

An Agency Agreement between
THE HEALTH AND SAFETY COMMISSION
and
THE CHIEF OFFICER OF.....POLICE

THIS AGREEMENT is made between the Health and Safety Commission (“the Commission”) and the Chief Officer ofPolice (“the Chief Officer”) under section 13(1)(a) of the Health and Safety at Work etc. Act 1974 (“HSWA”). It relates to the functions which the Chief Officer may perform on behalf of the Commission.

IT IS AGREED THAT:

1 Subject to paragraph 3, the Chief Officer shall have enforcement responsibility on behalf of the Health and Safety Executive for regulations 20, 23, 24 and 55 of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 in the police area of

2 For the purpose of performing the enforcement responsibilities referred to in paragraph 1, the Chief Officer may appoint inspectors pursuant to section 19(1) of HSWA in the manner laid down by section 19(2) of that Act.

3 Paragraph 1 shall only apply in respect of vehicles which -

- a) are on a road or in a public place; and
- b) the police wish to check to ensure such vehicles comply with the Regulations referred to in paragraph 1.

4 An inspector appointed by the Chief Officer shall not have the following powers conferred upon him -

- a) the power to enter premises, except vehicles, as set out in section 20(2)(a) of HSWA;
- b) the power set out in section 20(2)(b) of HSWA;
- c) the power set out in section 20(2)(h) of HSWA;
- d) the power set out in section 20(2)(i) of HSWA;
- e) the power set out in section 20(2)(l) of HSWA;
- f) the power set out in section 20(2)(m) of HSWA;
- g) the power set out in section 21 of HSWA.

This Agreement shall come into effect on 10th May 2004 for a minimum period of 3 years, after which time it may be terminated on the expiry of 3 months written notice given by one party to the agreement to the other.

Dated this day of 2004

A handwritten signature in black ink that reads "Bill Callaghan". The word "Bill" is written in a simple, upright cursive style. "Callaghan" is written in a more fluid, cursive script with a large, circular flourish around the letter 'C'.

.....
Signed on behalf of the Commission

.....
Signed on behalf of the Chief Officer

Explanatory note

This Agreement empowers Chief Officers, at their discretion, to undertake enforcement of the Regulations referred to in paragraph 1 of the Agreement, subject to the conditions described in paragraph 4.

It will be at the Chief Officers' discretion as to the number of officers who are appointed to enforce the regulations and the level of enforcement within the area of their jurisdiction.