

STATUTORY INSTRUMENTS

1978 No. 1039

Health and Safety at Work (Northern Ireland) Order 1978

^{F1} PART II

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

Provisions as to offences

Prosecutions by inspectors

^{F1F2}**36.** An inspector, if authorised in that behalf by the enforcing authority which appointed him, may, although not of counsel or a solicitor, prosecute before a court of summary jurisdiction proceedings for an offence under any of the relevant statutory provisions.

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

F2 mod. by 2002 c. 8 (NI)

Modifications etc. (not altering text)

- C1** Art. 36 applied (2.4.2006) by [The Railways \(Interoperability\) Regulations 2006 \(S.I. 2006/397\)](#), **reg. 35**
- C2** Arts. 31-39 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)(b)**
- C3** Arts. 31-39 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)(b)**
- C4** Arts. 34-38 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)(g)**
- C5** Art. 36 applied (with modifications) (16.1.2012) by [Railways \(Interoperability\) Regulations 2011 \(S.I. 2011/3066\)](#), **reg. 40(2)(3)(g)** (with reg. 3)
- C6** Arts. 31-39 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)(b)** (with regs. 3, 8-15, 19, 20, 21)
- C7** Arts. 31-39 applied (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, 32, 33(2))
- C8** Arts. 31-39 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, 20, 21)
- C9** Arts. 31-39 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)(b)**, 9, 10
- C10** Arts. 31-39 applied (with modifications) (28.9.2015) by [The Control of Major Accident Hazards Regulations \(Northern Ireland\) 2015 \(S.R. 2015/325\)](#), regs. 1, **27(1)(d)** (with regs. 3(2), 27(3))

- C11** Arts. 31-39 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))
- C12** Art. 36 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))
- C13** Art. 36 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)
- C14** Art. 36 applied (with modifications) (8.12.2016) by The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), reg. 1, Sch. 7 paras. 1(p), 2 (with reg. 3)
- C15** Art. 36 applied (with modifications) (8.12.2016) by The Lifts Regulations 2016 (S.I. 2016/1093), reg. 1, Sch. 9 paras. 1(q), 2 (with regs. 3-5)
- C16** Arts. 31-39 applied (19.12.2016) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016 (S.R. 2016/406), regs. 1, **36(1)(d)** (with reg. 4(2), Sch. 15)
- C17** Arts. 31-39 applied (19.12.2016) by The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations (Northern Ireland) 2016 (S.R. 2016/406), regs. 1, **36(8)(d)** (with reg. 4(2), Sch. 15)
- C18** Art. 36 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(p)**
- C19** Art. 36 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))
- C20** Arts. 32-39 applied (with modifications) (30.7.2018) by The Cableway Installations Regulations 2018 (S.I. 2018/816), regs. 1, **22(1)-(3)** (with reg. 4)
- C21** Art. 36 applied (with modifications) (8.12.2016) by The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), reg. 1, Sch. 9 paras. 1(p), 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)))
- C22** Art. 36 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 36.