



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

24 Appeal against improvement or prohibition notice.

- (1) In this section “a notice” means an improvement notice or a prohibition notice.
- (2) A person on whom a notice is served may within such period from the date of its service as may be prescribed appeal to an [^{F1}employment tribunal]; and on such an appeal the tribunal may either cancel or affirm the notice and, if it affirms it, may do so either in its original form or with such modifications as the tribunal may in the circumstances think fit.
- (3) Where an appeal under this section is brought against a notice within the period allowed under the preceding subsection, then—
 - (a) in the case of an improvement notice, the bringing of the appeal shall have the effect of suspending the operation of the notice until the appeal is finally disposed of or, if the appeal is withdrawn, until the withdrawal of the appeal;
 - (b) in the case of a prohibition notice, the bringing of the appeal shall have the like effect if, but only if, on the application of the appellant the tribunal so directs (and then only from the giving of the direction).
- (4) One or more assessors may be appointed for the purposes of any proceedings brought before an [^{F1}employment tribunal] under this section.

Textual Amendments

- F1** Words in s. 24(2)(4) substituted (1.8.1998) by 1998 c. 8, s. 1(2)(a) (with s. 16(2)); S.I. 1998/1658, art. 2(1), Sch. 1

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Modifications etc. (not altering text)

- C1** S. 24 applied by [S.I. 1989/840, arts. 2-10](#)
 S. 24 excluded (with saving) (E.W.S.) (1.12.1997) by [S.I. 1997/1840, regs. 7, 9](#)
 S. 24 extended (E.W.S.) (1.10.1996) by [S.I. 1996/1513, reg. 10](#)
 S. 24 applied (with modifications) (9.1.1995) by [S.I. 1994/3260, reg. 17\(3\)\(5\)](#)
 S. 24: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15, ss. 2\(4\)\(c\), 5](#) (with s. 3(5))
 S. 24 applied (with modifications) (E.W.S.) (16.4.1996) by [S.I. 1996/772, reg. 17](#)
 S. 24 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192, reg. 15, Sch. 14 para. 1\(b\)](#)
 S. 24 applied (with modifications) (E.W.S.) (1.7.1997) by [S.I. 1997/831, reg. 19\(1\)-\(4\), Sch. 15 para. 1\(a\)\(b\)](#) S. 24 applied (15.11.2000) by [S.I. 2000/2831, reg. 26\(1\)\(a\)](#)
 S. 24 applied (E.W.S.) (24.7.2002) by [S.I. 2002/1689, reg. 14\(1\)\(a\)](#)
 S. 24 applied (31.3.2002) by [S.I. 2002/528, reg. 10](#)
 S. 24 applied (16.5.2002) by [S.I. 2002/1166, reg. 31](#) (with art. 37)
- C2** S. 24 applied (with modifications) (1.1.1993) by [S.I.1992/3073, reg. 28, Sch. 6 para. 1\(b\)](#)
- C3** S. 24 modified (6.4.1992) by [S.I. 1992/711, regs. 1\(2\), 28\(3\)\(b\)\(5\)\(a\)](#)
- C4** S. 24 applied (1.4.1999) by [S.I. 1999/743, reg. 18\(6\)](#)
- C5** S. 24 excluded (1.4.1999) by [S.I. 1999/743, reg. 22\(6\)\(c\)](#)
- C6** S. 24 applied (with modifications) (19.11.1999) by [S.I. 1999/2892, reg. 16\(1\)](#)
- C7** S. 24 applied (with modifications) (29.11.1999) by [S.I. 1999/2001, reg. 24\(1\), Sch. 8 para. 1\(b\)](#)
- C8** S. 24 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. 24 applied (E.W.S.) (20.9.2001) by [S.I. 2001/2975, reg. 19\(b\)](#)
- C10** S. 24 applied (with modifications) (E.W.S.) (3.5.2004) by [S.I. 2004/129, reg. 23\(3\)\(b\)](#); s. 24 applied (with modifications) (E.W.S.) (9.6.2004) by [S.I. 2004/1309, reg. 17](#); s. 24 applied (2.4.2006) by [S.I. 2006/397, reg. 34](#)
- C11** S. 24 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\(2\)\(3\)\(d\)](#) (subject to (4)-(6)) (with art. 7)
- C12** 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\(3\)](#))
- C13** S. 24 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\(2\)\(3\)\(d\)](#)
- C14** S. 24 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\(2\)\(3\)\(d\)](#)
- C15** 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}](#)
- C16** 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\(2\)](#))
- C17** S. 24 applied (with modifications) (16.1.2012) by [The Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\), regs. 1\(2\), 39\(2\)\(3\)\(d\)](#) (with reg. 3)
- C18** 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)
- C19** Ss. 23, 24 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)
- C20** 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))
- C21** 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](#)

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- C22** S. 24 applied (E.W.S.) (1.6.2015) by [The Control of Major Accident Hazards Regulations 2015 \(S.I. 2015/483\)](#), regs. [1\(1\)](#), [23\(6\)](#) (with reg. [3\(2\)](#))
- C23** 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](#))

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