



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

General duties

- 3** ^{F1} **General duties of employers and self-employed to persons other than their employees.**
- (1) It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.
- (2) It shall be the duty of every self-employed person [^{F2}who conducts an undertaking of a prescribed description] to conduct [^{F3}the undertaking] in such a way as to ensure, so far as is reasonably practicable, that he and other persons (not being his employees) who may be affected thereby are not thereby exposed to risks to their health or safety.
- [^{F4}(2A) A description of undertaking included in regulations under subsection (2) may be framed by reference to—
- (a) the type of activities carried out by the undertaking, where those activities are carried out or any other feature of the undertaking;
 - (b) whether persons who may be affected by the conduct of the undertaking, other than the self-employed person (or his employees), may thereby be exposed to risks to their health or safety.]
- (3) In such cases as may be prescribed, it shall be the duty of every employer and every self-employed person, in the prescribed circumstances and in the prescribed manner, to give to persons (not being his employees) who may be affected by the way in which he conducts his undertaking the prescribed information about such aspects of the way in which he conducts his undertaking as might affect their health or safety.

Changes to legislation: There are currently no known outstanding effects for the
Health and Safety at Work etc. Act 1974, Section 3. (See end of Document for details)

Textual Amendments

- F1** S. 3(2) amendment to earlier affecting provision S.I. 2002/2677, reg. 20 (1.10.2015) by [The Deregulation Act 2015 \(Health and Safety at Work\) \(General Duties of Self-Employed Persons\) \(Consequential Amendments\) Order 2015 \(S.I. 2015/1637\)](#), art. 1, **Sch. para. 7(3)**
- F2** Words in s. 3(2) inserted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 1(2)(a)**, 115(2)(a) (with s. 1(6)); S.I. 2015/1732, art. 2(a)
- F3** Words in s. 3(2) substituted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 1(2)(b)**, 115(2)(a) (with s. 1(6)); S.I. 2015/1732, art. 2(a)
- F4** S. 3(2A) inserted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 1(3)**, 115(2)(a) (with s. 1(6)); S.I. 2015/1732, art. 2(a)

Modifications etc. (not altering text)

- C1** Pt. 1 modified (1.1.2018) by [The Ionising Radiations Regulations 2017 \(S.I. 2017/1075\)](#), regs. 1(2), **2(3)** (with [regs. 2\(5\)](#), 3, [Sch. 8](#))
- 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)**)
- C5** 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)**)
- C6** S. 3(2) modified by S.I. 1978/752, **reg. 4**
 S. 3(2) modified (16.1.1995) by S.I. 1994/3246, **reg. 20**
- C7** S. 3(2) modified by S.I. 1981/1011, **reg. 10**
- C8** S. 3(2) modified by S.I. 1989/1810, **reg. 4** (which S.I. was revoked (1.2.1993) by S.I. 1992/3217, **reg. 25**).
- C9** S. 3(2) modified (E.W.S.) (1.2.1993) by S.I. 1992/3217, **reg. 5**
 S. 3(2) modified (25.3.1999) by S.I. 1999/437, **reg. 20**
 S. 3(2) modified (15.11.2000) by S.I. 2000/2831, **reg. 5(2)**
 S. 3(2) modified (21.11.2002) by S.I. 2002/2677, **reg. 20**
- C10** S. 3(2) modified (E.W.S.) (1.10.2014) by [The Genetically Modified Organisms \(Contained Use\) Regulations 2014 \(S.I. 2014/1663\)](#), regs. 1, **4(3)** (with [reg. 3\(1\)\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 3.