



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

Provisions as to offences

35 Venue.

An offence under any of the relevant statutory provisions committed in connection with any plant or substance may, if necessary for the purpose of bringing the offence within the field of responsibility of any enforcing authority or conferring jurisdiction on any court to entertain proceedings for the offence, be treated as having been committed at the place where that plant or substance is for the time being.

Modifications etc. (not altering text)

- C1** S. 35 applied by [S.I. 1989/840, arts. 2-10](#)
S. 35 excluded (with saving) (E.W.S.) (1.12.1997) by [S.I. 1997/1840, regs. 7, 9](#)
S. 35 applied (with modifications) (E.W.S.) (9.1.1995) by [S.I. 1994/3260, reg. 17\(3\)\(5\)](#)
S. 35: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15, ss. 2\(4\)\(a\), 5](#) (with s. 3(5))
S. 35 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192, reg. 15, Sch. 14 para. 1\(b\)](#) **S. 35** applied (with modifications) (1.7.1997) by [S.I. 1997/831, reg. 19\(1\)-\(4\), Sch. 15 para. 1\(a\)\(b\)](#)
S. 35 applied (15.11.2000) by [S.I. 2000/2831, reg. 26\(1\)\(a\)](#)
- C2** Ss. 35 applied (with modifications) (1.1.1993) by [S.I. 1992/3073, reg. 28, Sch. 6 para. 1\(b\)](#)
- C3** Ss. 35-39 modified (6.4.1992) by [S.I. 1992/711, regs. 1\(2\), 28\(3\)\(b\)\(5\)\(a\)](#)
- C4** Ss. 33-42 applied (with modifications) (1.4.1999) by [S.I. 1999/743, reg. 20\(1\), \(2\)\(3\)](#)
- C5** Ss. 33-42 applied (with modifications) (19.11.1999) by [S.I. 1999/2892, reg. 16\(1\)](#)
Ss. 33-42 applied (20.9.2001) by [S.I. 2001/2975, reg. 19\(d\)](#)
- C6** Ss. 33-35 applied (with modifications) (29.11.1999) by [S.I. 1999/2001, reg. 24\(1\), Sch. 8 para. 1\(b\)](#)
Ss. 33-42 applied (E.W.S.) (24.7.2002) by [S.I. 2002/1689, reg. 14\(1\)\(b\)](#)
Ss. 33-42 applied (16.5.2002) by [S.I. 2002/1166, reg. 31](#) (with art. 37)

Status: Point in time view as at 21/04/2018. This version of this provision has been superseded.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 etc. Act 1974, Section 35. (See end of Document for details)

- C7** Ss. 1-59, 80-82 applied (E.W.S.) (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)**)
- C8** S. 35 applied (with modifications) (E.W.S.) (22.3.2003 for certain purposes and 22.9.2003 otherwise) by S.I. 2003/403, **regs. 1(2), 23(2)(a)(3)**
- C9** S. 35 applied (with modifications) (E.W.S.) (3.5.2004) by S.I. 2004/129, **reg. 23(3)(e)**; s. 35 applied (E.W.S.) (22.4.2005) by S.I. 2005/928 {**reg. 4(2)(3)(5)(6)**}; s. 35 applied (2.4.2006) by S.I. 2006/397, {**reg. 34(3)(d)**}
- C10** S. 35 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)(h)** (subject to (4)-(6)) (with **art. 7**)
- C11** 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)**)
- C12** Ss. 33-42 applied (with modifications) (E.W.) (12.8.2009 with application in accordance with reg. 3 of the amending S.I.) by **The Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries)(England and Wales) Regulations 2009 (S.I. 2009/1927)**, {**reg. 9(1)**}
- C13** S. 35 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)(g)**
- C14** Ss. 33-35 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**}
- C15** 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)**)
- C16** Ss. 33-42 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, 32, 33(1)**)
- C17** Ss. 33-42 applied (1.3.2014) by **The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), regs. 2(4), 19** (with **reg. 3(4)(5)313233(1)**)
- C18** Ss. 33-35 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**
- C19** Ss. 33-42 applied (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)**)
- C20** Ss. 33-42 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)313233(1)**)
- C21** Ss. 33-42 applied (with modifications) (E.W.S.) (1.6.2015) by **The Control of Major Accident Hazards Regulations 2015 (S.I. 2015/483), regs. 1(1), 27(1)(d)** (with **regs. 3(2), 27(3)**)
- C22** Ss. 33-42 applied (19.7.2015) by **The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), regs. 1, 36(8)(d)** (with **reg. 4(2), Sch. 14**)
- C23** Ss. 33-42 applied (19.7.2015) by **The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), regs. 1, 36(1)(d)** (with **reg. 4(2), Sch. 14**)
- C24** S. 35 applied (with modifications) (17.8.2015) by **The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), reg. 1, Sch. 8 paras. 1(p), 2**
- C25** Ss. 33-35 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**))
- C26** S. 35 applied (with modifications) (8.12.2016) by **The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), reg. 1, Sch. 8 paras. 1(o), 2** (with **reg. 88**)
- C27** S. 35 applied (with modifications) (8.12.2016) by **The Lifts Regulations 2016 (S.I. 2016/1093), reg. 1, Sch. 8 paras. 1(p), 2** (with **regs. 3-5**)
- C28** S. 35 applied (with modifications) (8.12.2016) by **The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), reg. 1, Sch. 6 paras. 1(o), 2** (with **reg. 3**)

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Changes to legislation: There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 35. (See end of Document for details)

- C29** S. 35 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)
- C30** S. 35 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(o)**
- C31** S. 35 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)
- C32** S. 35 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))

Status:

Point in time view as at 21/04/2018. 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 etc. Act 1974, Section 35.