
STATUTORY INSTRUMENTS

2004 No. 129

The Cableway Installations Regulations 2004

PART IV

Enforcement

Enforcement in Northern Ireland

24.—(1) It shall be the duty of the Executive to make adequate arrangements for the enforcement of these Regulations in Northern Ireland and accordingly a reference to an “enforcing authority” in the provisions applied for the purposes of such enforcement by paragraph (3) shall be construed as a reference to the Executive.

(2) Subject to paragraph (4), the provisions of the 1978 Order specified in paragraph (3) shall apply for the purposes of the enforcement in Northern Ireland of these Regulations as if they were health and safety regulations for the purposes of that Order, and any function of the Health and Safety Executive for Northern Ireland under any other provisions of that Order which is exercisable in relation to any function of the Executive under or in respect of health and safety regulations (including their enforcement) shall be exercisable as if these Regulations were health and safety regulations for the purposes of that Order.

(3) The provisions of the 1978 Order referred to in paragraph (2) are—

- (a) articles 21 to 24 (enforcement);
- (b) articles 25 (provisions supplementary to articles 23 and 24) and 26 (appeal against improvement or prohibition notice);
- (c) article 27A (power of customs officers to detain articles and substances);
- (d) article 28 (power to indemnify inspectors);
- (e) article 29 (obtaining of information) and article 29A (information communicated by the Commissioners of Customs and Excise);
- (f) articles 31 to 39 (provisions as to offences); and
- (g) article 44(1) to (3) (application to Crown).

(4) A failure to discharge a duty placed on the Executive by these Regulations shall not be an offence under article 31(1)(c) of the 1978 Order.