

## 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 of enforcing authorities to indemnify their inspectors**

<sup>F1F2</sup>28. Where—

- (a) an action has been brought against an inspector in respect of an act done in the execution or purported execution of any of the relevant statutory provisions; and
- (b) the circumstances are such that he is not legally entitled to require the enforcing authority which appointed him to indemnify him,

that authority may, nevertheless, indemnify him against the whole or part of any damages and costs which he may have been ordered to pay or may have incurred, if the authority is satisfied that he honestly believed that the act complained of was within his powers and that his duty as an inspector required or entitled him to do it.

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

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

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

- C1** Art. 28 applied (2.4.2006) by [The Railways \(Interoperability\) Regulations 2006 \(S.I. 2006/397\)](#), **reg. 35**
- C2** 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)**
- C3** 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)**
- C4** Art. 28 applied (with modifications) (10.5.2010 with effect as mentioned in reg. 41 of the amending Regulations) by [Train Driving Licences and Certificates Regulations \(Northern Ireland\) 2010 \(S.R. 2010/132\)](#), regs. 1(2), **40(2)(3)(e)**
- C5** Art. 28 applied (with modifications) (16.1.2012) by [Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), **reg. 40(2)(3)(e)** (with reg. 3)
- C6** 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)
- C7** Arts. 27A-30 applied (with modifications) (1.3.2014) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013 \(S.I. 2013/1506\)](#), regs. 2(4), **20** (with regs. 3(4)(5), 31)

**Status:**

Point in time view as at 01/03/2014. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work (Northern Ireland) Order 1978, Section 28.