

The Löfstedt review

An independent review of health and safety legislation –
call for evidence

May 2011

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Independent review of health and safety legislation – call for evidence

The Department for Work and Pensions' Minister for Employment, the Rt Hon Chris Grayling, has asked Professor Löfstedt to chair an independent review of health and safety legislation. He is being supported by an advisory panel of cross-party politicians, employer representatives and employee representatives.

The review will consider the opportunities for reducing the burden of health and safety legislation on UK businesses while maintaining the progress made in improving health and safety outcomes. In particular it will consider the scope for combining, simplifying or reducing the – approximately 200 – statutory instruments owned by HSE and primarily enforced by HSE and Local Authorities, and the associated Approved Codes of Practice (ACoP) which provide advice, with special legal status, on compliance with health and safety law.

A list of the health and safety regulations and ACoPs is provided at Annex A. The full terms of reference for the review are also attached for information at Annex B.

Call for evidence

The Professor and advisory panel are keen to gather evidence from key stakeholders with an understanding of health and safety law to inform the review. They would therefore be grateful if you would take the time to send in any evidence you have, including on the specific questions attached, by **no later than 29 July 2011** so that they can give sufficient consideration to this before reporting to the Minister in October.

Responses

Please provide your responses to the questions in the relevant boxes below. Please include any other comments or evidence that you think would be helpful in informing the review.

Once you have completed your response, please save it to your computer and then email the saved version to us at:

review.healthandsafety@dwp.gsi.gov.uk

Independent review of health and safety legislation – call for evidence

Alternatively, please print out a copy and send it to us at:

Health and Safety Review Team
Department for Work and Pensions
Level 2B
Caxton House
Tothill Street
London
SW1H 9NA

Please ensure your response reaches us by 29 July 2011

List of specific questions

Please describe any examples (cases about which you have direct knowledge) or include any evidence you have to support your answers.

Question 1: Are there any particular health and safety regulations (or ACoPs) that have significantly improved health and safety and should not be changed?

Question 2: Are there any particular health and safety regulations (or ACoPs) which need to be simplified?

Question 3: Are there any particular health and safety regulations (or ACoPs) which it would be helpful to merge together and why?

Question 4: Are there any particular health and safety regulations (or ACoPs) that could be abolished without any negative effect on the health and safety of individuals?

Question 5: Are there any particular health and safety regulations that have created significant additional burdens on business but that have had limited impact on health or safety?

Question 6: To what extent does the concept of 'reasonably practicable' help manage the burden of health and safety regulation?

Question 7: Are there any examples where health and safety regulations have led to unreasonable outcomes, or to inappropriate litigation and compensation?

Question 8: Are there any lessons that can be learned from the way other EU countries have approached the regulation of health and safety, in terms of (a) their overall approach and (b) regulating for particular risks or hazards?

Question 9: Can you provide evidence that the requirements of EU Directives have or have not been unnecessarily enhanced ('gold-plated') when incorporated into UK health and safety regulation?

Question 10: Does health and safety law suitably place responsibility in an appropriate way on those that create risk? If not what changes would be required?

Freedom of Information

The information you send us may be referred to in the published report. All information contained in your response may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for this review it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information provided or remove it completely. If you want the information in your response to be kept confidential, you should explain this as part of your response, although we cannot guarantee to do this.

Independent review of health and safety legislation – response form

Respondent details

Name	
Address	
Telephone	
Email	
Organisation	Employer <input type="checkbox"/> Trade Union <input type="checkbox"/> Trade Association <input type="checkbox"/> Other Representative Body <input type="checkbox"/> Professional Organisation <input type="checkbox"/> Other (please specify) <input type="checkbox"/>
Position	
If employer:	
Size of employer (no. of employees)	0-49 employees <input type="checkbox"/> 50-249 employees <input type="checkbox"/> 250+ employees <input type="checkbox"/>
Sector	Public Sector <input type="checkbox"/> Private Sector <input type="checkbox"/> Third Sector <input type="checkbox"/>
Industry (if known)	Agriculture <input type="checkbox"/>

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	Construction	<input type="checkbox"/>
	Education	<input type="checkbox"/>
	Extractive and Utility Supply	<input type="checkbox"/>
	Health and Social Work	<input type="checkbox"/>
	Hotels and Restaurants	<input type="checkbox"/>
	Manufacturing	<input type="checkbox"/>
	Public Administration	<input type="checkbox"/>
	Transport, Storage and Communication	<input type="checkbox"/>
	Wholesale and Retail	<input type="checkbox"/>

Review questions

Question 1: Are there any particular health and safety regulations (or ACoPs) that have significantly improved health and safety and should not be changed?

Question 2: Are there any particular health and safety regulations (or ACoPs) which need to be simplified?

Question 3: Are there any particular health and safety regulations (or ACoPs) which it would help to merge together and why?

Question 4: Are there any particular health and safety regulations (or ACoPs) that could be abolished without any negative effect on the health and safety of individuals?

Question 5: Are there any particular health and safety regulations that have created significant additional burdens on business but that have had limited impact on health or safety?

Question 6: To what extent does the concept of ‘reasonably practicable’ help manage the burden of health and safety regulation?

