



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

General duties

- 4 General duties of persons concerned with premises to persons other than their employees.**
- (1) This section 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 section 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 section 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;

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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 4. (See end of Document for details)

that person shall be treated, for the purposes of subsection (2) above, as being a person who has control of the matters to which his obligation extends.

- (4) Any reference in this section 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).

Modifications etc. (not altering text)

- C1** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by [S.I. 1989/840](#), **arts. 2–10**
- C2** Ss. 1-59, 80-82 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)**)
- C3** 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)**)
- C4** 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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