



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

14 Power of the Commission to direct investigations and inquiries. **E+W+S**

- (1) This section applies to the following matters, that is to say any accident, occurrence, situation or other matter whatsoever which [^{F1}the Executive] thinks it necessary or expedient to investigate for any of the general purposes of this Part or with a view to the making of regulations for those purposes; and for the purposes of this subsection
- [^{F2}(a) those general purposes shall be treated as not including the railway safety purposes [^{F3}or the ONR's purposes]; but
 - (b) it is otherwise] immaterial whether the Executive is or is not responsible for securing the enforcement of such (if any) of the relevant statutory provisions as relate to the matter in question.
- [^{F4}(2) The Executive may at any time—
- (a) investigate and make a special report on any matter to which this section applies; or
 - (b) authorise another person to investigate and make a special report into any such matter.
- (2A) The Executive may at any time, with the consent of the Secretary of State, direct an inquiry to be held into any matter to which this section applies.]
- (3) Any inquiry held by virtue of [^{F5}subsection (2A)] above shall be held in accordance with regulations made for the purposes of this subsection by the Secretary of State, and shall be held in public except where or to the extent that the regulations provide otherwise.

Status: *There are multiple versions of this provision on screen. These apply to different geographical extents.***Skip to:** *E+W+S - England, Wales and Scotland extent***N.I. - Northern Ireland extent**
Changes to legislation: *There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 14. (See end of Document for details)*

- (4) Regulations made for the purposes of subsection (3) above may in particular include provision—
- (a) conferring on the person holding any such inquiry, and any person assisting him in the inquiry, powers of entry and inspection;
 - (b) conferring on any such person powers of summoning witnesses to give evidence or produce documents and power to take evidence on oath and administer oaths or require the making of declarations;
 - (c) requiring any such inquiry to be held otherwise than in public where or to the extent that a Minister of the Crown so directs.
- [^{F6}(4A) Provision that may be made by virtue of subsection (4)(a) includes, in particular, provision conferring functions on the Office for Nuclear Regulation in relation to powers of entry and inspection in relation to any premises for which it is an enforcing authority.]
- [^{F7}(5) In the case of a special report made by virtue of subsection (2), or a report made by the person holding an inquiry by virtue of subsection (2A), the Executive may cause the report, or so much of it as the Executive thinks fit, to be made public at such time and in such manner as it thinks fit.]
- (6) [^{F8}The Executive]—
- (a) in the case of an investigation and special report made by virtue of [^{F9}subsection (2)] above (otherwise than by an officer or servant of the Executive), may pay to the person making it such remuneration and expenses as the Secretary of State may, with the approval of the Minister for the Civil Service, determine;
 - (b) in the case of an inquiry held by virtue of [^{F10}subsection (2A)] above, may pay to the person holding it and to any assessor appointed to assist him such remuneration and expenses, and to persons attending the inquiry as witnesses such expenses, as the Secretary of State may, with the like approval, determine; and
 - (c) may, to such extent as the Secretary of State may determine, defray the other costs, if any, of any such investigation and special report or inquiry.

^{F11}^{F12}(7)

Extent Information

- E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

- F1** Words in s. 14(1) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(2)** (with art. 21, Sch. 2)
- F2** Words in s. 14(1) substituted (E.W.S.) (1.4.2006) by [Railways Act 2005 \(c. 14\)](#), ss. 2, 60, **Sch. 3 para. 4(5)** (with paras. 5, 6); [S.I. 2006/266](#), **art. 2**
- F3** Words in s. 14(1)(a) inserted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 4(2)**; [S.I. 2014/251](#), art. 4
- F4** S. 14(2)(2A) substituted (1.4.2008) for s. 14(2) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(3)** (with art. 21, Sch. 2)
- F5** Words in s. 14(3) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(4)** (with art. 21, Sch. 2)

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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 14. (See end of Document for details)

