



Health and Safety at Work etc. Act 1974

1974 CHAPTER 37

PART I

HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

Enforcement

25 Power to deal with cause of imminent danger.

- (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 section—
 - (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 section, 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;

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and if, where paragraph (b) above 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 the preceding paragraph.

Modifications etc. (not altering text)

- C1** S. 25 applied by [S.I. 1989/840, arts. 2-10](#)
 S. 25 applied (with modifications) (9.1.1995) by [S.I. 1994/3260, reg. 17\(3\)\(5\)](#)
 S. 25: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15, ss. 2\(4\)\(d\), 5 \(with s. 3\(5\)\)](#)
 S. 25 applied (with modifications) (E.W.S.) (16.4.1996) by [S.I. 1996/772, reg. 17](#)
 S. 25 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192, reg. 15, Sch. 14 para. 1\(b\)](#)
 S. 25 applied (with modifications) (E.W.S.) (1.7.1997) by [S.I. 1997/831, reg. 19\(1\)-\(4\), Sch. 15 para. 1\(a\)\(b\)](#)
 S. 25 applied (15.11.2000) by [S.I. 2000/2831, reg. 26\(1\)\(a\)](#)
 S. 25 applied (E.W.S.) (24.7.2002) by [S.I. 2002/1689, reg. 14\(1\)\(a\)](#)
 S. 25 applied (31.3.2002) by [S.I. 2002/528, reg. 10](#)
- C2** Ss. 19-28 applied (with modifications) (1.1.1993) by [S.I. 1992/3073, reg. 28, Sch. 6 para. 1\(b\)](#)
- C3** S. 25 modified (6.4.1992) by [S.I. 1992/711, regs. 1\(2\), 28\(3\)\(b\)\(5\)\(a\)](#)
- C4** S. 25 applied (with modifications) (19.11.1999) by [S.I. 1999/2892, reg. 16\(1\)](#)
- C5** S. 25 applied (with modifications) (29.11.1999) by [S.I. 1999/2001, reg. 24\(1\), Sch. 8 para. 1\(b\)](#)
- C6** S. 25 applied (11.7.2001) by [S.I. 2001/2127, arts. 4\(1\), 5\(1\)\(2\), 6\(1\), 7\(1\), 8\(1\), 10 \(with art. 11\) \(as amended by \[S.I. 2009/1750, art. 2\\(2\\)\\(4\\)\\)\]\(#\)](#)
- C7** S. 25 applied (with modifications) (E.W.S.) (9.6.2004) by [S.I. 2004/1309, reg. 17](#)
- C8** S. 25 applied (with modifications) (E.W.S.) (the amendment coming into force in accordance with art. 1(1) of the amending S.I.) by [The Channel Tunnel \(Safety\) Order 2007 \(S.I. 2007/3531\), art. 4\(2\)\(3\) \(e\) \(subject to \(4\)-\(6\)\) \(with art. 7\)](#)
- C9** Ss. 1-59, 80-82 applied (temp.) (5.8.2009) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) Order 2001 \(S.I. 2001/2127\), arts. 8A, 8B \(as inserted by \[S.I. 2009/1750, art. 2\\(3\\)\\)\]\(#\)](#)
- C10** Ss. 19-28 applied (with modifications) (E.W.S.) (4.7.2010 for certain purposes and otherwise 4.7.2013) by [The Pyrotechnic Articles \(Safety\) Regulations 2010 \(S.I. 2010/1554\), regs. 1, 18, 37\(1\), {Sch. 4 paras. 1, 2}](#)
- C11** Ss. 1-59 applied by [S.I. 2001/2127 art. 8A 8B \(as inserted \(E.W.S.\) \(6.4.2011\) by \[The Health and Safety at Work etc. Act 1974 \\(Application outside Great Britain\\) \\(Variation\\) Order 2011 \\(S.I. 2011/745\\), arts. 1\\(1\\), 3\\(2\\)\]\(#\)](#)
- C12** Ss. 18-26 applied (with modifications) (E.W.S.) (1.9.2013) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013 \(S.I. 2013/1506\), regs. 2\(1\), 8\(1\) \(with reg. 3\(4\), \(5\), 8\(2\)-\(7\), 31\)](#)
- C13** Ss. 16-26 applied (E.W.S.) (1.10.2014) by [The Genetically Modified Organisms \(Contained Use\) Regulations 2014 \(S.I. 2014/1663\), regs. 1, 30\(2\)\(a\) \(with reg. 3\(1\)\(2\)\)](#)
- C14** Ss. 19-28 applied (with modifications) (E.W.S.) (1.10.2014) by [The Explosives Regulations 2014 \(S.I. 2014/1638\), reg. 1\(1\), Sch. 12 paras. 2, 3](#)
- C15** Ss. 18-28 applied (with modifications) (E.W.S.) (1.6.2015) by [The Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013 \(S.I. 2013/1506\), regs. 2\(2\), 17\(1\) \(with reg. 3\(4\)\(5\)31\)](#)
- C16** S. 25 applied (with modifications) (17.8.2015) by [The Pyrotechnic Articles \(Safety\) Regulations 2015 \(S.I. 2015/1553\), reg. 1, Sch. 8 paras. 1\(h\), 2](#)
- C17** Ss. 19-28 applied (with modifications) by [S.I. 2014/1638, Sch. 12 paras. 5-7 \(as substituted \(E.W.S.\) \(20.4.2016\) by \[The Explosives Regulations 2014 \\(Amendment\\) Regulations 2016 \\(S.I. 2016/315\\), reg. 1, Sch. 1 \\(with regs. 2\\(1\\), 15\\)\\)\]\(#\)](#)
- C18** S. 25 applied (with modifications) (8.12.2016) by [The Electrical Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1101\), reg. 1, Sch. 4 paras. 1, 2 \(with reg. 3\)](#)

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- C19** S. 25 applied (with modifications) (8.12.2016) by [The Pressure Equipment \(Safety\) Regulations 2016 \(S.I. 2016/1105\)](#), reg. 1, [Sch. 8 paras. 1\(g\), 2](#) (with reg. 88)
- C20** S. 25 applied (with modifications) (8.12.2016) by [The Simple Pressure Vessels \(Safety\) Regulations 2016 \(S.I. 2016/1092\)](#), reg. 1, [Sch. 6 paras. 1\(g\), 2](#) (with reg. 3)
- C21** S. 25 applied (with modifications) (E.W.S.) (8.12.2016) by [The Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres Regulations 2016 \(S.I. 2016/1107\)](#), reg. 1(1), [Sch. 4 para. 1\(g\)](#)
- C22** S. 25 applied (with modifications) (8.12.2016) by [The Lifts Regulations 2016 \(S.I. 2016/1093\)](#), reg. 1, [Sch. 8 paras. 1\(h\), 2](#) (with regs. 3-5)
- C23** S. 25 applied (with modifications) (21.4.2018) by [The Personal Protective Equipment \(Enforcement\) Regulations 2018 \(S.I. 2018/390\)](#), reg. 1(1), [Sch. 2](#) (with reg. 2(1)-(3))
- C24** S. 25 applied (with modifications) (21.4.2018) by [The Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018 \(S.I. 2018/389\)](#), reg. 1(1), [Sch. 2](#) (with reg. 2)

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Changes and effects yet to be applied to :

- s. 21-25 power to exclude conferred by [2014 c. 20 Sch. 1 para. 4\(1\)\(a\)](#)