

DATED: 1 APRIL 1997

**AGREEMENT UNDER SECTION 13(1)(b) OF
THE HEALTH AND SAFETY AT WORK ETC. ACT 1974
BETWEEN
THE SECRETARY OF STATE FOR THE ENVIRONMENT
AND
THE HEALTH AND SAFETY COMMISSION**

THIS AGREEMENT is made between the Secretary of State for the Environment ("the Secretary of State") and the Health and Safety Commission ("the Commission") under section 13(1)(b) of the Health and Safety at Work etc. Act 1974 ^(a) ("the 1974 Act"). It relates to functions which the Commission has agreed to perform on behalf of the Secretary of State, being functions which in the opinion of the Secretary of State can appropriately be performed by the Commission in connection with its functions.

IT IS HEREBY AGREED THAT:

1. The Commission shall perform on behalf of the Secretary of State as from the first day of April 1997 ("the commencement date") the following functions -

- (a) his functions as "the relevant authority" for the purposes of regulations 5, 6 and 9 of the Gas Safety (Rights of Entry) Regulations 1996 ^(b) ("the 1996 Regulations"); and
- (b) his function under sub-section (5) of section 47 of the Gas Act 1986 ^(c) in so far as it relates to offences contrary to the 1996 Regulations.

2. The Commission shall direct the Executive under section 11 (4) of the 1974 Act as from the commencement date to exercise on behalf of the Commission the functions which the Commission has agreed to perform pursuant to this Agreement.

3. This Agreement shall terminate on any date agreed for that purpose between both parties or on the expiry of six months written notice given by one party to the other.

4. The Agreement dated 1st February 1984 made between the Commission and the Secretary of State for Employment shall be terminated with effect from the commencement date.

IN WITNESS whereof the Official Seal of the Secretary of State and the Common Seal of the Commission have been affixed this first day of April 1997.

**THE OFFICIAL SEAL OF
THE SECRETARY OF STATE
OF THE ENVIRONMENT
is authenticated by:**

Authorised by the said Secretary of State.

(a) c.37
(b) S.I. 1996/2535
(c) c.44; section 47(5) was amended by the Gas Act 1995 (c.45), section 10(1) and Schedule 3, paragraph 53(2).