



# Health and Safety at Work etc. Act 1974

## 1974 CHAPTER 37

### PART I

#### HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

##### *The Health and Safety Commission and the Health and Safety Executive*

#### [<sup>F1</sup> 13 Powers of the Executive.

- (1) Subject to subsection (2), the Executive shall have power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of its functions, including a function conferred on it under this subsection.
- (2) The power in subsection (1) shall not include the power to borrow money.
- (3) The Executive may make agreements with a government department or other person for that department or person to perform any of its functions, with or without payment.
- (4) Subject to subsections (5) and (6), the Executive may make agreements with a Minister of the Crown, with a government department or with a public authority to perform functions exercisable by that Minister, department or authority, with or without payment.
- (5) The functions referred to in subsection (4)—
  - (a) in the case of a Minister of the Crown, include functions not conferred by an enactment;
  - (b) shall be functions which the Secretary of State considers can be appropriately performed by the Executive; and
  - (c) do not include any power to make regulations or other instruments of a legislative character.
- (6) The Executive may provide services or facilities, with or without payment, otherwise than for the general purposes of this Part, to a government department or public authority in connection with the exercise of that department's or authority's functions.

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*Status: Point in time view as at 06/04/2011. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 13 . (See end of Document for details)*

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- (7) The Executive may appoint persons or committees of persons to provide it with advice in connection with any of its functions and, without prejudice to subsection (8), it may remunerate these persons.
- (8) The Executive may, in connection with the performance of its functions, pay to any person—
- (a) travelling and subsistence allowances, and
  - (b) compensation for loss of remunerative time.
- (9) Any amounts paid under subsections (7) and (8) shall be such as may be determined by the Secretary of State, with the approval of the Minister for the Civil Service.
- (10) The Executive may—
- (a) carry out, arrange for, or make payments for the carrying out of, research into any matter connected with its functions, and
  - (b) disseminate or arrange for or make payments for the dissemination of information derived from this research.
- (11) The Executive may include, in any arrangements made for the provision of services or facilities under subsection (6), provision for the making of payments to the Executive, or any person acting on its behalf, by other parties to the arrangements and by persons using those services or facilities.]

#### **Textual Amendments**

- F1** Ss. 11-13 substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 5](#) (with [art. 21](#), [Sch. 2](#))

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

- C1** Ss. 1-59 applied by S.I. 2001/2127 art. 8A 8B (as inserted (E.W.S.) (6.4.2011) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) \(Variation\) Order 2011 \(S.I. 2011/745\)](#), arts. 1(1), [3\(2\)](#))
- C2** Ss. 1-25, 26, 27, 28, 30, 33, 34-59, 80, 81 and 82 applied by S.I. 1989/840, [arts. 2-10](#)
- C3** Ss. 1-59, 80-82 applied (11.7.2001) by S.I. 2001/2127, [arts. 4\(1\)](#), 5(1)(2), 6(1), 7(1), 8(1), 10 (with [art. 11](#)) (as amended by S.I. 2009/1750, [art. 2\(2\)\(4\)](#))
- C4** S. 13(2) restricted (E.W.S.) (8.11.2006) by 2006 c. 49, [s. 51\(2\)](#) (with [s. 61\(9\)\(a\)](#))
- C5** Ss. 1-59, 80-82 applied (temp.) (5.8.2009) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) Order 2001 \(S.I. 2001/2127\)](#), arts. 8A, 8B (as inserted by S.I. 2009/1750, [art. 2\(3\)](#))

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**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 13 .