Question 7: Are there any examples where health and safety regulations have led to unreasonable outcomes, or to inappropriate litigation and compensation?

Question 8: Are there any lessons that can be learned from the way other EU countries have approached the regulation of health and safety, in terms of (a) their overall approach and (b) regulating for particular risks or hazards?

Question 9: Can you provide evidence that the requirements of EU Directives have or have not been unnecessarily enhanced ('gold-plated') when incorporated into UK health and safety regulation?

Question 10: Does health and safety law suitably place responsibility in an appropriate way on those that create risk? If not what changes would be required?

Any other comments/evidence?

Please attach further additional sheets as necessary.

Annex A – List of Statutory Instruments (regulations) owned by HSE and primarily enforced by HSE and Local Authorities, and Associated Approved Codes of Practice

Name of Regulation	Year	S.I. no.	Subject
The Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2010 	2010	2840	Biosafety
Control of Artificial Optical Radiation at Work Regulations 2010 (S.I. 2010/1140) 	2010	1140	Radiation
Agriculture (Safety, Health and Welfare Provisions) Act 1956 (Repeals and Modifications) Regulations 1975 (S.I. 1975/46)	1975	46	Agriculture
Agriculture (Tractor Cabs) (Amendment) Regulations 1990 (S.I.1990/1075) 	1990	1075	Agriculture
Agriculture (Tractor Cabs) Regulations 1974 (S.I. 1974/2034)	1974	2034	Agriculture
Anthrax Prevention Order 1971 etc (Revocation) Regulations (S.I. 2005/228) 	2005	228	Infections
Biocidal Products (Amendment) Regulations 2003 (S.I. 2003/429) 	2003	429	Biocides
Biocidal Products Regulations 2001 (S.I. 2001/880) 	2001	880	Biocides
Biocidal Products (Amendment) Regulations 2005 (S.I. 2005/2451) 	2005	2451	Biocides
Biocidal Products (Amendment) Regulations 2007 (S.I. 2007/293) 	2007	293	Biocides





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Name of Regulation	Year	S.I. no.	Subject
Biocidal Products (Amendment) Regulations 2010 	2010	745	Biocides
Borehole Sites and Operations Regulations 1995 (S.I. 1995/2038) 	1995	2038	General
Celluloid and Cinematograph Film Act 1922 (Exemptions) Regulations 1980 (S.I. 1980/1314)	1980	1314	Fire
Celluloid and Cinematograph Film Act 1922 (Repeals and Modifications) Regulations 1974 (S.I. 1974/1841)	1974	1841	Fire and explosion
Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (S.I. 2002/1689) 	2002	1689	CHIP
Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2005 (S.I. 2005/2571) 	2005	2571	CHIP
Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2008 (S.I. 2008/2337) 	2008	2337	CHIP
Chemicals (Hazard Information and packaging for supply) Regulations 2009 (S.I. 2009/716) 	2009	716	CHIP
Classification, labelling and packaging of substances and mixtures (Regulation (EC) 2008 (S.I. 2008/1272) 	2008	1272	GHS
Coal and Other Mines (General Duties and Conduct) Order 1956 (S.I. 1956/2016)	1956	2016	Mining

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Name of Regulation	Year	S.I. no.	Subject
Coal and Other Mines (Horses) Order 1956 (S.I. 1956/1777)	1956	1777	Mining
Coal and Other Mines (Locomotives) Order 1956 (S.I. 1956/1771)	1956	1771	Mining
Coal and Other Mines (Metrication) Regulations 1978 (S.I. 1978/1648)	1978	1648	Mining
Coal and Other Mines (Safety-Lamps and Lighting) Order 1956 (S.I. 1956/1765)	1956	1765	Mining
Coal and Other Mines (Sanitary Conveniences) Order 1956 (S.I. 1956/1776)	1956	1776	Mining
Coal and Other Mines (Shafts, Outlets and Roads) (Amendment) Regulations 1968 (S.I. 1968/1037)	1968	1037	Mining
Coal and Other Mines (Shafts, Outlets and Roads) Regulations 1960 (S.I. 1960/69)	1960	69	Mining
Coal and Other Mines (Sidings) Order 1956 (S.I. 1956/1773)	1956	1773	Mining
Coal and Other Mines (Ventilation) (Variation) Regulations 1960 (S.I. 1960/1116)	1960	1116	Mining
Coal and Other Mines (Ventilation) (Variation) Regulations 1966 (S.I. 1966/1139)	1966	1139	Mining
Coal and Other Mines (Ventilation) Order 1956 (S.I. 1956/1764)	1956	1764	Mining
Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993 (S.I. 1993/208) 	1993	208	Mining
Coal Mines (Cardrox and Hydrox) Regulations 1956 (S.I. 1956/1942)	1956	1942	Mining