- F6** S. 14(4A) inserted (1.4.2014) by Energy Act 2013 (c. 32), s. 156(1), **Sch. 12 para. 4(3)**; S.I. 2014/251, art. 4
- F7** S. 14(5) substituted (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), **art. 6(5)** (with art. 21, Sch. 2)
- F8** Words in s. 14(6) substituted (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), **art. 6(6)(a)** (with art. 21, Sch. 2)
- F9** Words in s. 14(6)(a) substituted (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), **art. 6(6)(b)** (with art. 21, Sch. 2)
- F10** Words in s. 14(6)(b) substituted (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), **art. 6(6)(c)** (with art. 21, Sch. 2)
- F11** S. 14(7) repealed (S.) (15.6.2017) by Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (asp 2), s. 42(2), **sch. 2 para. 2(2)**; S.S.I. 2017/155, reg. 2 (with regs. 4(2), 5)
- F12** S. 14(7) repealed (E.W.N.I.) (15.6.2017) by The Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (Consequential Provisions and Modifications) Order 2016 (S.I. 2016/1142), art. 1(2), **Sch. para. 3(2)** (with art. 7(2)); S.S.I. 2017/155, reg. 2

Modifications etc. (not altering text)

- C22** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by S.I. 1989/840, **arts. 2–10**
- C23** 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)**)
- C24** S. 14 continued (1.4.2008) by The Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), art. 21, **Sch. 2 para. 6(2)**
- C25** 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)**)
- C26** 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)**)

14 Power of the Commission to direct investigations and inquiries. **N.I.**

(1) This section applies to the following matters, that is to say any accident, occurrence, situation or other matter whatsoever which [^{F1}the Executive] thinks it necessary or expedient to investigate for any of the general purposes of this Part or with a view to the making of regulations for those purposes; and for the purposes of this subsection it is immaterial whether the Executive is or is not responsible for securing the enforcement of such (if any) of the relevant statutory provisions as relate to the matter in question.

[^{F4}(2) The Executive may at any time—

- (a) investigate and make a special report on any matter to which this section applies; or
- (b) authorise another person to investigate and make a special report into any such matter.

(2A) The Executive may at any time, with the consent of the Secretary of State, direct an inquiry to be held into any matter to which this section applies.]

(3) Any inquiry held by virtue of [^{F5}subsection (2A)] above shall be held in accordance with regulations made for the purposes of this subsection by the Secretary of State, and shall be held in public except where or to the extent that the regulations provide otherwise.

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- (4) Regulations made for the purposes of subsection (3) above may in particular include provision—
- (a) conferring on the person holding any such inquiry, and any person assisting him in the inquiry, powers of entry and inspection;
 - (b) conferring on any such person powers of summoning witnesses to give evidence or produce documents and power to take evidence on oath and administer oaths or require the making of declarations;
 - (c) requiring any such inquiry to be held otherwise than in public where or to the extent that a Minister of the Crown so directs.
- [^{F6}(4A) Provision that may be made by virtue of subsection (4)(a) includes, in particular, provision conferring functions on the Office for Nuclear Regulation in relation to powers of entry and inspection in relation to any premises for which it is an enforcing authority.]
- [^{F7}(5) In the case of a special report made by virtue of subsection (2), or a report made by the person holding an inquiry by virtue of subsection (2A), the Executive may cause the report, or so much of it as the Executive thinks fit, to be made public at such time and in such manner as it thinks fit.]
- (6) [^{F8}The Executive]—
- (a) in the case of an investigation and special report made by virtue of [^{F9}subsection (2)] above (otherwise than by an officer or servant of the Executive), may pay to the person making it such remuneration and expenses as the Secretary of State may, with the approval of the Minister for the Civil Service, determine;
 - (b) in the case of an inquiry held by virtue of [^{F10}subsection (2A)] above, may pay to the person holding it and to any assessor appointed to assist him such remuneration and expenses, and to persons attending the inquiry as witnesses such expenses, as the Secretary of State may, with the like approval, determine; and
 - (c) may, to such extent as the Secretary of State may determine, defray the other costs, if any, of any such investigation and special report or inquiry.

^{F12}(7)

Extent Information

- E3** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

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- F8** Words in s. 14(6) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(6)(a)** (with art. 21, Sch. 2)
- F9** Words in s. 14(6)(a) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(6)(b)** (with art. 21, Sch. 2)
- F10** Words in s. 14(6)(b) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), **art. 6(6)(c)** (with art. 21, Sch. 2)
- F12** S. 14(7) repealed (E.W.N.I.) (15.6.2017) by [The Inquiries into Fatal Accidents and Sudden Deaths etc. \(Scotland\) Act 2016 \(Consequential Provisions and Modifications\) Order 2016 \(S.I. 2016/1142\)](#), art. 1(2), **Sch. para. 3(2)** (with art. 7(2)); S.S.I. 2017/155, reg. 2

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