SUBSIDIARY LEGISLATION 646.26

HEALTH AND SAFETY AT WORK (PROCEDURES IN RELATION TO THE ISSUANCE OF ADMINISTRATIVE PENALTIES) REGULATIONS

26th November, 2024

LEGAL NOTICE 322 of 2024, as amended by Legal Notice 51 and 192 of 2025.

Citation and scope.

1. (1) The title of these regulations is the Health and Safety at Work (Procedures in relation to the Issuance of Administrative Penalties) Regulations.

(2) The scope of these regulations is to establish a non-exhaustive list of breaches in terms of article 25 and of the paragraphs (a) to (e) of the proviso to article 26(3) of the Act, for which the Authority may call upon for payment of an administrative penalty, and to establish the penalty to be paid as may be determined by the Authority, which may be further specified by the Authority through administrative instruments.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires:

"Act" means the Health and Safety at Work Act; Cap. 646.

"Authority" means the Occupational Health and Safety Authority established by virtue of article 4 of the Act;

"administrative instrument" means such instruments in accordance with article 17 of the Act which are required to discharge the Authority's functions and shall include any order, directive, protocol, guideline, explanatory memorandum, information circular, including notices or other publications issued by the Authority;

"Tribunal" means the Health and Safety Tribunal as established by article 23 of the Act.

(2) Unless the context otherwise requires, words and phrases used in these regulations which are not defined in these regulations shall have the same meaning as assigned to them in the Act.

Administrative penalty to be determined by the Authority in accordance with Schedule I.

3. (1) Where the Authority serves a notice for the payment of an administrative penalty in terms of article 25 and paragraphs (a) to (e) of the proviso to article 26(3) of the Act, the amount of such administrative penalty shall be determined by the Authority in accordance with Schedule I.

(2) The Authority may also publish administrative penalties or further specify or vary the nature and level of administrative penalties applicable to various breaches, through administrative instruments.

(3) The first column of Schedule I refers to the legislation being breached for which an administrative penalty is applicable, the second column refers to the reference number of the breach, the third column provides a general description of the breach, which description shall not be relied upon for the purposes of interpreting the relevant cited regulations, and the fourth column establishes the maximum administrative penalty to be paid, as may be determined by the Authority.

(4) (a) When the Authority imposes an administrative penalty, it shall cause a notice to be served on the person on whom the administrative penalty is being imposed in accordance with article 25 of the Act.

(b) For the purpose of the service of the notice of an administrative penalty, the mode of service and contact shall be made by electronic mail in accordance with the details as previously provided by the person to the Authority. The receipt of the relevant electronic mail shall in itself constitute confirmation of service, in terms of the provisions of the Electronic Commerce Act. In the absence of the provision of an electronic mail address the mode of service shall be made at the residential address of a natural person or at the registered office address of a legal person by registered mail:

Cap. 426.

Provided that in the case of failure to serve the notice, the provisions of the Code of Organization and Civil Procedure shall apply.

Cap. 12.

(5) In the case of multiple administrative penalties, the Authority may at its discretion, impose the maximum penalty in its entirety as determined by the Authority in terms of Schedule I, the second highest at two-thirds (2/3) of the maximum amount, and any remaining penalties at one-third (1/3) of their respective amounts.

(6) Any action by the Authority for the imposition of an administrative penalty under this Act shall be brought within two (2) years from the date of conclusion of an investigation as confirmed by a statement to this effect issued by the Authority and communicated to the interested person in writing. This provision is without prejudice to the terms of the proviso to article 25(4) of the Act, under which such period shall commence from the date when the remedial action is not undertaken.

Onus of proof.

4. In any proceedings for the imposition of an administrative penalty for a breach under these regulations, consisting of a failure to

comply with a duty or requirement to do something in accordance with the Act and, or any regulations issued thereunder, it shall be for the offender to prove, as the case may be, that it was not practicable or not reasonably practicable to do more than was in fact done to satisfy the duty or requirement, or that there was no better practicable means than was in fact used to satisfy the duty or requirement.

Payment of administrative penalties shall not prejudice the duty to undertake any measures.

5. (1) The payment of administrative penalties shall not prejudice the duty of a person to undertake any measure by which health and safety at work may be safeguarded, whether such duty arises from the Act or any other regulation issued thereunder, or from an order issued by a Health and Safety at Work Officer in terms of the Act.

(2) These regulations shall be without prejudice to the power of a Health and Safety at Work Officer to issue an order in terms of Article 20 of the Act.

Breaches and and administrative penalties shall apply *mutatis mutandis*.

6. (1) The breaches described in Schedule I and the listed administrative penalties shall also apply *mutatis mutandis* with reference to other regulations issued under the Act, and the fact that such a reference is not made in the Schedules shall not constitute a reason for the non-application of these regulations:

Provided that the administrative penalties listed in Schedule I shall also be used in such cases.

(2) Where no specific regulation exists, the Authority shall cite the closest equivalent description of an infringement, which shall also apply *mutatis mutandis*, taking account of the circumstances of the work activity or activities being carried out, and when there is a call upon for the payment of the penalty, the penalty stipulated in Schedule I for the closest equivalent breach shall apply.