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Name of Regulation	Year	S.I. no.	Subject
Coal Mines (Clearances in Transport Roads) Regulations 1959 (S.I. 1956/1217)	1956	1217	Mining
Coal Mines (Control of Inhalable Dust) Regulations 2007 	2007	1894	Mining
Coal Mines (Firedamp Drainage) Regulations 1960 (S.I. 1960/1015)	1960	1015	Mining
Coal Mines (Owner's Operating Rules) Regulations 1993 (S.I. 1993/2331) 	1993	2331	Mining
Coal Mines (Precautions against Inflammable Dust) (Second Amendment) Regulations 1974 (S.I. 1974/2124)	1974	2124	Mining
Coal Mines (Precautions against Inflammable Dust) (Variation) Regulations 1960 (S.I. 1960/1738)	1960	1738	Mining
Coal Mines (Precautions against Inflammable Dust) Order 1956 (S.I. 1956/1769)	1956	1769	Mining
Coal Mines (Respirable Dust) (Amendment) Regulations 1978 (S.I.1978/807)	1978	807	Mining
Coal Mines (Respirable Dust) Regulations 1975 (S.I. 1975/1433)	1975	1433	Mining
Compressed Acetylene Order 1947 (S.I. 1947/805)	1947	805	Fire
Confined Spaces Regulations 1997 (S.I. 1997/1713) 	1997	1713	Confined spaces
Construction (Design and Management) Regulations 2007 (S.I. 2007/320) 	2007	320	Construction

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Name of Regulation	Year	S.I. no.	Subject
Construction (Head Protection) Regulations 1989 (S.I. 1989/2209) 	1989	2209	Construction
Control of Asbestos Regulations (S.I. 2006/2739) 	2006	2739	Asbestos
Control of Explosives Regulations 1991 (S.I. 1991/1531) 	1991	1531	Explosives
Control of Industrial Air Pollution (Transfer of Powers of Enforcement) Regulations 1987 (S.I. 1987/180) 	1987	180	General
Control of Lead at Work Regulations 2002 (S.I. 2002/2676) 	2002	2676	General
Control of Major Accident Hazards Regulations 1999 (S.I. 1999/743) 	1999	743	COMAH
Control of Major Accident Hazards (Amendment) Regulations 2005 (S.I. 2005/1088) 	2005	1088	COMAH
Control of Noise at Work Regulations 2005 (S.I. 2005/1643) 	2005	1643	Noise
Control of Substances Hazardous to Health (Amendment) Regulations 2003 (S.I. 2003/978) 	2003	978	COSHH
Control of Substances Hazardous to Health (Amendment) Regulations 2004 (S.I. 2004/3386) 	2004	3386	COSHH
Control of Substances Hazardous to Health Regulations 2002 (S.I. 2002/2677) 	2002	2677	COSHH
Control of Vibration at Work Regulations 2005 (S.I. 2005/1093) 	2005	1093	Vibration






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Name of Regulation	Year	S.I. no.	Subject
Dangerous Substances (Notification and Marking of Sites) Regulations 1990 (S.I. 1990/304) 	1990	304	General
Dangerous Substances and Explosive Atmospheres Regulations 2002 (S.I. 2002/2776) 	2002	2776	Dangerous substances (Fire and explosion)
Dangerous Substances in Harbour Areas Regulations 1987 (S.I. 1987/37) 	1987	37	Dangerous substances (Explosives)
Disused Mine and Quarry Tips (Prescribed Forms) Regulations 1969 (S.I. 1969/807)	1969	807	Mining and Quarries
Diving at Work Regulations 1997 (S.I. 1997/2776) 	1997	2776	Diving
Docks Regulations 1988 (S.I. 1988/1655) 	1988	1655	Ports
Docks, Shipbuilding etc (Metrication) Regulations 1983 (S.I. 1983/644)	1983	644	Ports
Electricity at Work Regulations 1989 (S.I. 1989/635) 	1989	635	Electrical safety
Employers' Health and Safety Policy Statements (Exception) Regulations 1975 (S.I. 1975/1584)	1975	1584	General

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Name of Regulation	Year	S.I. no.	Subject
Employment Medical Advisory Service (Factories Act Orders etc Amendment) Order 1973 (S.I. 1973/36)	1973	36	General
Escape and Rescue from Mines Regulations 1995 (S.I. 1995/2870) 	1995	2870	Mining
Explosive Acts 1875 and 1923 etc (Repeals and Modifications) Regulations 1974 (S.I. 1974/1885)	1974	1885	Explosives
Explosives Act 1875 (Exemptions) Regulations 1979 (S.I. 1979/1378)	1979	1378	Explosives
Explosives Act 1875 etc. (Metrication and Miscellaneous Amendment) Regulations 1984 (S.I. 1984/510)	1984	510	Explosives
Explosives Acts 1875 and 1923 etc (Repeals and Modifications) (Amendment) Regulations 1974 (S.I. 1974/2166)	1974	2166	Explosives
Export and Import of Dangerous Chemicals Regulations 2005 (S.I. 2005/928) 	2005	928	Chemicals
Factories Act (Docks, Building and Engineering Construction, etc) Modification Regulations 1938 (S.I. 1938/610)	1938	610	Factories
Factories Act 1961 and Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations 2009 (S.I. 2009/605) 	2009	605	General
Factories Act 1961 (Repeals) Regulations 1975 (S.I. 1975/1012)	1975	1012	General
Factories Act 1961 etc (Metrication) Regulations 1983 (S.I. 1983/978)	1983	978	General

