

SCHEDULE 1

Regulation 3(1)

MAIN ACTIVITIES WHICH DETERMINE WHETHER LOCAL
AUTHORITIES WILL BE ENFORCING AUTHORITIES

1. The sale of goods, or the storage of goods for retail or wholesale distribution, except—
 - (a) at container depots where the main activity is the storage of goods in the course of transit to or from dock premises, an airport or a railway;
 - (b) where the main activity is the sale or storage for wholesale distribution of any substance or preparation dangerous for supply;
 - [^{F1}(ba) where the main activity is the sale or storage for wholesale distribution of any hazardous substance or mixture;]
 - (c) where the main activity is the sale or storage of water or sewage or their by-products or natural or town gas;

and for the purposes of this paragraph where the main activity carried on in premises is the sale and fitting of motor car tyres, exhausts, windscreens or sunroofs the main activity shall be deemed to be the sale of goods.

Textual Amendments

- F1** Sch. 1 para. 1(ba) inserted (1.6.2015) by [The Classification, Labelling and Packaging of Chemicals \(Amendments to Secondary Legislation\) Regulations 2015 \(S.I. 2015/21\)](#), regs. 1(3), **6(3)**

Commencement Information

- I1** Sch. 1 para. 1 in force at 1.4.1998, see [reg. 1](#)

2. The display or demonstration of goods at an exhibition for the purposes of offer or advertisement for sale.

Commencement Information

- I2** Sch. 1 para. 2 in force at 1.4.1998, see [reg. 1](#)

3. Office activities.

Commencement Information

- I3** Sch. 1 para. 3 in force at 1.4.1998, see [reg. 1](#)

4. Catering services.

Commencement Information

- I4** Sch. 1 para. 4 in force at 1.4.1998, see [reg. 1](#)

5. The provision of permanent or temporary residential accommodation including the provision of a site for caravans or campers.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.4.1998, see [reg. 1](#)

6. Consumer services provided in a shop except dry cleaning or radio and television repairs, and in this paragraph “consumer services” means services of a type ordinarily supplied to persons who receive them otherwise than in the course of a trade, business or other undertaking carried on by them (whether for profit or not).

Commencement Information

I6 Sch. 1 para. 6 in force at 1.4.1998, see [reg. 1](#)

7. Cleaning (wet or dry) in coin operated units in launderettes and similar premises.

Commencement Information

I7 Sch. 1 para. 7 in force at 1.4.1998, see [reg. 1](#)

8. The use of a bath, sauna or solarium, massaging, hair transplanting, skin piercing, manicuring or other cosmetic services and therapeutic treatments, except where they are carried out under the supervision or control of a registered medical practitioner, a dentist registered under the Dentists Act 1984(1), a physiotherapist, an osteopath or a chiropractor.

Commencement Information

I8 Sch. 1 para. 8 in force at 1.4.1998, see [reg. 1](#)

9. The practice or presentation of the arts, sports, games, entertainment or other cultural or recreational activities except where the main activity is the exhibition of a cave to the public.

Commencement Information

I9 Sch. 1 para. 9 in force at 1.4.1998, see [reg. 1](#)

10. The hiring out of pleasure craft for use on inland waters.

Commencement Information

I10 Sch. 1 para. 10 in force at 1.4.1998, see [reg. 1](#)

11. The care, treatment, accommodation or exhibition of animals, birds or other creatures, except where the main activity is horse breeding or horse training at a stable, or is an agricultural activity or veterinary surgery.

Commencement Information

I11 Sch. 1 para. 11 in force at 1.4.1998, see [reg. 1](#)

(1) 1984 c. 23.

12. The activities of an undertaker, except where the main activity is embalming or the making of coffins.

Commencement Information

I12 Sch. 1 para. 12 in force at 1.4.1998, see [reg. 1](#)

13. Church worship or religious meetings.

Commencement Information

I13 Sch. 1 para. 13 in force at 1.4.1998, see [reg. 1](#)

14. The provision of car parking facilities within the perimeter of an airport.

Commencement Information

I14 Sch. 1 para. 14 in force at 1.4.1998, see [reg. 1](#)

15. The provision of child care, or playgroup or nursery facilities.

Commencement Information

I15 Sch. 1 para. 15 in force at 1.4.1998, see [reg. 1](#)

SCHEDULE 2

Regulation 4(4)(b)

ACTIVITIES IN RESPECT OF WHICH THE HEALTH AND SAFETY EXECUTIVE IS THE ENFORCING AUTHORITY

1. Any activity in a mine or quarry other than a quarry in respect of which notice of abandonment has been given under [^{F2}regulation 45(1) of the Quarries Regulations 1999].

