



# 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

##### *Miscellaneous and supplementary*

#### **52 Meaning of work and at work.**

(1) For the purposes of this Part—

- (a) “work” means work as an employee or as a self-employed person;
- (b) an employee is at work throughout the time when he is in the course of his employment, but not otherwise;

[<sup>F1</sup>(bb) a person holding the office of constable is at work throughout the time when he is on duty, but not otherwise; and]

- (c) a self-employed person is at work throughout such time as he devotes to work as a self-employed person;

and, subject to the following subsection, the expressions “work” and “at work”, in whatever context, shall be construed accordingly.

(2) Regulations made under this subsection may—

- (a) extend the meaning of “work” and “at work” for the purposes of this Part; and
- (b) in that connection provide for any of the relevant statutory provisions to have effect subject to such adaptations as may be specified in the regulations.

[<sup>F2</sup>(3) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State <sup>F3</sup>. . . .]

#### **Textual Amendments**

**F1** S. 52(1)(bb) substituted for word in s. 52(1)(b) (E.W.S.) (1.7.1998) by 1997 c. 42, s. 2; S.I. 1998/1542, art. 2

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**Status:** Point in time view as at 27/03/2002. This version of this provision has been superseded.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 etc. Act 1974, Section 52. (See end of Document for details)*

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- F2** S. 52(3) substituted for s. 52(3)(4) by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 15 para. 17**  
**F3** Words in s. 52(3) repealed (27.3.2002) by [S.I. 2002/794](#), [art. 5\(2\)](#), **Sch.** (with [art. 6](#))

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

- C1** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by [S.I. 1989/840](#), **arts. 2–10**  
**C2** Ss. 1-59, 80-82 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)**)  
**C3** S. 52 applied (E.W.S.) (1.4.2006) by [Railways Act 2005 \(c. 14\)](#), [ss. 2, 60](#), {[Sch. 3 para. 11\(10\)](#)}; [S.I. 2006/266](#), **art. 2(2)**, **Sch.**  
**C4** 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)**)

**Status:**

Point in time view as at 27/03/2002. 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 etc. Act 1974, Section 52.