

SCHEDULE 1

Regulation 2(a)

REPEALS—THE FACTORIES ACT 1961

<i>Provision</i>	<i>Extent of repeal</i>
Section 1.	Subsection (5).
Section 2.	Subsection (4).
Section 3.	Subsection (3).
Section 4.	Subsection (2).
Section 5.	Subsection (2).
Section 7.	Subsection (2).
Section 9 and 10.	The whole section in each case.
Section 11.	The whole section except in so far as it enables orders to be made otherwise than by statutory instrument.
Section 13.	Subsection (5) except in so far as it enables orders to be made otherwise than by statutory instrument.
Section 14.	Subsections (3), (4) and (6).
Section 17.	In subsection (2), the words from “and liable” to the end of the subsection; and subsections (3) to (5).
Section 18.	Subsections (5) and (6).
Section 25.	Subsection (4).
Section 32.	In subsection (2)(c), the words “in pounds per square inch”.
Section 33.	In subsection (8), the words from “and liable” to “pounds”.
Section 35.	In subsection (1)(c), the words “in pounds per square inch”.
Section 36.	In subsection (1)(d), the words “in pounds per square inch”.
Section 40.	In subsection (3), the words from “subject” to “this Act”.
Section 46.	In subsection (2), the words from “and the provisions of Part I”, to the end of the subsection.
Sections 53 to 55.	The whole section in each case.
Section 56.	The words from “and subsection (3)” to the end of the section.
Section 58.	Subsections (2) to (4).
Section 59.	Subsections (2) and (3).
Section 62.	The whole section.
Section 64.	Subsection (4).
Section 66.	The whole section.
Sections 70 and 71.	The whole section in each case.
Section 72.	Subsection (2).
Section 73.	Subsection (2).

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<i>Provision</i>	<i>Extent of repeal</i>
Section 76.	The whole section.
Section 77.	Subsection (2) except in so far as it extends to Northern Ireland.
Section 78.	In subsection (4), the words from “and if any person” to the end of the subsection.
Section 81.	The whole section.
Section 82.	Subsection (4).
Section 83.	The whole section.
Section 84.	The whole section except in relation to investigations commenced before 1st January 1975.
Section 87.	Subsections (2) and (3).
Section 89.	Subsection (5).
Section 121.	In subsection (1), the words in paragraph (b) from “and the power” to the end of the paragraph; and subsection (7).
Section 122.	In subsection (2), paragraph (b); subsection (6); and in subsection (7), the words from “and subsection (3)” to the end of the subsection.
Section 123.	In subsection (2), paragraphs (b) and (d).
Section 124.	In subsection (1), the words from “except as provided” to the end of the subsection; and subsections (2) and (3).
Section 125.	In subsection (2), paragraphs (c) to (e) and (k); in subsection (3), the references to paragraphs (c), (e) and (k) of subsection (2); in subsection (4), the reference to paragraph (c) of subsection (2); and in subsection (6), the words from “and the power” to “dangerous factories”.
Section 126.	In subsection (2), paragraphs (b) to (d) and (k).
Section 127.	In subsection (2), the words in paragraph (c) from “and the power” to the end of the paragraph, paragraphs (d) and (e) and in paragraph (k) the words “powers and” and “inspectors and”; and in subsection (3), the words from the beginning to “practices and”.
Section 128.	In paragraph (c), the words “to powers and duties of inspectors and”.
Section 129.	Subsection (1); and in subsection (3), paragraph (c).
Section 130.	In subsection (3), the words from “but with the substitution” to the end of the subsection.
Section 134.	The whole section.
Section 137.	In subsection (4), the words from “and liable” to the end of the subsection; and subsection (5).
Section 142.	The whole section.
Section 145.	The whole section.
Section 146.	Subsections (1) to (4) except for the purposes of section 148.
Section 147.	The whole section except for the purposes of section 148.