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Name of Regulation	Year	S.I. no.	Subject
Factories Act 1961 etc (Repeals and Modifications) Regulations 1974 (S.I. 1974/1941)	1974	1941	General
Factories Act 1961 etc (Repeals) Regulations 1976 (S.I. 1976/2004)	1976	2004	General
Factories Act General Register Order 1973 (S.I. 1973/8)	1973	8	General
The locomotives and wagons on lines and sidings in or used in connection with premises under Factory and Workshop Regulations 1906 (S.I. 19/679)	1906	679	Workplace transport
Fire Certificates (Special Premises) Regulations 1976 (S.I. 1976/2003)	1976	2003	Fire
Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1989 (S.I. 1989/76) 	1989	76	Fire
Fire Precautions Act 1971 (Modifications) (Revocation) Regulations 1989 (S.I. 1989/79) 	1989	79	Fire
Freight Containers (Safety Convention) Regulations 1984 (S.I. 1984/1890)	1984	1890	Workplace transport
Gas Safety (Installation and Use) Regulations 1998 (S.I. 1998/2451) 	1998	2451	Gas - domestic
Gas Safety (Management) Regulations 1996 (S.I. 1996/551) 	1996	551	Gas - supply
Gas Safety (Rights of Entry) Regulations 1996 (S.I. 1996/2535) 	1996	2535	Gas - domestic
Gasholders (Record of Examinations) Order 1938 (S.I. 1938/598)	1938	598	Gas - supply

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Name of Regulation	Year	S.I. no.	Subject
Gasholders and Steam Boilers Regulations (Metrication) Regulations 1981 (S.I. 1981/687)	1981	687	Gas - supply
Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2002 (S.I. 2002/63) 	2002	63	Genetically modified organisms
Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2005 (S.I. 2005/2466) 	2005	2466	Genetically modified organisms
Genetically Modified Organisms (Contained Use) Regulations 2000 (S.I. 2000/2831) 	2000	2831	Genetically modified organisms
Health and Safety (Agriculture) (Miscellaneous Repeals and Modifications) Regulations 1976 (S.I. 1976/1247)	1976	1247	Agriculture
Health and Safety (Consultation with Employees) Regulations 1996 (S.I. 1996/1513) 	1996	1513	Workers
Health and Safety (Display Screen Equipment) Regulations 1992 (S.I. 1992/2792) 	1992	2792	Offices
Health and Safety (Enforcing Authority) Regulations 1998 (S.I. 1998/494) 	1998	494	Local authorities
Health and Safety (Explosives and Petroleum Fees) (Modification) Regulations 1987 (S.I. 1998/52) 	1987	52	Explosives

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Name of Regulation	Year	S.I. no.	Subject
Health and Safety (Fees) Regulations 2007 (2007/813) 	2007	813	Charging
Health and Safety (Fees) Regulations 2008 (2008/736) 	2008	736	Charging
Health and Safety (Fees) Regulations 2009 (2009/515) 	2009	515	Charging
Health and Safety (Fees) Regulations 2010 	2010	579	Charging
Health and Safety (First-Aid) Regulations 1981 (S.I. 1981/917)	1981	917	First aid
Health and Safety (Foundries etc) (Metrication) Regulations 1981 (S.I. 1981/1332)	1981	1332	Engineering
Health and Safety Information for Employees (Amendment) Regulations 2009 (S.I. 2009/606) 	2009	606	Business
Health and Safety (Leasing Arrangements) Regulations 1992 (S.I. 1992/1524) 	1992	1524	General
Health and Safety (Miscellaneous Amendments) Regulations 2002 (S.I. 2002/2174) 	2002	2174	General
Health and Safety (Miscellaneous Provisions) (Metrication etc) Regulations 1992 (S.I. 1992/1811)	1992	1811	General
Health and Safety (Repeals and Revocations) Regulations 1995 (S.I. 1995/3234) 	1995	3234	General
Health and Safety (Repeals and Revocations) Regulations 1996 (S.I. 1996/1811) 	1996	1811	General
Health and Safety (Safety Signs and Signals) Regulations 1996 (S.I. 1996/341) 	1996	341	General




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Name of Regulation	Year	S.I. no.	Subject
Health and Safety (Training for Employment) Regulations 1990 (S.I. 1990/1380) 	1990	1380	Workers
Health and Safety at Work etc Act 1974 (Application outside Great Britain) Order 2001 (S.I. 2001/2127) 	2001	2127	General
Health and Safety at Work etc. Act 1974 (Application outside Great Britain) (Variation) Order 2011 	2011	745	Offshore
Health and Safety at Work etc Act 1974 (Application to Environmentally Hazardous substances) Regulations 2002 (S.I. 2002/282) 	2002	282	Workers
Health and Safety Information for Employees (Modifications and Repeals) Regulations 1995 (S.I. 1995/2923) 	1995	2923	Workers
Health and Safety Information for Employees Regulations 1989 (S.I. 1989/682) 	1989	682	Workers
Health and Safety Inquiries (Procedure) (Amendment) Regulations 1976 (S.I. 1976/1246)	1976	1246	General
Health and Safety Inquiries (Procedure) Regulations 1975 (S.I. 1975/335)	1975	335	General
Health and Safety Licensing Appeals (Hearings Procedure) (Scotland) Rules 1974 (S.I. 1974/2068)	1974	2068	Scotland
Health and Safety Licensing Appeals (Hearings Procedure) Rules 1974 (S.I. 1974/2040)	1974	2040	General
Health and Safety (Miscellaneous Amendments and Revocations) Regulations 2009 (S.I. 2009/693) 	2009	693	Mining

