
STATUTORY INSTRUMENTS

1974 No. 1943

**The Offices, Shops and Railway Premises Act 1963
(Repeals and Modifications) Regulations 1974**

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations 1974 and shall come into operation on 1st January 1975.

(2) The Interpretation Act 1889 shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Repeals and modifications—the Offices, Shops and Railway Premises Act 1963

2. In the Offices, Shops and Railway Premises Act 1963 (“the 1963 Act”) as amended by the Secretary of State for Employment and Productivity Order 1968(1)—

- (a) the provisions mentioned in column 1 of Schedule 1 to these Regulations are hereby repealed to the extent specified in column 2 of that Schedule; and
- (b) the provisions mentioned in Schedule 2 to these Regulations shall have effect subject to the modifications specified in that Schedule.

Revocations and modifications—instruments under the Offices, Shops and Railway Premises Act 1963

3.—(1) The Offices, Shops and Railway Premises Act 1963 (Conduct of Inquiries) Regulations 1965(2) are hereby revoked.

(2) In the Offices, Shops and Railway Premises First Aid Order 1964(3), for the reference in Article 1(3) to the Secretary of State there shall be substituted a reference to the Health and Safety Executive.

(3) In the Offices, Shops and Railway Premises (Hoists and Lifts) Regulations 1968(4)—

- (a) in Regulation 1(3)—
 - (i) the definitions of “factory inspector for the district” and “mine and quarry inspector for the district” shall be omitted; and
 - (ii) for the definition of “inspector” there shall be substituted the following definition:—
“inspector means an inspector appointed by a fire authority under section 52(2) of the Act or by the Health and Safety Executive or by a local authority under section 19 of the Health and Safety at Work etc. Act 1974;”
- and

(1) (1968 II, p. 2108).
(2) (1965 II, p. 3864).
(3) (1964 II, p. 2197).
(4) (1968 II, p. 2268).

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- (b) in Regulation 6(3), for the references to the factory inspector for the district and the mine and quarry inspector for the district there shall be substituted references to the Health and Safety Executive.

Supplemental

4.—(1) These Regulations shall not affect the validity of anything done under any provision repealed or modified by the Regulations before the coming into operation of the Regulations; and anything which at the coming into operation of the Regulations is being done for the purposes of that provision (including in particular any legal proceedings) by or in relation to—

- (a) an inspector appointed under section 145 of the Factories Act 1961 or under section 144 of the Mines and Quarries Act 1954 or a person authorised under section 52(3) or (6) of the 1963 Act;
- (b) an inspector appointed by a local authority under section 52(1) or (5) of the 1963 Act; or
- (c) the Secretary of State;

may, so far as may be necessary for the purposes of or in consequence of the provisions of the Regulations, be continued, respectively, by or in relation to—

- (a) an inspector appointed by the Health and Safety Executive under section 19 of the 1974 Act;
- (b) an inspector appointed by the local authority in question under the said section 19;
- (c) the Health and Safety Executive.

(2) Without prejudice to paragraph (1) of this Regulation, any exemption, approval, certificate or notice granted or given or other thing whatsoever done for the purposes of any provision modified by these Regulations, shall, if in force at the coming into operation of these Regulations, continue in force and have effect as if granted, given or done in accordance with that provision as so modified.

(3) Except as provided in Regulation 3 of these Regulations, regulations and orders made under any provision repealed by these Regulations and in force immediately before the coming into operation of these Regulations shall continue in force notwithstanding the repeal of that provision.

(4) Where any of the provisions repealed or modified by these Regulations prescribes a penalty for an offence of any kind, that penalty shall, notwithstanding these Regulations, continue to apply to offences of that kind committed before 1st January 1975.

Signed by order of the Secretary of State.

21st November 1974

Harold Walker
Joint Parliamentary Under Secretary of State
Department of Employment