



# Health and Safety at Work etc. Act 1974

## 1974 CHAPTER 37

### PART II

#### THE EMPLOYMENT MEDICAL ADVISORY SERVICE

#### **59 Duty of responsible authority to keep accounts and to report.**

- (1) It shall be the duty of the authority for the time being responsible for maintaining the employment medical advisory service—
  - (a) to keep, in relation to the maintenance of that service, proper accounts and proper records in relation to the accounts;
  - (b) to prepare in respect of each accounting year a statement of accounts relating to the maintenance of that service in such form as the Secretary of State may direct with the approval of the Treasury; and
  - (c) to send copies of the statement to the Secretary of State and the Comptroller and Auditor General before the end of the month of November next following the accounting year to which the statement relates.
- (2) The Comptroller and Auditor General shall examine, certify and report on each statement received by him in pursuance of subsection (1) above and shall lay copies of each statement and of his report before each House of Parliament.
- (3) It shall also be the duty of the authority responsible for maintaining the employment medical advisory service to make to the Secretary of State, as soon as possible after the end of each accounting year, a report on the discharge of its responsibilities in relation to that service during that year; and the Secretary of State shall lay before each House of Parliament a copy of each report made to him in pursuance of this subsection.
- (4) Where as a result of arrangements made in pursuance of section 55(2) the authority responsible for maintaining the employment medical advisory service changes, the change shall not affect any duty imposed by this section on the body which was responsible for maintaining that service before the change.
- (5) No duty imposed on the authority for the time being responsible for maintaining the employment medical advisory service by subsection (1) or (3) above shall fall on

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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 59. (See end of Document for details)*

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[<sup>F1</sup>the Executive](which is subject to corresponding duties under Schedule 2) or on the Secretary of State.

- (6) In this section “accounting year” means, except so far as the Secretary of State otherwise directs, the period of twelve months ending with 31st March in any year.

#### **Textual Amendments**

- F1** Words s. 59(5) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 19](#) (with art. 21, Sch. 2)

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

- C1** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by S.I. 1989/840, [arts. 2–10](#)
- C2** 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\(2\)\(4\)](#))
- C3** 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\(3\)](#))
- C4** 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\(2\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 59.