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Name of Regulation	Year	S.I. no.	Subject
Ionising Radiations Regulations 1999 (S.I. 1999/3232) 	1999	3232	Radiation
Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307) 	1998	2307	Work equipment
Loading and Unloading of Fishing Vessels Regulations 1988 (S.I. 1988/1656) 	1988	1656	Ports
Management and Administration of Safety and Health at Mines Regulations 1993 (S.I. 1993/1897) 	1993	1897	Mining
Management of Health and Safety at Work and Fire Precautions (Workplace) (Amendment) Regulations 2003 (S.I. 2003/2457) 	2003	2457	Fire
Management of Health and Safety at Work Regulations 1999 (S.I. 1999/3242) 	1999	3242	Risk
Management of Health and Safety at Work (Amendment) Regulations 2006 (S.I. 2006/438) 	2006	438	Risk
Manual Handling Operations Regulations 1992 (S.I. 1992/2793) 	1992	2793	Manual handling
Manufacture and Storage of Explosives Regulations 2005 (S.I. 2005/1082) 	2005	1082	Explosives
Mines (Control of Ground Movement) Regulations 1999 (S.I.1999/2463) 	1999	2463	Mining
Mines (Manner of Search for Smoking Materials) Order 1956 (S.I. 1956/2016)	1956	2016	Mining

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Name of Regulation	Year	S.I. no.	Subject
Mines (Medical Examinations) Regulations 1964 (S.I. 1964/209)	1964	209	Mining
Mines (Precautions Against Inrushes) Regulations 1979 (S.I. 1979/318)	1979	318	Mining
Mines (Safety of Exit) Regulations 1988 (S.I. 1988/1729) 	1988	1729	Mining
Mines (Shafts and Winding) Regulations 1993 (S.I. 1993/302) 	1993	302	Mining
Mines and Quarries (Metrication) Regulations 1976 (S.I. 1976/2063)	1976	2063	Mining
Mines and Quarries (Tipping Plans) Rules 1971 (S.I. 1971/1378)	1971	1378	Mining
Mines and Quarries (Tips) Regulations 1971 (S.I. 1971/1377)	1971	1377	Mining
Mines and Quarries Acts 1954 to 1971 (Repeals and Modifications) Regulations 1974 (S.I. 1974/2013)	1974	2013	Mining
Mines and Quarries Acts 1954 to 1971 (Repeals and Modifications) Regulations 1975 (S.I. 1975/1102)	1975	1102	Mining
Mines Miscellaneous Health and Safety Provisions Regulations 1995 (S.I. 1995/2005) 	1995	2005	Mining
Miscellaneous Mines (Explosives) Regulations 1959 (S.I. 1959/2258)	1959	2258	Mining
Miscellaneous Mines (Metrication) Regulations 1983 (S.I. 1983/994)	1983	994	Mining
Miscellaneous Mines (General) Order 1956 (S.I. 1956/1778)	1956	1778	Mining

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Name of Regulation	Year	S.I. no.	Subject
Non-ferrous Metals (Melting and Founding) Regulations 1962 (S.I. 1962/1667)	1962	1667	Engineering
Notification of Conventional Tower Cranes (Amendment) Regulations 2010 (S.I. 2010/811) ☞	2010	811	Construction
Notification of Cooling Towers and Evaporative Condensers Regulations 1992 (S.I.1992/2225) ☞	1992	2225	Biosafety
Notification of Employment of Persons Order 1964 (S.I. 1964/533)	1964	533	Workers
Notification of Installations Handling Hazardous Substances (Amendment) Regulations 2002 (S.I. 2002/2979) ☞	2002	2979	COMAH
Notification of Installations Handling Hazardous Substances Regulations 1982 (S.I. 1982/1357)	1982	1357	COMAH
Notification of Conventional Tower Cranes Regulations 2010 (S.I. 2010/333) ☞	2010	333	Construction
Nuclear Installations (Dangerous Occurrences) Regulations 1965 (S.I. 1965/1824)	1965	1824	Nuclear
Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (S.I.1999/2892) ☞	1999	2892	Nuclear
Nuclear Reactors (Environmental Impact Assessment for Decommissioning) (Amendment) Regulations (EIADR) 2006 (S.I. 2006/657) ☞	2006	657	Nuclear
Offices, Shops and Railway Premises Act 1963 (Repeals and Modifications) Regulations	1974	1943	General






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Name of Regulation	Year	S.I. no.	Subject
1974 (S.I. 1974/1943)			
Offices, Shops and Railway Premises Act 1963 (Repeals) Regulations 1975 (S.I. 1975/1012)	1975	1012	General
Offices, Shops and Railway Premises Act 1963 etc (Repeals) Regulations 1976 (S.I. 1976/2005)	1976	2005	General
Offshore Electricity and Noise Regulations 1997 (S.I. 1997/1993) 	1997	1993	Offshore
Offshore Installations (Inspectors and Casualties) Regulations 1973 (S.I. 1973/1842)	1973	1842	Offshore
Offshore Installations (Logbooks and Registration of Death) Regulations 1972 (S.I. 1972/1542)	1972	1542	Offshore
Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995 (S.I. 1995/743) 	1995	743	Offshore
Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117) 	2005	3117	Offshore
Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 (S.I. 1989/971) 	1989	971	Offshore
Offshore Installations (Safety Zones) Order 2005 (S.I. 2005/1656) 	2005	1656	Offshore
Offshore Installations (Safety Zones) (No 2) Order 2005 (S.I. 2005/2669) 	2005	2669	Offshore

