



# Police (Health and Safety) Act 1997

## 1997 CHAPTER 42

### 5 Payment of damages, compensation and fines out of certain funds

- (1) There shall be paid out of the relevant fund—
  - (a) any damages, costs or expenses awarded against the responsible officer in any proceedings brought against him by virtue of section 51A(1) of the Health and Safety at Work etc. Act 1974 in respect of a breach of health and safety regulations and any costs or expenses incurred by him in any such proceedings so far as not recovered by him in the proceedings,
  - (b) any sum required in settlement of any claim made against the responsible officer by virtue of section 51A(1) of that Act in respect of an alleged breach of health and safety regulations, if the settlement is approved by the relevant authority,
  - (c) any compensation, costs or expenses awarded against the responsible officer in any proceedings brought against him—
    - (i) under section 48 of the Employment Rights Act 1996 by virtue of section 49A of that Act, or
    - (ii) under section 111 of that Act by virtue of section 134A of that Act, and any costs or expenses incurred by him in any such proceedings so far as not recovered by him in the proceedings, and
  - (d) any sum required in settlement of any claim made against the responsible officer as mentioned in paragraph (c)(i) or (ii) above, if the settlement is approved by the relevant authority.
- (2) Any fine imposed on the responsible officer on conviction of an offence under Part I of the Health and Safety at Work etc. Act 1974 by virtue of section 51A(1) of that Act, any costs or expenses ordered to be paid by him on conviction of such an offence and any costs or expenses incurred by him in connection with proceedings for such an offence may, with the approval of the relevant authority, be paid out of the relevant fund.
- (3) In this section—

“health and safety regulations” has the same meaning as in Part I of the Health and Safety at Work etc. Act 1974;

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*Status: This is the original version (as it was originally enacted).*

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“the relevant authority” means—

- (a) in relation to a chief officer of police in England and Wales, the police authority,
- (b) in relation to a chief officer of police in Scotland, the police authority or, in the case of a combined area, the joint police board (within the meaning of the Police (Scotland) Act 1967),
- (c) in relation to the Director General of the National Criminal Intelligence Service, the Service Authority for the National Criminal Intelligence Service, and
- (d) in relation to the Director General of the National Crime Squad, the Service Authority for the National Crime Squad, and
- (e) in relation to any other responsible officer, the authority by whom the constables or cadets in question are paid;

“the relevant fund” means—

- (a) in relation to a chief officer of police, the police fund,
- (b) in relation to the Director General of the National Criminal Intelligence Service, the NCIS service fund, and
- (c) in relation to the Director General of the National Crime Squad, the NCS service fund,
- (d) in relation to any other responsible officer, money provided by the relevant authority;

“the responsible officer” means—

- (a) in relation to a police force or police cadets appointed for a police area, the chief officer of police,
- (b) in relation to the National Criminal Intelligence Service or the National Crime Squad, the Director General of the National Criminal Intelligence Service or the Director General of the National Crime Squad, and
- (c) in relation to any other body of constables or cadets, the person who has the direction and control of the body of constables or cadets in question.