



**Isle of Man**

*Ellan Vannin*

**AT 1 of 1977**

**HEALTH AND SAFETY AT WORK ETC ACT  
1977**





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## HEALTH AND SAFETY AT WORK ETC ACT 1977

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**Isle of Man***Ellan Vannin*

## HEALTH AND SAFETY AT WORK ETC ACT 1977

<i>Received Royal Assent:</i>	<i>17 January 1977</i>
<i>Passed:</i>	<i>15 February 1977</i>
<i>Commenced:</i>	<i>15 February 1977</i>

**AN ACT** to make better provision for health and safety in certain places; and for connected purposes.

### **1 Application of UK legislation and codes of practice relating to health and safety in places of work, etc**

- (1) Without prejudice to any power of the Department of Environment, Food and Agriculture (in this Act referred to as “**the Department**”) to make rules or regulations under the Factories and Workshops Acts 1909 to 1939 or of any authority to make any public document under the *Gas Regulation Act 1995* or under the Dangerous Goods Acts 1928 and 1954, the Department may, subject to such modifications or adaptations, or both, as may be specified in the order, apply to the Island —
- (a) any provision of Parts I and IV of the Health and Safety at Work etc. Act 1974 (an Act of Parliament);
  - (b) any regulations made under Part I of that Act;
  - (c) any code of practice approved and issued, or approved, by the Health and Safety Commission pursuant to section 16 of that Act;
  - (d) any regulations made under section 80 of that Act;
  - (e) any instrument of a legislative character made under any Act of Parliament mentioned in Schedule 1 to that Act;
  - (f) any regulations made, or having effect as if made, under section 18 of the Gas Act 1986 (an Act of Parliament);<sup>1</sup>
  - (g) section 43 of the said Act of 1986 in so far as it relates to any information or notice given, or claim made, for the purposes of any regulations referred to in paragraph (f) above which may be applied to the Island by an order under this subsection.<sup>2 3</sup>
- (2) An order under subsection (1) above shall specify the places to which it applies.

- (3) Without prejudice to subsection (2) above, an order under subsection (1) above may provide for an examiner appointed by the Governor under section 20 of the said Gas Regulation Act<sup>1</sup> to exercise functions in relation to any regulations referred to in paragraph (f) of that subsection and applied by that order as if those regulations were incorporated in that Act.<sup>4</sup>
- (4) Before making an order under subsection (1) above, the Department shall have consultations with such organisations as it considers will represent interests which will be affected by the order.<sup>5</sup>
- (5) An order under subsection (1) above shall not have effect until it has been approved by Tynwald.
- (6) The Department shall, as soon as possible after an order has been made under subsection (1) above, cause copies of any legislation or code of practice applied to the Island by the order, as modified or adapted, or both, by the order, to be made available for purchase by the public at such price as may be approved by the Treasury, and no proceedings shall be brought against any person under or by virtue of the order in respect of any act done before this subsection has been complied with.<sup>6</sup>
- (7) A copy of any legislation or code of practice made available for purchase pursuant to subsection (6) above, purporting to have been prepared pursuant to that subsection, shall be admissible in evidence in all courts in the Island and shall, until the contrary is proved, be evidence of the contents thereof.

## 2 Expenses

Any expenses incurred by the Department in the operation of this Act, or consequent on any order under section 1(1) of this Act, shall be defrayed out of money provided by Tynwald.<sup>7</sup>

## 3 Interpretation

In this Act —

**“the Department”** has the meaning assigned to it by section 1(1) of this Act;<sup>8</sup>

**“legislation”** includes any instrument of a legislative character made under an Act of Parliament.

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<sup>1</sup> The reference to an examiner appointed by the Governor is a reference to section 20 of the Gas Regulation Act 1927. The Gas Regulation Act 1927 was repealed by the Gas Regulation Act 1995 Act. However, the Gas Regulation Act 1995 did not contain a consequential amendment to section 1(3) of the Health and Safety at Work Etc. Act 1977. Applying the rule in section 16 of the Interpretation Act 1976 (repeal and re-enactment), the reference to examiners under section 20 of the 1927 Act is to be read as a reference to competent and impartial persons approved by the Department under section 8(3) of the Gas Regulation Act 1995.

**4 Short title and commencement**

- (1) This Act may be cited as the Health and Safety at Work, Etc., Act 1977.
- (2) This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.





## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement

### Table of Renumbered Provisions

Original	Current

### Table of Endnote References

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<sup>1</sup> Para (f) amended by Statute Law Revision Act 1997 Sch 1.

<sup>2</sup> Para (g) amended by Statute Law Revision Act 1997 Sch 1.

<sup>3</sup> Subs (1) amended by GC192/86, by Statute Law Revision Act 1989 Sch 1, by SD155/10 Schs 5 and 11 and by SD2014/0218.

<sup>4</sup> Subs (3) amended by Statute Law Revision Act 1989 Sch 1.

<sup>5</sup> Subs (4) amended by GC192/86.

<sup>6</sup> Subs (6) amended by Treasury Act 1985 Sch 2 and by GC192/86.

<sup>7</sup> S 2 amended by GC192/86.

<sup>8</sup> Definition of “the Department” amended by GC192/86.