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Name of Regulation	Year	S.I. no.	Subject
Offshore Installations (Safety Zones) (No 3) Order 2005 (S.I. 2005/3227) 	2005	3227	Offshore
Offshore Installations (Safety Zones) Regulations 1987 (S.I. 1987/1331) 	1987	1331	Offshore
Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (S.I. 1989/1671) 	1989	1671	Offshore
Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995 (S.I. 1995/738) 	1995	738	Offshore
Offshore Installations and Wells (Design and Construction, etc) Regulations 1996 (S.I. 1996/913) 	1996	913	Offshore
Offshore Safety (Miscellaneous Amendments) Regulations 2002 (S.I. 2002/2175) 	2002	2174	Offshore
Offshore Safety (Repeals and Modifications) Regulations 1993 (S.I. 1993/1823)	1993	1823	Offshore
Order in Council No. 30 Prohibiting the manufacture, importation, keeping, conveyance or sale of acetylene when an explosive as defined by the order (S.R. &O 1937/54)	1937	54	Fire
Order of Secretary of State (No 5) relating to Compressed Acetylene in Admixture with Oil-Gas (S.R.& O. 1898/248)	1898	248	Fire
Order of Secretary of State (No 5A) relating to Compressed Acetylene in Admixture with Oil-Gas (1905) (S.R.& O. 1905/1128)	1905	1128	Fire
Order of Secretary of State (No 9) relating to Compressed Acetylene contained in a Porous Substance (1919) S.R.& O. 1919/809)	1919	809	Fire





Independent review of health and safety legislation – call for evidence

Name of Regulation	Year	S.I. no.	Subject
Personal Protective Equipment at Work Regulations 1992 (S.I. 1992/2966) 	1992	2966	General
Petroleum (Consolidation) Act 1928 (Enforcement) Regulations 1979 (S.I. 1979/427)	1979	427	Fire
Petroleum (Liquid Methane) Order 1957 (S.I. 1957/859)	1957	859	Fire
Petroleum (Mixtures) Order 1929 (S.I. 1929/993)	1929	993	Fire
Petroleum (Regulation) Acts 1928 and 1936 (Repeals and Modifications) Regulations 1974 (S.I. 1974/1942)	1974	1942	Fire
Petroleum-Spirit (Motor Vehicles, etc) Regulations 1929 (S.I. 1929/952)	1929	952	Fire
Petroleum-Spirit (Plastic Containers) Regulations 1982 (S.I. 1982/630)	1982	630	Fire
Pipe-lines Act 1962 (Repeals and Modifications) Regulations 1974 (S.I. 1974/1986)	1974	1986	Pipelines
Pipelines Safety (Amendment) Regulations 2003 (S.I. 2003/2563) 	2003	2563	Pipelines
Pipelines Safety Regulations 1996 (S.I. 1996/825) 	1996	825	Pipelines
Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (1993/2714) 	1993	2714	Explosives
Police (Health and Safety) Regulations 1999 + (Commencement) Order (1999/860) 	1999	860	Police Services
Pottery (Health and Welfare) Special Regulations 1950 (S.I. 1950/65)	1950	65	General

Independent review of health and safety legislation – call for evidence

Name of Regulation	Year	S.I. no.	Subject
Pottery (Health etc) (Metrication) Regulations 1982 (S.I. 1982/877)	1982	877	General
Pressure Systems Safety Regulations 2000 (S.I. 2000/128) 	2000	128	General
Prevention of Accidents to Children in Agriculture Regulations 1998 (S.I. 1998/3262) 	1998	3262	Agriculture
Provision and Use of Work Equipment Regulations 1998 (S.I. 1998/2306) 	1998	2306	Work equipment
Quarries Regulations 1999 (S.I. 1999/2024) 	1999	2024	Quarries
Radiation (Emergency Preparedness and Public Information) Regulations 2001 (S.I. 2001/2975) 	2001	2975	Radiation
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (S.I. 1995/3163) 	1995	3163	RIDDOR
Safety Representatives and Safety Committees Regulations 1977 (S.I. 1977/500)	1977	500	Safety representatives
Shipbuilding and Ship-repairing Regulations 1960 (S.I. 1960/1932)	1960	1932	General
Stratified Ironstone, Shale and Fireclay Mines (Explosives) Regulations 1956 (S.I. 1956/1943)	1956	1943	Explosives
Submarine Pipe-lines (Inspectors and Safety) (Amendment) Regulations 1991 (S.I. 1991/680) 	1991	680	Pipelines

