



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

Obtaining and disclosure of information

27 Obtaining of information by the Commission, the Executive, enforcing authorities etc.

- (1) For the purpose of obtaining—
- (a) any information which [^{F1}the Executive] needs for the discharge of its functions; or
 - (b) any information which an enforcing authority [^{F2}other than the Office for Nuclear Regulation] needs for the discharge of the authority's functions,

[^{F1}the Executive] may, with the consent of the Secretary of State, serve on any person a notice requiring that person to furnish to [^{F1}the Executive] or, as the case may be, to the enforcing authority in question such information about such matters as may be specified in the notice, and to do so in such form and manner and within such time as may be so specified.

In this subsection “consent” includes a general consent extending to cases of any stated description.

- (2) Nothing in section 9 of the ^{M1}Statistics of Trade Act 1947 (which restricts the disclosure of information obtained under that Act) shall prevent or penalise—
- (a) the disclosure by a Minister of the Crown to ^{F3}... the Executive of information obtained under that Act about any undertaking within the meaning of that Act, being information consisting of the names and address of the persons carrying on the undertaking, the nature of the undertaking's activities, the numbers of persons of different descriptions who work in the undertaking, the addresses or places where activities of the undertaking are or were carried

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on, the nature of the activities carried on there, or the numbers of person of different descriptions who work or worked in the undertaking there; ^{F4} . . .

^{F4}(b)

[^{F5}(3) In the preceding subsection, any reference to a Minister of the Crown or the Executive includes respectively a reference to an officer of that person or of that body and also, in the case of a reference to the Executive, includes a reference to—

- (a) a person performing any functions of the Executive on its behalf by virtue of section 13(3);
- (b) an officer of a body which is so performing any such functions; and
- (c) an adviser appointed under section 13(7).]

(4) A person to whom information is disclosed in pursuance of subsection (2) above shall not use the information for a purpose other than a purpose ^{F6} . . . of the Executive.

[^{F7}(5) In this section any reference to the Executive’s functions does not include its building functions.]

Textual Amendments

- F1** Words in s. 27(1) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 11\(2\)](#) (with art. 21, Sch. 2)
- F2** Words in s. 27(1)(b) inserted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), [Sch. 12 para. 7](#); S.I. 2014/251, art. 4
- F3** Words in s. 27(2) omitted (1.4.2008) by virtue of [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 11\(3\)](#) (with art. 21, Sch. 2)
- F4** S. 27(2)(b) and the word “or” immediately preceding it repealed by [Employment Act 1989 \(c. 38\)](#), SIF 43:1, s. 29(3)(4), [Sch. 6 para. 10\(2\)](#), [Sch. 7 pt. 1](#)
- F5** S. 27(3) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 11\(4\)](#) (with art. 21, Sch. 2)
- F6** Words in s. 27(4) omitted (1.4.2008) by virtue [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 11\(5\)](#) (with art. 21, Sch. 2)
- F7** S. 27(5) inserted (E.W.S.) (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(5), [Sch. 1 para. 6](#); S.I. 2022/561, reg. 3(a)

Modifications etc. (not altering text)

- C1** S. 27 applied by [S.I. 1989/840](#), [arts. 2-10](#)
S. 27: power to apply conferred (E.W.S.) (28.8.1995) by [1995 c. 15](#), [ss. 2\(4\)\(e\)](#), 5 (with s. 3(5))
S. 27 applied (with modifications) (E.W.S.) (16.4.1996) by [S.I. 1996/772](#), [reg. 17](#)
S. 27 applied (with modifications) (E.W.S.) (1.3.1996) by [S.I. 1996/192](#), [reg. 15](#), [Sch. 14 para. 1\(b\)](#)
S. 27 applied (with modifications) (E.W.S.) (1.7.1997) by [S.I. 1997/831](#), [reg. 19\(1\)-\(4\)](#), [Sch. 15 para. 1\(a\)\(b\)](#)
- C2** Ss. 19-28 modified (6.4.1992) by [S.I. 1992/711](#), [regs. 1\(2\)](#), 28(3)(b)(5)(a)
S. 27 extended (with modifications) (E.W.S.) (1.4.1996) by [1995 c. 25](#), s. 120(1), [Sch. 22 para. 30\(5\)](#) (with [ss. 7\(6\)](#), [115](#), [117](#)); [S.I. 1996/186](#), [art. 3](#)
- C3** S. 27 applied (with modifications) (1.1.1993) by [S.I. 1992/3073](#), [reg. 28](#), [Sch. 6 para. 1\(b\)](#)
- C4** S. 27 applied (with modifications) (29.11.1999) by [S.I. 1999/2001](#), [reg. 24\(1\)](#), [Sch. 8 para. 1\(b\)](#)
- C5** S. 27 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\(2\)\(4\)](#))
- C6** S. 27 applied (with modifications) (E.W.S.) (3.5.2004) by [S.I. 2004/129](#), [reg. 23\(3\)\(d\)](#); s. 27 applied (with modifications) (E.W.S.) (9.6.2004) by [S.I. 2004/1309](#), [reg. 17](#); s. 27 applied (E.W.S.) (22.4.2005) by [S.I. 2005/928](#), [reg. 4\(2\)\(3\)\(5\)\(6\)](#)

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- C7** 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)**)
- C8** 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}
- C9** 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)**)
- C10** Ss. 25A-28 applied (with modifications) (1.3.2014) by The Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013 (S.I. 2013/1506), **regs. 2(4), 19** (with reg. 3(4)(5)31)
- C11** 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**
- C12** 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)
- C13** S. 27 applied (with modifications) (17.8.2015) by The Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553), **reg. 1**, Sch. 8 paras. 1(k), **2**
- C14** 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**))
- C15** S. 27 applied (with modifications) (8.12.2016) by The Simple Pressure Vessels (Safety) Regulations 2016 (S.I. 2016/1092), **reg. 1**, Sch. 6 paras. 1(j), **2** (with reg. 3)
- C16** S. 27 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)
- C17** S. 27 applied (with modifications) (8.12.2016) by The Lifts Regulations 2016 (S.I. 2016/1093), **reg. 1**, Sch. 8 paras. 1(k), **2** (with **regs. 3-5**)
- C18** S. 27 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(j)**
- C19** S. 27 applied (with modifications) (8.12.2016) by The Pressure Equipment (Safety) Regulations 2016 (S.I. 2016/1105), **reg. 1**, Sch. 8 paras. 1(j), **2** (with reg. 88)
- C20** S. 27 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)
- C21** S. 27 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))
- C22** S. 27 applied (with modifications) (30.7.2018) by The Cableway Installations Regulations 2018 (S.I. 2018/816), **regs. 1, 21(1)-(3)** (with reg. 4)
- C23** S. 27(1) applied (with modifications) (E.W.S.) (22.9.2003) by S.I. 2003/403, **reg. 23(2)(d)(3)(5)** (as amended (25.11.2006) by S.I. 2006/2815, **reg. 8**)

Marginal Citations

M1 1947 c. 39.

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