

SCHEDULE 5

ENFORCEMENT

General duties of enforcement authorities

1. Except as specified in [^{F1}paragraphs 3 and 3A], it shall be the duty of the Health and Safety Executive to make adequate arrangements for the enforcement of these Regulations in Great Britain in relation to machinery and partly completed machinery for use at work.

F1 Words in Sch. 5 para. 1 substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), [Sch. 3 para. 130\(2\)](#) (with Sch. 4)

2. Except as specified in [^{F2}paragraphs 3 and 3A], it shall be the duty of every local weights and measures authority in Great Britain to enforce these Regulations within its area in relation to machinery or partly completed machinery which is not for use at work.

F2 Words in Sch. 5 para. 2 substituted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), [Sch. 3 para. 130\(2\)](#) (with Sch. 4)

3. It shall be the duty of [^{F3}the Office of Rail and Road] to make adequate arrangements for the enforcement of these Regulations in Great Britain where the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006 make it the enforcing authority, within the meaning of section 18(7) of the 1974 Act, in relation to machinery or partly completed machinery for use in the operation of a railway, tramway or any other system of guided transport, as defined in those Regulations.

F3 Words in Sch. 5 para. 3 substituted (E.W.S.) (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), [Sch. para. 10\(t\)\(iii\)](#)

[^{F4}3A. It shall be the duty of the Office for Nuclear Regulation to make adequate arrangements for the enforcement of these Regulations in relation to—

- (a) machinery, or partly completed machinery, which is intended exclusively or primarily for use on a relevant nuclear site; or
- (b) putting machinery into service on such a site.]

F4 Sch. 5 para. 3A inserted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), [Sch. 3 para. 130\(3\)](#) (with Sch. 4)

4. It shall be the duty of the Health and Safety Executive for Northern Ireland to make adequate arrangements for the enforcement of these Regulations in Northern Ireland in relation to machinery and partly completed machinery for use at work.

5. It shall be the duty of every district council in Northern Ireland to enforce these Regulations within its area in relation to machinery or partly completed machinery which is not for use at work.

6. The Secretary of State may enforce these Regulations in relation to machinery or partly completed machinery which is not for use at work in cases where [^{F5}the Office of Rail and Road] is not the enforcement authority.

Changes to legislation: There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, General duties of enforcement authorities. (See end of Document for details)

F5 Words in Sch. 5 paras. 6-8 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 10(t)(iii)**

Changes to legislation:

There are currently no known outstanding effects for the The Supply of Machinery (Safety) Regulations 2008, General duties of enforcement authorities.