Independent review of health and safety legislation – call for evidence

Name of Regulation	Year	S.I. no.	Subject
Submarine Pipe-lines (Inspectors etc) Regulations 1977 (S.I. 1977/835)	1977	835	Pipelines
Submarine Pipe-lines Safety Regulations 1982 (S.I. 1982/1513)	1982	1513	Pipelines
Work at Height Regulations 2005 (S.I. 2005/735) 	2005	735	Falls from height
Work at Height (Amendment) Regulations 2007 (S.I. 2007/114) 	2007	114	Falls from height
Work in Compressed Air Regulations 1996 (S.I. 1996/1656) 	1996	1656	Compressed air
Workplace (Health, Safety and Welfare) Regulations 1992 (S.I. 1992/3004) 	1992	3004	General

Approved Codes of Practice

	Approved Codes of Practice - April 2011	Year
COP6	Petroleum-Spirit (Plastic Containers) Regulations 1982 Requirements for testing and marking or labelling Approved Code of Practice	1982
COP20	Standards of training in safe gas installation Approved Code of Practice	1987
COP25	Safety in docks Docks Regulations 1988 Approved Code of Practice with Regulations and guidance	1988
COP28	Safety of exit from mines underground workings Mines (Safety of Exit) Regulations 1988 Approved Code of Practice	1989
L5	Control of substances hazardous to health The Control of Substances Hazardous to Health Regulations 2002 (as amended) Approved Code of Practice and guidance (Fifth edition)	2005
L8	Legionnaires' disease The control of legionella bacteria in water systems	2000

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
	Approved Code of Practice and guidance (Third edition)	
L21	Management of health and safety at work Management of Health and Safety at Work Regulations 1999 Approved Code of Practice and guidance (Second edition)	2000
L22	Safe use of work equipment Provision and Use of Work Equipment Regulations Approved Code of Practice and guidance (Third edition)	2008
L24	Workplace health, safety and welfare Workplace (Health, Safety and Welfare) Regulations 1992 Approved Code of Practice	1992
L42	Shafts and winding in mines Mines (Shafts and Winding) Regulations 1993 Approved Code of Practice	1993
L43	First aid at mines Health and Safety (First-Aid) Regulations 1981 Approved Code of Practice	1993
L44	The management and administration of safety and health at mines Management and Administration of Safety and Health at Mines Regulations 1993 Approved Code of Practice	1993

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
L45	Explosives at coal and other safety-lamp mines Coal and other Safety-lamp Mines (Explosives) Regulations 1993 Approved Code of Practice	1993
L46	The prevention of inrushes in mines Approved Code of Practice	1993
L56	Safety in the installation and use of gas systems and appliances The Gas Safety (Installations and Use) Regulations 1998 Approved Code of Practice and guidance (Third edition)	2011
L60	Control of substances hazardous to health in the production of pottery The Control of Substances Hazardous to Health Regulations 1994 The Control of Lead at Work Regulations 1980 Approved Code of Practice	1995
L65	Prevention of fire and explosion and emergency response on offshore installations Offshore Installations (Prevention of Fire and Explosion and Emergency Response) Regulations 1995 Approved Code of Practice and guidance	1997
L71	Escape and rescue from mines Escape and Rescue from Mines, Regulations 1995 Approved Code of Practice and guidance	1995
L74	First aid at work	2009

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	Approved Codes of Practice - April 2011	Year
	The Health and Safety (First-Aid) Regulations 1981 Approved Code of Practice and guidance	
L81	Design, construction and installation of gas service pipes Pipelines Safety Regulations 1996 Approved Code of Practice and guidance	1996
L101	Safe work in confined spaces Confined Spaces Regulations 1997 Approved Code of Practice, Regulations and guidance (Second edition)	2009
L103	Commercial diving projects offshore Diving at Work Regulations 1997 Approved Code of Practice	1998
L104	Commercial diving projects inland/inshore Diving at Work Regulations 1997 Approved Code of Practice	1998
L105	Recreational diving projects Diving at Work Regulations 1997 Approved Code of Practice	1998
L106	Media diving projects Diving at Work Regulations 1997 Approved Code of Practice	1998
L107	Scientific and archaeological diving projects Diving at Work Regulations 1997 Approved Code of Practice	1998

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
L112	Safe use of power presses Provision and Use of Work Equipment Regulations 1998 as applied to power presses Approved Code of Practice and guidance	1998
L113	Safe use of lifting equipment Lifting Operations and Lifting Equipment Regulations 1998 Approved Code of Practice and guidance	1998
L114	Safe use of woodworking machinery Provision and Use of Work Equipment Regulations 1998, as applied to woodworking machinery Approved Code of Practice and guidance	1998
L116	Preventing accidents to children in agriculture Approved Code of Practice	1999
L117	Rider-operated lift trucks Operator training Approved Code of Practice and guidance	1999
L118	Health and safety at quarries Quarries Regulations 1999 Approved Code of Practice	1999
L119	The control of ground movement in mines The Mines (Control of Ground Movement) Regulations 1999	1999

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
	Approved Code of Practice and guidance	
L121	Work with ionising radiation Ionising Radiations Regulations 1999 Approved Code of Practice and guidance	2000
L122	Safety of pressure systems Pressure Systems Safety Regulations 2000 Approved Code of Practice	2000
L123	Health care and first aid on offshore installations and pipeline works Offshore Installations and Pipeline Works (First-aid) Regulations 1989 Approved Code of Practice and guidance	2000
L127	The management of asbestos in non-domestic premises Regulation 4 of the Control of Asbestos Regulations 2006 Approved Code of Practice and guidance (Second edition)	2006
L128	The use of electricity in mines Electricity at Work Regulations 1989 Approved Code of Practice	2001
L130	The compilation of safety data sheets Chemicals (Hazard Information and Packaging for Supply)	2002