Textual Amendments

F2 Words in Sch. 2 para. 1 substituted (1.1.2000) by [The Quarries Regulations 1999 \(S.I. 1999/2024\)](#), [reg. 1\(1\)](#), [Sch. 5 Pt. 2](#)

Commencement Information

I16 Sch. 2 para. 1 in force at 1.4.1998, see [reg. 1](#)

2. Any activity in a fairground.

Commencement Information

I17 Sch. 2 para. 2 in force at 1.4.1998, see [reg. 1](#)

3. Any activity in premises occupied by a radio, television or film undertaking in which the activity of broadcasting, recording or filming is carried on, and the activity of broadcasting, recording or filming wherever carried on, and for this purpose “film” includes video.

Commencement Information

I18 Sch. 2 para. 3 in force at 1.4.1998, see [reg. 1](#)

4. The following activities carried on at any premises by persons who do not normally work in the premises—

(a) construction work if—

[^{F3}(i) the project which includes the work is notifiable within the meaning of regulation 2(3) of the Construction (Design and Management) Regulations [^{F4}2015]; or]

(ii) the whole or part of the work contracted to be undertaken by the contractor at the premises is to the external fabric or other external part of a building or structure; or

(iii) it is carried out in a physically segregated area of the premises, the activities normally carried out in that area have been suspended for the purpose of enabling the construction work to be carried out, the contractor has authority to exclude from that area persons who are not attending in connection with the carrying out of the work and the work is not the maintenance of insulation on pipes, boilers or other parts of heating or water systems or its removal from them;

(b) the installation, maintenance or repair of any gas system, or any work in relation to a gas fitting;

(c) the installation, maintenance or repair of electricity systems;

(d) work with ionising radiations except work in one or more of the categories set out in [^{F5}Schedule 1 to the Ionising Radiations Regulations 2017 [SI 2017/1075]].

Textual Amendments

F3 Words in Sch. 2 para. 4(a)(i) substituted (6.4.2007) by [The Construction \(Design and Management\) Regulations 2007 \(S.I. 2007/320\)](#), [reg. 1](#), [Sch. 5](#) (with [reg. 3](#))

F4 Word in Sch. 2 para. 4(a)(i) substituted (6.4.2015) by [The Construction \(Design and Management\) Regulations 2015 \(S.I. 2015/51\)](#), [reg. 1](#), [Sch. 5](#) (with [reg. 3](#), [Sch. 4](#))

F5 Words in Sch. 2 para. 4(d) substituted (1.1.2018) by [The Ionising Radiations Regulations 2017 \(S.I. 2017/1075\)](#), [reg. 1\(2\)](#), [Sch. 9 para. 4\(4\)\(a\)](#) (with [regs. 2\(5\)](#), [3](#), [Sch. 8](#))

Commencement Information

I19 Sch. 2 para. 4 in force at 1.4.1998, see [reg. 1](#)

[^{F6}**4A.** The reference in paragraph 4(a)(iii) to [^{F7}a physically segregated area does not include an area segregated only in order to prevent the escape of asbestos; and in this paragraph “asbestos” has the meaning assigned to it by regulation 2(1) of the Control of Asbestos Regulations 2012].]

Textual Amendments

F6 [Sch. 2 para. 4A](#) inserted (21.11.2002) by [Control of Asbestos at Work Regulations 2002 \(S.I. 2002/2675\)](#), [regs. 1](#), [27\(2\)](#)

F7 Words in [Sch. 2 para. 4A](#) substituted (6.4.2012) by [The Control of Asbestos Regulations 2012 \(S.I. 2012/632\)](#), [reg. 1](#), [Sch. 3](#)

5. The use of ionising radiations for medical exposure (within the meaning of regulation 2(1) of ^{F8}the Ionising Radiations Regulations 2017 [SI 2017/1075]).

