



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;

[^{F1}(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.

[^{F2}(3) The power to make regulations under subsection (2) above shall be exercisable by the Secretary of State ^{F3}]

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](#)

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)*

- 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F3 Words in s. 52(3) repealed (27.3.2002) by [S.I. 2002/794, art. 5\(2\), Sch.](#) (with art. 6)

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** 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.](#)
- C5** 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\(3\)](#))
- C6** 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\(2\)](#))
- C7** S. 52 extended (6.4.2022) by [S.I. 1992/2966, reg. 3A](#) (as inserted by [The Personal Protective Equipment at Work \(Amendment\) Regulations 2022 \(S.I. 2022/8\), regs. 1, 5](#))
- C8** S. 52(1) applied (1.4.2014) by [Energy Act 2013 \(c. 32\), ss. 112\(2\)\(a\), 156\(1\)](#) (with ss. 107, 111); [S.I. 2014/251, art. 4](#)
- C9** S. 52(2)(a) applied (1.4.2014) by [Energy Act 2013 \(c. 32\), ss. 112\(2\)\(b\), 156\(1\)](#) (with ss. 107, 111); [S.I. 2014/251, art. 4](#)

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 52.