Modified Organisms (Contained Use) Regulations 2014 (S.I. 2014/1663), regs. 1, **30(2)(a)** (with reg. 3(1)(2))
- C17 Ss. 19-28 applied (with modifications) (E.W.S.) (1.10.2014) by The Explosives Regulations 2014 (S.I. 2014/1638), reg. 1(1), Sch. 12 paras. 2, **3**
- C18 Ss. 18-28 applied (with modifications) (E.W.S.) (1.6.2015) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), regs. 2(2), **17(1)** (with reg. 3(4)(5)31)
- C19 Ss. 16-22 applied (E.W.S.) (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), regs. 1, **36(1)(a)** (with reg. 4(2), Sch. 14)
- C20 S. 22 applied (E.W.S.) (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), regs. 1, **36(7)** (with reg. 4(2), Sch. 14)
- C21 S. 22 applied (with modifications) (17.8.2015) by The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), reg. 1, Sch. 8 paras. 1(e), **2**
- C22 Ss. 19-28 applied (with modifications) by S.I. 2014/1638, Sch. 12 paras. 5-7 (as substituted (E.W.S.) (20.4.2016) by The Explosives Regulations 2014 (Amendment) Regulations 2016 (S.I. 2016/315), reg. 1, **Sch. 1** (with regs. 2(1), 15))
- C23 S. 22 applied (with modifications) (8.12.2016) by The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), reg. 1, Sch. 6 paras. 1(d), **2** (with reg. 3)
- C24 S. 22 applied (with modifications) (8.12.2016) by The Electrical Equipment (Safety) Regulations 2016 (S.I. 2016/1101), reg. 1, Sch. 4 paras. 1, **2** (with reg. 3)
- C25 S. 22 applied (with modifications) (8.12.2016) by The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), reg. 1, Sch. 8 paras. 1(d), **2** (with reg. 88)
- C26 S. 22 applied (with modifications) (E.W.S.) (8.12.2016) by The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016 (S.I. 2016/1107), reg. 1(1), **Sch. 4 para. 1(d)**
- C27 S. 22 applied (with modifications) (8.12.2016) by The Lifts Regulations 2016 (S.I. 2016/1093), reg. 1, Sch. 8 paras. 1(e), **2** (with regs. 3-5)
- C28 S. 22 applied (with modifications) (21.4.2018) by The Personal Protective Equipment (Enforcement) Regulations 2018 (S.I. 2018/390), reg. 1(1), **Sch. 2** (with reg. 2(1)-(3))
- C29 S. 22 applied (with modifications) (21.4.2018) by The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018 (S.I. 2018/389), reg. 1(1), **Sch. 2** (with reg. 2)
- C30 Ss. 19-22 applied (with modifications) (30.7.2018) by The Cableway Installations Regulations 2018 (S.I. 2018/816), regs. 1, **21(1)-(3)** (with reg. 4)

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**Changes and effects yet to be applied to :**

- s. 21-25 power to exclude conferred by [2014 c. 20 Sch. 1 para. 4\(1\)\(a\)](#)