
DRAFT STATUTORY INSTRUMENTS

2008 No.

**The Legislative Reform (Health
and Safety Executive) Order 2008**

Establishment of the new Health and Safety Executive

4. For section 10 substitute —

“10. Establishment of the Executive

(1) There shall be a body corporate to be known as the Health and Safety Executive (in this Act referred to as “the Executive”).

(2) The provisions of Schedule 2 shall have effect with respect to the Executive.

(3) The functions of the Executive and of its officers and servants shall be performed on behalf of the Crown.

(4) For the purpose of any civil proceedings arising out of those functions—

(a) in England and Wales and Northern Ireland, the Crown Proceedings Act 1947 shall apply to the Executive as if it were a government department within the meaning of that Act, and

(b) in Scotland, the Crown Suits (Scotland) Act 1857 shall apply to the Executive as if it were a public department within the meaning of that Act.”