<i>Provision</i>	<i>Extent of repeal</i>
Sections 149 and 150.	The whole section in each case.
Section 153.	Subsection (3).
Section 154.	The words from “and liable” to the end of the section.
Section 155.	Subsection (5) except in relation to offences under section 135.
Section 156.	The whole section except in relation to offences under sections 40 to 52, 135 and 146(4).
Section 157.	The whole section except in relation to offences under section 135.
Section 159.	The whole section.
Sections 160 and 161.	The whole section in each case except in relation to offences committed before 1st January 1975 and offences under sections 40 to 52 and 135.
Section 164.	Subsections (1) and (2) except in relation to offences under sections 40 to 52, 135 and 146(4); subsection (3); subsection (4) except in relation to investigations, inquests and inquiries commenced before 1st January 1975; and subsections (5) and (7) except in relation to offences under section 135.
Section 165.	The whole section except in relation to orders under sections 40 to 52.
Section 166.	Subsection (3) except for the purposes of section 135.
Section 168.	The whole section except for the purposes of section 135.
Section 174.	Subsection (2).
Section 176.	In subsection (1), the definitions of “chief inspector” and “special regulations”.
Section 177.	The whole section.
Section 179.	The whole section.
Section 180.	Subsections (5), (7), (8) and (10).
Section 181.	Subsection (2); and in subsection (3), the words from “section 10” to “this section”.
Section 182.	Subsections (5) and (6).
Schedule 2.	In paragraph 8(c), the words from “and subsection (3)” to the end of the sub-paragraph.
Schedule 3.	The whole Schedule.
Schedule 4.	The whole Schedule.

## SCHEDULE 2

Regulation 2(b)

### MODIFICATIONS—THE FACTORIES ACT 1961

1. Sections 11(2), 13(5), 48(9), 51(6), 69(1), 89(7)(b), 96, 101(b), 117, 131(2) and 173(1), in so far as they enable orders to be made otherwise than by statutory instrument, shall have effect as if the references to the Secretary of State were references to the Health and Safety Executive.

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2. Sections 33, 50, 51, 117 and 123 shall have effect as if the references to special regulations were references to regulations.

3. In section 32(2)(d), for the words “forty pounds per square inch” there shall be substituted the words “2.75 bars”.

4. In sections 80(3), 82(2), 98(2), 129(6), 133(5), 138(4) and 158, after the word “liable” there shall be inserted the words “on summary conviction”.

5. In section 82(1), for the words from “addressed to” to “London” there shall be substituted the words “to the Health and Safety Executive”.

6. In section 97, subsections (1) and (5) to (8) shall have effect as if the references to the Secretary of State were references to the Health and Safety Executive.

7. In section 97(4), after the words “under this section, and”, there shall be inserted the words “the Health and Safety Executive”.

8. In section 98, subsections (1) and (3) shall have effect as if the references to the Secretary of State were references to the Health and Safety Executive.

9. In sections 125(2)(j), 127(2)(j), (3) and (5) and 139, the references to special regulations shall have effect as if they were references to regulations made before the coming into operation of these Regulations in accordance with the provisions (now repealed) of Schedule 4 to the 1961 Act or in accordance with provisions superseded by the provisions of that Schedule and (except in section 127(3)) any regulations made after that date under sections 33, 50, 51, 117 or 123.

10. In section 130(1), for the words “liable to a fine not exceeding three pounds” there shall be substituted the words “liable on summary conviction to a fine not exceeding £400”.

11. In section 173(2), for the words “The powers conferred by this Act on” there shall be substituted the words “The duties under this Act of”.

12. In section 176(1), for the definition of “inspector” there shall be substituted the following definition:—

““inspector” means an inspector appointed by the Health and Safety Executive under section 19 of the Health and Safety at Work etc. Act 1974 and references in any provision of this Act to the inspector for the district, the superintending inspector for the division or the chief inspector are references to an inspector so appointed for the purposes of that provision.”

13. In section 180(4) there shall be added, at the end, the following words:—

“and the provisions of section 50 of the Health and Safety at Work etc. Act 1974 shall apply to any such power which is exercisable by statutory instrument as they apply to a power to make regulations.”

14. In section 182, for subsection (9) there shall be substituted the following subsection:—

“(9) Any powers exercisable by an inspector appointed by a county or town council (or, on or after 16th May 1975, by an islands or district council) under section 19 of the Health and Safety at Work etc. Act 1974 shall, for the purposes of their duties under the Public Health (Scotland) Act 1897, extend to factories within the meaning of that Act.”