



Health and Safety at Work etc. Act 1974

1974 CHAPTER 37

PART IV

MISCELLANEOUS AND GENERAL

80 General power to repeal or modify Acts and instruments.

- (1) Regulations made under this subsection may repeal or modify any provision to which this subsection applies if it appears to the authority making the regulations that the repeal or, as the case may be, the modification of that provision is expedient in consequence of or in connection with any provision made by or under Part I.
- (2) Subsection (1) above applies to any provision, not being among the relevant statutory provisions, which—
 - (a) is contained in this Act or in any other Act passed before or in the same Session as this Act; or
 - (b) is contained in any regulations, order or other instrument of a legislative character which was made under an Act before the passing of this Act; or
 - (c) applies, excludes or for any other purpose refers to any of the relevant statutory provisions and is contained in any Act not falling within paragraph (a) above or in any regulations, order or other instrument of a legislative character which is made under an Act but does not fall within paragraph (b) above.

[^{F1}(2A) Subsection (1) above shall apply to provisions in [^{F2}the Employment Rights Act 1996 or the Trade Union and Labour Relations (Consolidation) Act 1992 which derive from provisions of the Employment Protection (Consolidation) Act 1978 which re-enacted]provisions previously contained in the ^{M1}Redundancy Payments Act 1965, the ^{M2}Contracts of Employment Act 1972 or the ^{M3}Trade Union and Labour Relations Act 1974 as it applies to provisions contained in Acts passed before or in the same Session as this Act.]

- (3) Without prejudice to the generality of subsection (1) above, the modifications which may be made by regulations thereunder include modifications relating to the enforcement of provisions to which this section applies (including the appointment of persons for the purpose of such enforcement, and the powers of persons so appointed).

*Changes to legislation: There are currently no known outstanding effects for the
 Health and Safety at Work etc. Act 1974, Section 80. (See end of Document for details)*

[^{F3}(4) The power to make regulations under subsection (1) above shall be exercisable by the Secretary of State ^{F4}. . . ; but the authority who is to exercise the power shall, before exercising it, consult such bodies as appear to him to be appropriate.

(5) In this section “the relevant statutory provisions” has the same meaning as in Part I.]

Textual Amendments

- F1** S. 80(2A) inserted by [Employment Protection \(Consolidation\) Act 1978 \(c. 44\)](#), **Sch. 16 para. 17**
- F2** Words in s. 80(2A) substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, **Sch. 1 para. 5** (with ss. 191-195, 202)
- F3** S. 80(4)(5) substituted for S. 80(4)-(6) by [Employment Protection Act 1975 \(c. 71\)](#), **Sch. 15 para. 19**
- F4** Words in s. 80(4) repealed (27.3.2002) by S.I. 2002/794, art. 5(2), **Sch. 2** (with art. 6)

Modifications etc. (not altering text)

- C1** S. 80 extended by [Local Government \(Miscellaneous Provisions\) Act 1976 \(c. 57\)](#), **s. 12(3)**
- 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** S. 80 extended by [Local Government \(Scotland\) Act 1973 \(c. 65, SIF 81:2\)](#), **s. 170B(5)**, as inserted by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), s. 102, **Sch. 13**
- C4** 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)**)
- 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. 80-82 applied by S.I. 2001/2127 art. 8A 8B (as inserted (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. 80(1) extended (E.W.) by [British Waterways Act 1983 \(c. ii\)](#), **s. 19(1)**, and (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 109**
- C8** S. 80(1) extended (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), **s. 128(2)**
 S. 80(1) extended (E.W.S.) (27.8.1993) by 1993 c. 11, ss. 67(1), 68(2), **Sch. 4 para. 1.**
- C9** S. 80(1) applied (18.6.1992) by [Pittenweem Harbour Order Confirmation Act 1992 \(c. ix\)](#), s. 1, **Sch. s. 22(2)**
- C10** S. 80(1) applied (16.7.1992) by [Peterhead Harbours Order Confirmation Act 1992 \(c. xii\)](#), s. 1, **Sch. s. 61**
 S. 80(1) applied (27.8.1993) by 1993 c. 12, ss. 49(2), 51(2), **Sch. 5 Pt. I para. 6** (with ss. 42, 46).
 S. 80(1) applied (5.9.2002) by S.S.I 2002/410, art. 57(2) (with arts. 59, 61)
- C11** S. 80(1) applied (S.) (23.5.2008) by [The Dumfries and Galloway Council \(Port William\) Harbour Empowerment Order 2008 \(S.S.I. 2008/188\)](#), **art. 53(2)** (with arts. 53-56)
- C12** S. 80(1) applied (S.) (23.5.2008) by [The Dumfries and Galloway Council \(Isle of Whithorn\) Harbour Empowerment Order 2008 \(S.S.I. 2008/189\)](#), **art. 53(2)** (with arts. 53-56)
- C13** S. 80(1) applied (S.) (23.5.2008) by [The Dumfries and Galloway Council \(Garlieston\) Harbour Empowerment Order 2008 \(S.S.I. 2008/190\)](#), **art. 53(2)** (with arts. 53-56)

Marginal Citations

- M1** 1965 c. 62.
M2 1972 c. 53.
M3 1974 c. 52.

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 80.