

## STATUTORY INSTRUMENTS

# 1978 No. 1039

## Health and Safety at Work (Northern Ireland) Order 1978

### <sup>F1</sup> PART II

#### HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES

##### *Enforcement*

##### **Power to deal with cause of imminent danger**

<sup>F1F2</sup>27.—(1) Where, in the case of any article or substance found by him in any premises which he has power to enter, an inspector has reasonable cause to believe that, in the circumstances in which he finds it, the article or substance is a cause of imminent danger of serious personal injury, he may seize it and cause it to be rendered harmless (whether by destruction or otherwise).

(2) Before there is rendered harmless under this Article—

- (a) any article that forms part of a batch of similar articles; or
- (b) any substance,

the inspector shall, if it is practicable for him to do so, take a sample thereof and give to a responsible person at the premises where the article or substance was found by him a portion of the sample marked in a manner sufficient to identify it.

(3) As soon as may be after any article or substance has been seized and rendered harmless under this Article, the inspector shall prepare and sign a written report giving particulars of the circumstances in which the article or substance was seized and so dealt with by him, and shall—

- (a) give a signed copy of the report to a responsible person at the premises where the article or substance was found by him; and
- (b) unless that person is the owner of the article or substance, also serve a signed copy of the report on the owner;

and if, where sub-paragraph ( b ) applies, the inspector cannot after reasonable enquiry ascertain the name or address of the owner, the copy may be served on him by giving it to the person to whom a copy was given under sub-paragraph ( a ).

**F1** mod. by SR 2000/87; 2000/120

**F2** mod. by 2002 c. 8 (NI)

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

**C1** Arts. 18-30 applied (with modifications) (27.7.2009) by [Chemicals \(Hazard Information and Packaging for Supply\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/238\)](#), **reg. 14(1)(a)**

**C2** Arts. 18-30 applied (with modifications) (24.8.2009) by [Explosives \(Hazard Information and Packaging for Supply\) Regulations \(Northern Ireland\) 2009 \(S.R. 2009/273\)](#), **reg. 14(1)(a)**

- C3** Arts. 20-28 applied (with modifications) (1.9.2013) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/206\)](#), regs. 2(1), **7(1)(a)** (with regs. 3, 8-15, 19)
- C4** Arts. 20-30 applied with modification(s) (1.6.2015) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **5(1)(a)**
- C5** Arts. 20-30 applied (with modifications) (1.6.2015) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/206\)](#), regs. 2(2), **16** (with regs. 3, 19)
- C6** Arts. 18-28 applied (23.10.2015) by [The Genetically Modified Organisms \(Contained Use\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/339\)](#), regs. 1, **30(2)(a)** (with reg. 3(1)(2))
- C7** Arts. 23-33 applied (with modifications) (21.10.2016) by [The Making Available on the Market and Supervision of Transfers of Explosives Regulations \(Northern Ireland\) 2016 \(S.R. 2016/366\)](#), reg. 1, Sch. 2 paras. 6(a), 7 (with Sch. 2 para. 7(2))
- C8** Art. 27 applied (with modifications) (8.12.2016) by [The Lifts Regulations 2016 \(S.I. 2016/1093\)](#), reg. 1, Sch. 9 paras. 1(h), **2** (with regs. 3-5)
- C9** Art. 27 applied (with modifications) (8.12.2016) by [The Electrical Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1101\)](#), reg. 1, Sch. 5 paras. 1, **2** (with reg. 3)
- C10** Art. 27 applied (with modifications) (8.12.2016) by [The Simple Pressure Vessels \(Safety\) Regulations 2016 \(S.I. 2016/1092\)](#), reg. 1, Sch. 7 paras. 1(g), **2** (with reg. 3)
- C11** Art. 27 applied (with modifications) (10.7.2017) by [The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations \(Northern Ireland\) 2017 \(S.R. 2017/90\)](#), reg. 1, **Sch. 4 para. 1(g)**
- C12** Art. 27 applied (with modifications) (21.4.2018) by [The Personal Protective Equipment \(Enforcement\) Regulations 2018 \(S.I. 2018/390\)](#), reg. 1(1), **Sch. 3** (with reg. 2(1)-(3))
- C13** Art. 27 applied (with modifications) (8.12.2016) by [The Pressure Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1105\)](#), reg. 1, Sch. 9 paras. 1(g), **2** (with reg. 88) (as amended (1.10.2018) by [The Simple Pressure Vessels, Electrical Equipment and Pressure Equipment \(Miscellaneous Amendments\) \(Northern Ireland\) Regulations 2018 \(S.I. 2018/966\)](#), regs. 1(1), **4(2)** (with reg. 1(2)-(4)))
- C14** Art. 27 applied (with modifications) (16.7.2021) by [The Market Surveillance \(Northern Ireland\) Regulations 2021 \(S.I. 2021/858\)](#), reg. 1(1), Sch. 3 paras. 2, **3** (with reg. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 27.