SCHEDULE

Schedule 1: Consequential Amendments

The Health and Safety at Work Act 1974 (c. 37)

1 (1) The Health and Safety at Work Act 1974 is amended as follows
(2) in Section 16(1) after "regulations" insert 'or of section 309 A and section 309B of the Companies Act 1984".

Schedule 2

Section 1: Laws relating to health and safety

Column 1	**Column 2**
Title of Statutory Provision	**Reference**
Health and Safety at Work Act 1974	1974 C.37
A list of provisions enforced by the Health and Safety Executive, Local Authorities, Maritime and Coastguard Agency, Civil Aviation Authority and any other provision concerned with health and safety will be added to the final Bill	

Schedule 3

Section 2: Statutory provisions requiring the notification of events

Column 1 **Title of Statutory Provision**	**Column 2** **Reference**
The Regulation of Railways Act 1871 and Orders or Regulations made or to be made thereunder.	1871 c. 78.
The Explosives Act 1875.	1875 c. 17.
The Railway Employment (Prevention of Accidents) Act 1900.	1900 c. 27.
The Nuclear Installations Act 1965 and Orders and Regulations made or to be made thereunder.	1965 c. 57.
The Air Navigation (Investigation of Air Accidents involving Civil and Military Aircraft or Installations) Regulations 1986.	S.I. 1986/1953.
The Civil Aviation (Investigation of Air Accidents) Regulations 1989.	S.I. 1989/2062.
The Merchant Shipping (Accident Reporting and Investigation) Regulations 1994.	S.I. 1994/2013.
Reporting of Injuries, Diseases and Dangerous Occurrences and Injuries Regulations 1995.	S.I. 1995/3163.
Any further relevant provisions will be added to the final Bill	

Schedule 4

Section 2: Statutory provisions permitting imposition of notices

Column 1	**Column 2**
Title of Statutory Provision	**Reference**
Health and Safety at Work Act 1974.	1974 C. 37
A list of provisions will be added to the final Bill	

HEALTH AND SAFETY (DIRECTOR DUTIES)

A

BILL

TO

Impose duties upon company directors in relation to health and safety, and to require large companies to appoint a director as the health and safety director.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:-

1 Health and Safety Directors

"(1) In section 282 of the Companies Act 1985 (c.6) (directors) after subsection (3) insert –

(4) A company to which this requirement applies shall appoint one of its directors as the health and safety director for the purposes of section 309A.

(5) The requirement in subsection (4) applies to every company which is not a small or medium-sized company for the purposes of section 247."

(2) In section 364 of the Companies Act 1985 (Contents of Annual Return: General) after subsection (1)(d) insert –

"(da) the name of the health and safety director of the company"

2 Directors' duties regarding health and safety

After section 309 of the Companies Act insert –

"309A Directors' duties regarding health and safety

(1) It is the duty of the directors of a company to take all reasonable steps to ensure that it acts in accordance with the obligations imposed on it by any law relating to health and safety as specified in the first column of schedule 2.

(2) The directors of a company to which section 282(4) applies shall, for the purpose of complying with their duty under subsection (1), take account of any information and advice provided to them by the health and safety director.

SAMPLE
SAMPLE
NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL

(3) The directors of a company to which section 282(4) applies shall make adequate arrangements to ensure that the health and safety director is provided with such information as he may require to carry out his duties under section 309B.

309B Duties of health and safety directors

(1) It shall be the duty of the health and safety director appointed under section 282 (4) to take all reasonable steps –

(a) to inform the other directors not less than four times a year, of –

(i) how the company's activities are affecting the health and safety of its employees and other persons not in the company's employment;

(ii) the adequacy of the measures taken by the company to ensure that it complies with any law relating to health and safety and any further measures that may be necessary for this purpose.

(b) to inform other directors promptly on –

(i) any significant health and safety failure by the company and the steps that have been taken, or will be necessary, to rectify it;

(ii) details of any deaths, injuries or other incidents that the company has a duty to report under any of the relevant statutory provisions specified in the first column of schedule 3;

(iii) details of any notice which has been served on the company or on one of its employees under any of the relevant statutory provisions specified in the first column of schedule 4;

(iv) details of any proceedings which have been brought against the company for an offence under any law relating to health and safety or for any offence arising out of a death.

(c) to inform the board on the health and safety implications of its decisions.

(2) The duties of the health and safety director set out in subsection (1) shall not affect in any way –

(a) the duties which the board has given to other directors with respect to health and safety matters;

(b) the duties of directors regarding health and safety matters imposed under this Act.

309C All Reasonable Steps

(1) In determining those steps that should be taken by directors to comply with the requirements of sections 309 A and B consideration shall be given to any code of practice issued or approved by the Health and Safety Commission contained under Section 16 of the Health and Safety at Work Act 1974.

3 Application of Schedules

(1) The enactments mentioned in the Schedule to this Act are amended in accordance with that Schedule;

4. Commencement and saving

(1) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.

SAMPLE
SAMPLE
THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GENUINE BILL THIS IS NOT A GEN