

## SCHEDULES

### SCHEDULE 8

#### INSPECTORS

#### PART 2

##### POWERS EXERCISABLE BY INSPECTORS AUTHORISED BY INSTRUMENT OF APPOINTMENT: IMPROVEMENT NOTICES AND PROHIBITION NOTICES

###### *Prohibition notices*

- 4 (1) This paragraph applies where an inspector is of the opinion that—
- (a) relevant activities, as they are being carried on by or under the control of a person, involve a risk of serious personal injury, or
  - (b) relevant activities which are likely to be carried on by or under the control of a person will, as so carried on, involve a risk of serious personal injury.
- (2) The inspector may, if authorised, give the person a notice (“a prohibition notice”) directing that the activities to which the notice relates must not be carried on by or under the control of the person unless the following have been remedied—
- (a) the matters specified in the notice under sub-paragraph (3)(b), and
  - (b) any associated contraventions of provisions specified under sub-paragraph (3)(c).
- (3) A prohibition notice must—
- (a) state that the inspector is of the opinion mentioned in sub-paragraph (1);
  - (b) specify the matters which in the inspector’s opinion give, or, as the case may be, will give rise to the risk mentioned in that sub-paragraph;
  - (c) where in the inspector’s opinion any of those matters involves or, as the case may be, will involve a contravention of any applicable provision—
    - (i) specify the provision or provisions in question, and
    - (ii) state that the inspector is of that opinion, and why.
- (4) A prohibition notice takes effect—
- (a) at the end of the period specified in the notice, or
  - (b) if the notice so specifies, immediately.
- (5) In this paragraph—
- “applicable provision” has the same meaning as in paragraph 3;
  - “relevant activities” means any activities in relation to which any applicable provision applies (or would apply if they were being carried on).