



# 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

##### *The Health and Safety Commission and the Health and Safety Executive*

#### [<sup>F1</sup> 12 Control of the Executive by the Secretary of State.

- (1) The Secretary of State may approve any proposals submitted to him under section 11(5)(a) with or without modifications.
- (2) The Secretary of State may at any time give to the Executive—
  - (a) such directions as he thinks fit with respect to its functions, or
  - (b) such directions as appear to him requisite or expedient to give in the interests of the safety of the State.
- (3) The Secretary of State may not under subsection (2) give any directions with regard to the enforcement of the relevant statutory provisions [<sup>F2</sup>, or the enforcement of the building enactments,] in any particular case.
- (4) The reference to directions in subsection (2)(a)—
  - (a) includes directions modifying the Executive's functions, but
  - (b) does not include directions conferring functions on the Executive other than any functions of which it was deprived by previous directions given under subsection (2)(a).]

#### Textual Amendments

- F1** Ss. 11-13 substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 5](#) (with [art. 21](#), [Sch. 2](#))
- F2** Words in s. 12(3) inserted (E.W.S.) (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(5), [Sch. 1 para. 4](#); [S.I. 2022/561](#), reg. 3(a)

*Changes to legislation: There are currently no known outstanding effects for the*  
*Health and Safety at Work etc. Act 1974, Section 12 . (See end of Document for details)*

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

- C1** 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)**)
- C2** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by [S.I. 1989/840](#), **arts. 2–10**
- C3** 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)**)
- 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)**)

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 12 .