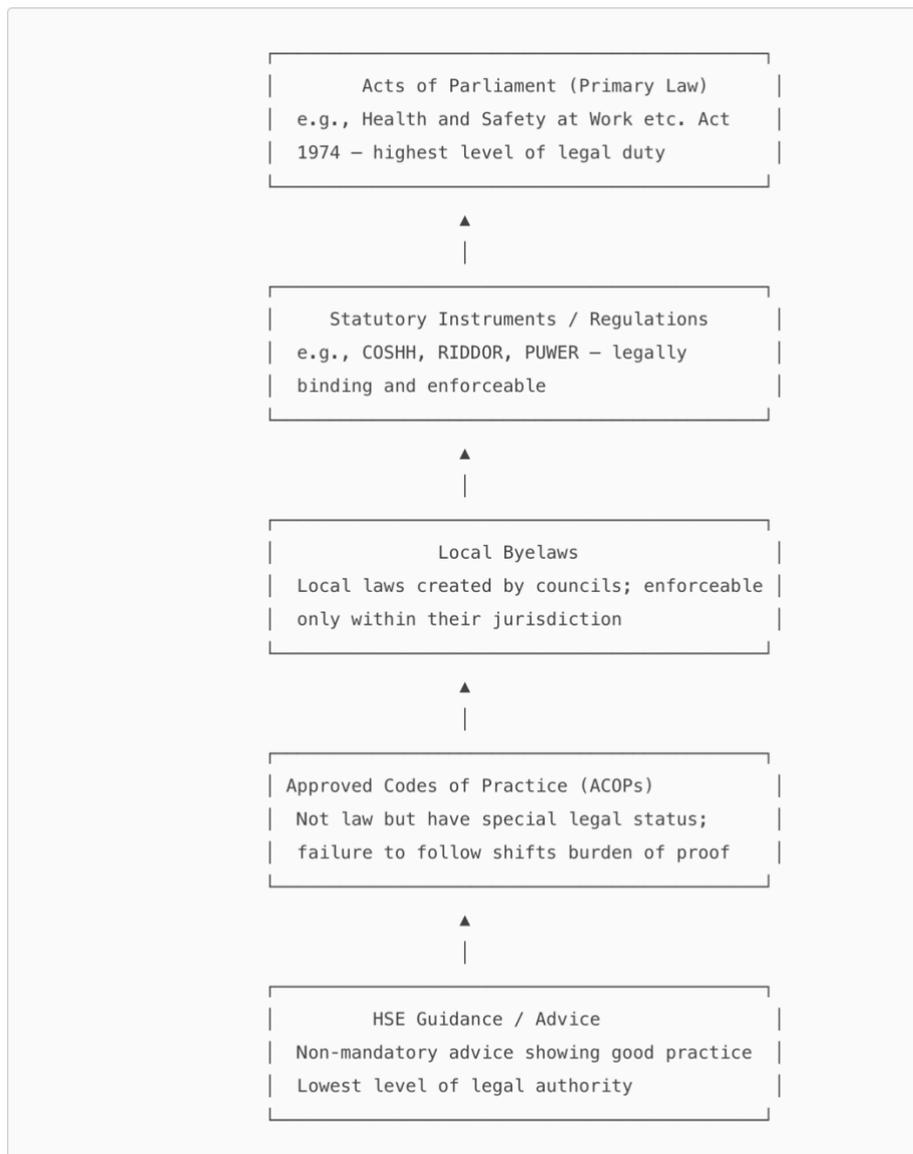


# Hierarchy of Acts, Regulations, Byelaws, ACOPs and HSE Guidance



## 1. Acts of Parliament (Primary Legislation) – *Highest Level of Law*

Acts (e.g., **Health and Safety at Work etc. Act 1974**) set out broad legal duties and create the legal framework for all other health and safety law. They impose duties on employers, employees, manufacturers, and others.

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## 2. Statutory Instruments / Regulations (Secondary Legislation)

Regulations (e.g., **PUWER, COSHH, RIDDOR, Work at Height Regulations**) are legally binding, specifying **what must be done** to comply with an Act. They are often more detailed and prescriptive than the Act.

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### 3. Local Byelaws (Local Legislation)

Byelaws are **local laws made by councils** under powers granted by Parliament. They apply only within a defined geographic area and are enforced through magistrates' courts. Byelaws must be **proportionate, reasonable**, and cannot duplicate existing legislation.

Byelaws sit **below Acts and Regulations** because they cannot contradict national legislation.

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### 4. Approved Codes of Practice (ACOPs)

ACOPs are not laws themselves, but they have **special legal status**:

- They describe **HSE-approved methods** of complying with the law.
- If prosecuted for a breach, failure to follow an ACOP places the **burden on the dutyholder** to prove their alternative method was equally effective (“reverse burden of proof”).
- Following an ACOP is considered **doing enough to comply** with the relevant law.

ACOPs therefore sit **below Regulations** but **above general guidance** due to their evidential weight in court.

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### 5. HSE Guidance (Non-Statutory Guidance / Advice) – *Lowest Level*

HSE guidance provides:

- Practical advice
- Technical information
- Explanations of legal requirements

Following guidance is **not compulsory**, but normally means you are doing enough to comply with the law. Inspectors may refer to it as evidence of good practice.

This is the **least formal** tier and carries **no legal obligation**, unless a regulation explicitly makes part of the guidance mandatory (rare).