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
	Regulations 2002 Approved Code of Practice (Third edition)	
L131	Approved Classification and Labelling Guide (Sixth edition) Chemicals (Hazard Information and Packaging for Supply) Regulations 2009 (CHIP 4) Approved Guide (Sixth edition)	2009
L132	Control of lead at work Control of Lead at Work Regulations 2002 Approved Code of Practice and guidance (Third edition)	2002
L133	Unloading petrol from road tankers Dangerous Substances and Explosive Atmospheres Regulations 2002 Approved Code of Practice and guidance	2003
L134	Design of plant, equipment and workplaces Dangerous Substances and Explosives Atmospheres Regulations 2002 Approved Code of Practice and guidance	2003
L135	Storage of dangerous substances Dangerous Substances and Explosive Atmospheres Regulations 2002 Approved Code of Practice and guidance	2003
L136	Control and mitigation measures	2003

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
	Dangerous Substances and Explosive Atmospheres Regulations 2002 Approved Code of Practice and guidance	
L137	Safe maintenance, repair and cleaning procedures Dangerous Substances and Explosive Atmospheres Regulations 2002 Approved Code of Practice and guidance	2003
L138	Dangerous Substances and Explosive Atmospheres Dangerous Substances and Explosive Atmospheres Regulations 2002 Approved Code of Practice and guidance	2003
L139	Manufacture and storage of explosives Manufacture and Storage of Explosives Regulations 2005 Approved Code of Practice and guidance	2005
L141	Whole-body vibration The Control of Vibration at Work Regulations 2005 Guidance on Regulations	2005
L143	Work with materials containing asbestos Control of Asbestos Regulations 2006 Approved Code of Practice and guidance	2006
L144	Managing health and safety in construction Construction (Design and Management) Regulations 2007 Approved Code of Practice and	2007

Independent review of health and safety legislation – call for evidence

	Approved Codes of Practice - April 2011	Year
	Guidance	
L145	Control of inhalable dust in coal mines The Coal Mines (Control of Inhalable Dust) Regulations 2007 Approved Code of Practice and guidance	2007
L146	Consulting workers on health and safety Safety Representatives and Safety Committees Regulations 1977 (as amended) and Health and Safety (Consultation with Employees) Regulations 1996 (as amended) Approved Codes of Practice and guidance	2008

Annex B – Terms of Reference

Background

As part of the Government's plans to reform Britain's health and safety system, the Department for Work and Pensions' (DWP) Minister for Employment, the Rt Hon Chris Grayling MP, commissioned an independent review of health and safety legislation.

Purpose

The review will consider the opportunities for reducing the burden of health and safety legislation on UK businesses whilst maintaining the progress made in improving health and safety outcomes.

In particular, the review will consider the scope for combining, simplifying or reducing the – approximately 200 – statutory instruments owned by HSE and primarily enforced by HSE and Local Authorities, and the associated Approved Codes of Practice (ACoP) which provide advice, with special legal status, on compliance with health and safety law.

In doing so, it will seek to take into account:

- the extent to which these regulations have led to positive health and safety outcomes and the extent to which they have created significant economic costs for businesses of all sizes;
- whether the requirements of EU Directives are being unnecessarily enhanced ('gold-plated') when transposed into UK regulation; and
- any evidence or examples of where health and safety regulations have led to unreasonable outcomes, or inappropriate litigation and compensation.

The review will gather evidence from a range of key stakeholders, including:

- Government bodies;
- employers' organisations;
- employee organisations;
- professional health and safety bodies; and
- academics.

It will also see if lessons can be learned from comparison with health and safety regimes in other countries and consider whether health and safety law suitably places responsibility on those that create risk.

Governance

The review will be chaired by Professor Ragnar Löfstedt, Director of the King's Centre for Risk Management at King's College, London. He will be supported by an Advisory Panel whose role is to work with the Chair and provide constructive challenge to the review.

Review membership

Chair:	Professor Ragnar Löfstedt
Advisory Panel:	
Legislature representative (Con)	Andrew Bridgen MP
Legislature representative (Lab)	Andrew Miller MP
Legislature representative (Lib Dem)	To be confirmed
Employer representative	John Armit (Olympic Delivery Authority)
Employee representative	Sarah Veale (Trades Union Congress)
Small business representative	Dr Adam Marshall (British Chambers of Commerce)

Timescale

The review was launched on 21 March 2011, and is expected to report to the Minister for Employment by the end of October 2011. The report will be published on the DWP website.

Secretariat

The review will be supported by a small team of civil servants, based in DWP. The Review team will:

- arrange meetings and agree attendees and the agenda with the Chair;
- commission and circulate papers before each meeting;
- produce a record of decisions and actions from each meeting;
- coordinate the call for evidence to the review;
- deal with enquiries arising from the review; and
- provide regular updates to the Minister for Employment.

Contact

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