Textual Amendments

F8 Words in [Sch. 2 para. 5](#) substituted (1.1.2018) by [The Ionising Radiations Regulations 2017 \(S.I. 2017/1075\)](#), [reg. 1\(2\)](#), [Sch. 9 para. 4\(4\)\(b\)](#) (with [regs. 2\(5\)](#), [3](#), [Sch. 8](#))

Commencement Information

I20 [Sch. 2 para. 5](#) in force at 1.4.1998, see [reg. 1](#)

6. Any activity in premises occupied by a radiography undertaking in which there is carried on any work with ionising radiations.

Commencement Information

I21 [Sch. 2 para. 6](#) in force at 1.4.1998, see [reg. 1](#)

7. Agricultural activities, and any activity at an agricultural show which involves the handling of livestock or the working of agricultural equipment.

Commencement Information

I22 [Sch. 2 para. 7](#) in force at 1.4.1998, see [reg. 1](#)

8. Any activity on board a sea-going ship.

Commencement Information

I23 [Sch. 2 para. 8](#) in force at 1.4.1998, see [reg. 1](#)

9. Any activity in relation to a ski slope, ski lift, ski tow or cable car.

Commencement Information

I24 [Sch. 2 para. 9](#) in force at 1.4.1998, see [reg. 1](#)

10. Fish, maggot and game breeding except in a zoo.

Commencement Information

I25 [Sch. 2 para. 10](#) in force at 1.4.1998, see [reg. 1](#)

11. Any activity in relation to a pipeline within the meaning of regulation 3 of the Pipelines Safety Regulations 1996(2).

(2) [S.I. 1996/825](#).

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Enforcing Authority) Regulations 1998. (See end of Document for details)

Commencement Information

I26 Sch. 2 para. 11 in force at 1.4.1998, see **reg. 1**

[^{F9}12. The operation of—

- (a) a guided bus system; or
- (b) any other system of guided transport, other than a railway, that employs vehicles which for some or all of the time when they are in operation travel along roads.]

Textual Amendments

F9 Sch. 2 para. 12 substituted (1.4.2006) by The Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006 (S.I. 2006/557), reg. 1, **Sch. para. 6(4)(a)**

[^{F10}13. The operation of a trolley vehicle system.]

Textual Amendments

F10 Sch. 2 para. 13 inserted (1.4.2006) by The Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006 (S.I. 2006/557), reg. 1, **Sch. para. 6(4)(b)**

[^{F11}14. Any activity regulated by the Acetylene Safety (England and Wales and Scotland) Regulations 2014.]

Textual Amendments

F11 Sch. 2 para. 14 inserted (1.10.2014) by The Acetylene Safety (England and Wales and Scotland) Regulations 2014 (S.I. 2014/1639), reg. 1(1), **Sch. 2 para. 1**

SCHEDULE 3

Regulation 7

REVOCATION OF INSTRUMENTS

Commencement Information

I27 Sch. 3 in force at 1.4.1998, see **reg. 1**

<i>(1)</i> Title	<i>(2)</i> Reference	<i>(3)</i> Extent of revocation
The Health and Safety (Enforcing Authority) Regulations 1989	S.I.1989/1903	The whole Regulations
F12	F12	F12
...

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Enforcing Authority) Regulations 1998. (See end of Document for details)

<i>(1)</i> <i>Title</i>	<i>(2)</i> <i>Reference</i>	<i>(3)</i> <i>Extent of revocation</i>
The Chemicals (Hazard Information and Packaging for Supply) Regulations 1994	S.I.1994/3247	Regulation 19(7)
The Railway Safety (Miscellaneous Provisions) Regulations 1997	S.I.1997/553	Regulation 11
F12	F12	F12
...

Textual Amendments

F12 Words in Sch. 3 revoked (6.4.2007) by The Construction (Design and Management) Regulations 2007 (S.I. 2007/320), reg. 1, Sch. 4 (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Health and Safety (Enforcing Authority) Regulations 1998.