
STATUTORY INSTRUMENTS

1998 No. 494

The Health and Safety (Enforcing Authority) Regulations 1998

Arrangements enabling responsibility for enforcement to be transferred

5.—^{F1}(A1) This regulation applies in relation to any relevant statutory provision to the extent that either the Executive or the local authority is the enforcing authority for the provision.]

(1) The responsibility for enforcing any of the relevant statutory provisions in respect of any particular premises, part of premises, or any activity carried on there may be transferred from the Executive to the local authority or from the local authority to the Executive.

(2) A transfer may be made only by agreement between the enforcing authority which has the current responsibility and the authority to which it proposed to transfer it, ^{F2}....

(3) Where a transfer has been made, the authority to which responsibility has been transferred shall cause notice of the transfer to be given to persons affected by it ^{F2}....

(4) The preceding provisions of this regulation shall not apply to any part of premises occupied by the Crown or to any activity carried on there but responsibility for enforcing any of the relevant statutory provisions in respect of office activities and the premises used for them may be transferred by an agreement between the Executive, the local authority concerned and the Government Department or other public body concerned.

Textual Amendments

- F1** [Reg. 5\(A1\)](#) inserted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), [Sch. 3 para. 77](#) (with [Sch. 4](#))
- F2** Words in [reg. 5\(2\)\(3\)](#) omitted (1.4.2008) by virtue of [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), art. 1, [Sch. 3](#) (with art. 21)
-

Commencement Information

- I1** [Reg. 5](#) in force at 1.4.1998, see [reg. 1](#)

Status:

Point in time view as at 01/04/2014.

Changes to legislation:

There are currently no known outstanding effects for the The Health and Safety (Enforcing Authority) Regulations 1998, Section 5.