



# 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

##### *Enforcement*

#### 21 Improvement notices.

If an inspector is of the opinion that a person—

- (a) is contravening one or more of the relevant statutory provisions; or
- (b) has contravened one or more of those provisions in circumstances that make it likely that the contravention will continue or be repeated,

he may serve on him a notice (in this Part referred to as “an improvement notice”) stating that he is of that opinion, specifying the provision or provisions as to which he is of that opinion, giving particulars of the reasons why he is of that opinion, and requiring that person to remedy the contravention or, as the case may be, the matters occasioning it within such period (ending not earlier than the period within which an appeal against the notice can be brought under section 24) as may be specified in the notice.

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

- C1** S. 21 applied by [S.I. 1989/840, arts. 2-10](#)  
S. 21 extended (E.W.S.) (1.10.1996) by [S.I. 1996/1513, reg. 10](#)  
S. 21 excluded (with saving) (E.W.S.) (1.12.1997) by [S.I. 1997/1840, regs. 7, 9](#)  
S. 21 applied (with modifications) (9.1.1995) by [S.I. 1994/3260, reg. 17\(3\)\(5\)](#)  
S. 21: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15, ss. 2\(4\)\(c\), 5](#) (with s. 3(5))  
S. 21 applied (with modifications) (E.W.S.) (16.4.1996) by [S.I. 1996/772, reg. 17](#)  
S. 21 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192, reg. 15, Sch. 14 para. 1\(b\)](#)  
[S. 21](#) applied (with modifications) (E.W.S.) (1.7.1997) by [S.I. 1997/831, reg. 19\(1\)-\(4\), Sch. 15 para. 1\(a\)\(b\)](#)

*Status: Point in time view as at 17/08/2015. This version of this provision has been superseded.*

*Changes to legislation: Health and Safety at Work etc. Act 1974, Section 21 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- S. 21 applied (15.11.2000) by S.I. 2000/2831, **reg. 26(1)(a)**
- C2** S. 21 applied (with modifications) (1.1.1993) by S.I. 1992/3073, **reg. 28, Sch. 6, para. 1(b)**  
 S. 21 applied (with modifications) (9.1.1995) by S.I. 1994/3260, **reg. 13(1)**
- C3** S. 21 modified (6.4.1992) by S.I. 1992/711, **reg. 28(3)(b)(5)(a)**  
 S. 21 modified (E.W.S.) (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 30(4)** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**
- C4** S. 21 extended (with modifications) (1.4.1999) by S.I. 1999/743, **reg. 20(1)-(3)**  
 S. 21 applied (E.W.S.) (20.9.2001) by S.I. 2001/2975, **reg. 19(a)**  
 S. 21 applied (E.W.S.) (24.7.2002) by S.I. 2002/1689, **reg. 14(1)(a)**  
 S. 21 applied (31.3.2002) by S.I. 2002/528, **reg. 10**  
 S. 21 applied (16.5.2002) by S.I. 2002/1166, **reg. 31** (with art. 37)
- C5** S. 21 applied (1.4.1999) by S.I. 1999/743, **reg. 20(5)**
- C6** S. 21 applied (with modifications) (19.11.1999) by S.I. 1999/2892, **reg. 16(1)**
- C7** S. 21 applied (with modifications) (29.11.1999) by S.I. 1999/2001, **reg. 24(1), Sch. 8 para. 1(b)**
- C8** S. 21 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)**)
- C9** S. 19-22 applied (with modifications) (E.W.S.) (3.5.2004) by S.I. 2004/129, **reg. 23(3)(a)** ; s. 21 applied (with modifications) (E.W.S.) (9.6.2004) by S.I. 2004/1309, **reg. 17**; ss. 19-22 applied (2.4.2006) by S.I. 2006/397, **reg. 34**
- C10** S. 21 applied (with modifications) (E.W.S.) (the amendment coming into force in accordance with art. 1(1) of the amending S.I.) by The Channel Tunnel (Safety) Order 2007 (S.I. 2007/3531), **art. 4(2)(3)(b)** (subject to (4)-(6)) (with art. 7)
- C11** 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)**)
- C12** S. 21 applied (with modifications) (E.W.S.) (6.4.2010) by The Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 (S.I. 2010/432), **reg. 6(2)(3)(b)**
- C13** S. 21 applied (with modifications) (E.W.S.) (6.4.2010) by The Train Driving Licences and Certificates Regulations 2010 (S.I. 2010/724), **regs. 1(2), 38(2)(3)(b)**
- C14** Ss. 19-28 applied (with modifications) (E.W.S.) (4.7.2010 for certain purposes and otherwise 4.7.2013) by The Pyrotechnic Articles (Safety) Regulations 2010 (S.I. 2010/1554), **regs. 1, 18, 37(1)**, {Sch. 4 paras. 1, 2}
- C15** 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)**)
- C16** S. 21 applied (with modifications) (16.1.2012) by The Railways (Interoperability) Regulations 2011 (S.I. 2011/3066), **regs. 1(2), 39(2)(3)(b)** (with reg. 3)
- C17** Ss. 18-26 applied (with modifications) (E.W.S.) (1.9.2013) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), **regs. 2(1), 8(1)** (with reg. 3(4), (5), 8(2)-(7), 31)
- C18** S. 21 applied (1.3.2014) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), **regs. 2(4), 19** (with reg. 3(4)(5)31)
- C19** Ss. 16-26 applied (E.W.S.) (1.10.2014) by The Genetically Modified Organisms (Contained Use) Regulations 2014 (S.I. 2014/1663), **regs. 1, 30(2)(a)** (with reg. 3(1)(2))
- C20** Ss. 19-28 applied (with modifications) (E.W.S.) (1.10.2014) by The Explosives Regulations 2014 (S.I. 2014/1638), **reg. 1(1), Sch. 12 paras. 2, 3**
- C21** Ss. 16-21 applied (with modifications) (E.W.S.) (1.6.2015) by The Control of Major Accident Hazards Regulations 2015 (S.I. 2015/483), **regs. 1(1), 27(1)(a)** (with reg. 3(2))
- C22** Ss. 18-28 applied (with modifications) (E.W.S.) (1.6.2015) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), **regs. 2(2), 17(1)** (with reg. 3(4)(5)31)
- C23** Ss. 18-21 applied (E.W.S.) (19.7.2015) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015 (S.I. 2015/398), **regs. 1, 36(8)(a)** (with reg. 4(2), Sch. 14)

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- C24** Ss. 16-22 applied (E.W.S.) (19.7.2015) by [The Offshore Installations \(Offshore Safety Directive\) \(Safety Case etc.\) Regulations 2015 \(S.I. 2015/398\)](#), regs. 1, **36(1)(a)** (with reg. 4(2), Sch. 14)
- C25** S. 21 applied (with modifications) (17.8.2015) by [The Pyrotechnic Articles \(Safety\) Regulations 2015 \(S.I. 2015/1553\)](#), reg. 1, Sch. 8 paras. 1(d), 2

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