



# Employment Medical Advisory Service Act 1972

1972 CHAPTER 28

*Amendments of Factories Act 1961*

## **3 Medical examinations of persons employed in factories.**

The Factories Act 1961 shall have effect as if the following section were inserted after section 10 thereof:—

- (1) If an employment medical adviser is of opinion that there ought, on grounds mentioned in subsection (2) below, to be a medical examination of a person or persons employed in a factory, he may serve on the occupier of the factory a written notice stating that he is of that opinion and requiring that the occupier shall permit a medical examination in accordance with this section of the person or persons in question, and the examination shall be permitted accordingly.
- (2) The grounds on which a medical examination of a person may be required by an employment medical adviser's notice under subsection (1) above are that (in the adviser's opinion) the person's health has been or is being injured, or it is possible that it has been, is being or will be injured, by reason of the nature of the work he is or has been called upon to do or may (to the adviser's knowledge) be called upon to do ; and a notice under that subsection may be given with respect to one or more named persons or to persons of a class or description specified in the notice.
- (3) A notice under subsection (1) above shall name the place where the medical examination is to be conducted and, if it is a place other than the factory, the day on which and the time at which it is to be begun ; and—
  - (a) every person to whom the notice relates shall be informed, as soon as practicable after service thereof, of the contents thereof and of the fact that he is free to attend for the purpose of submitting to the examination ; and

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**Changes to legislation:** There are currently no known outstanding effects for the Employment Medical Advisory Service Act 1972, Section 3. (See end of Document for details)

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- (b) if the notice states that the examination is to be conducted at the factory, suitable accommodation thereat shall be provided for the conduct of the examination.
- (4) A medical examination conducted in pursuance of a notice under subsection (1) above shall be begun within seven days after the day on which the notice is served, and shall be conducted by, or in accordance with arrangements made by, an employment medical adviser, and take place at a reasonable time during working hours.
- (5) An employment medical adviser may, by written notice served on the occupier of a factory, cancel a notice served on the occupier under subsection (1) above ; and a notice which relates to two or more named persons may be cancelled either in relation to them all or in relation to any one or more of them.
- (6) In this section “ medical examination ” includes pathological, physiological and radiological tests and similar investigations.”

**Modifications etc. (not altering text)**

- C1** The text of 2(2)(3), 3, 4(1), 9(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Medical Advisory Service Act 1972, Section 3.