Fees applicable to an appeal from a decision of the Authority.

7. Where an appeal to the Tribunal is made in accordance with article 23 of the Act, the application of the appeal shall be accompanied by the fee as established in Schedule II.

Substituted by:
L.N. 51 of 2025.

SCHEDULE I

Legislation	Reference number of the breach	Description of breach	Administrative Penalty (Maximum) (€)
Health and Safety at Work Act (Cap. 646)	1	Failed to ensure that workers' health and safety representative has been appointed.	1500
Dock Safety Regulations (S.L. 646.02)	2	Failure to certify machinery, gear, lifting machinery and other requirements as required by the Dock Safety Regulations.	1500
	3	Failure to keep and maintain a register containing tests and certificates.	1000
	4	Failure to be in possession of a written approval from an engineer and permission from the owner or his responsible agent, when the safe working load of a crane is exceeded.	1500
Work Places (Health, Safety and Welfare) Regulations (S.L. 646.03)	5	Failure to send a notification regarding an occupational disease unless a disease and, or obligation is elsewhere specified.	500
	6	Failure to send a notification regarding injuries or fatalities at work.	500
	7	Failure to keep a general register at the place of work.	500
Protection of Young Persons at Work Places Regulation (S.L. 646.04)	8	Failure to keep a register with the relevant details about the employment of a young person as specified by the Protection of Young Persons at Work Places Regulation.	500
	9	Failure to evaluate the potential health and safety at work risks at the workplace prior to hiring or assigning tasks to any young person.	750
Protection of Maternity at Work Places Regulations (S.L. 646.05)	10	Failed to evaluate the type and level of any potential danger at the workplace, when assigning tasks to a pregnant, breastfeeding worker, or a mother.	750
Work Place (First Aid) Regulations (S.L.646.06)	11	Failed to put up signs indicating the name of every first-aider or appointed person, and how they can be contacted whenever first aid is required to be given.	500

Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations (S.L. 646.07)	12	Failed to keep a written record, with the specified details of all displayed screen equipment and workstations, their users and measures taken to safeguard health and safety at work.	1000
	13	Failed to maintain the written record of display screen equipment, the list of users, the measures to safeguard occupational health and safety in terms of regulation 4 of the Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations.	1000
	14	Failed to conduct suitable and sufficient analysis for the purpose of assessing the health and safety risks to which workers are exposed in consequence of using display screen equipment.	1000
Work Place (Minimum Health and Safety Requirements) Regulations (S.L. 646.08)	15	Failed to keep a register with the details of the designated workers responsible for the implementation of the measures required for firefighting and for the evacuation of workers.	1000
	16	Failed to keep a record of the fire drill carried out.	1000
Protection against Risks of Back Injury at Work Places Regulations (S.L. 646.10)	17	Failure to assess the health and safety conditions of the type of work in advance, where reasonably practicable, and specifically a failure to examine the characteristics of loads.	1500
General Provisions for Health and Safety at Work Places Regulations (S.L. 646.11)	18	Failed to keep a written or electronic record of the risk assessment, where five(5) or more workers are employed.	1000
	19	Failed to carry out, or to ensure that is carried out, a suitable, sufficient and systematic assessment of all the occupational health and safety hazards which may be present at the place of work and the resultant risks involved concerning all aspects of the work activity.	1500

Control of Major Accident Hazard Regulations (S.L. 646.12)	20	Failed to notify the "competent authority" defined in Control of Major Accident Hazard Regulations with any of the requirements in accordance with the said regulations.	2500
	21	Failed to send the major-accident prevention policy in accordance with established time-limits.	2500
	22	Upper Tier operators who failed to send the safety report or updated parts thereof to the competent authority within the established time-limits.	2500
	23	Failed to send the necessary information to the competent authority, to enable the Civil Protection Department to draw up external emergency plans.	2500
	24	Failed to send as soon as practicable following a major accident, relevant accident information listed in Control of Major Accident Hazard Regulations.	2500
	25	Failed to draw up a document in writing, setting out the major-accident prevention policy (MAPP).	5000
	26	Failed to draw up an internal emergency plan for the measures to be taken inside the establishment.	5000
	27	Failed to keep the notification up to date according to regulation 5(2) of the Control of Major Accident Hazard Regulations.	15000
	28	Failed to periodically review and update the major accident prevention policy when necessary, at least every five (5) years, without prejudice to regulation 9 of the Control of Major Accident Hazard Regulations.	5000
	29	Failed to review and where necessary update the safety report following a major accident at its establishment, and at any other time when initiated or requested as provided in regulation 8(5) of the Control of Major Accident Hazard Regulations, without prejudice to regulation 9 of the said regulations.	5000
	30	Failed to inform the Authority and update records following a major accident as provided in regulation 12 of the Control of Major Accident Hazard Regulations.	5000
Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations (S.L. 646.13)	31	Failure to analyse and assess unavoidable risks in defining the characteristics that the personal protective equipment shall have in order to provide effective protection against risks.	750

Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens or Reprotoxic Substances at Work Regulations (S.L. 646.14)	32	Failed to notify the Authority about all cases of cancer, adverse effects on sexual function and fertility or developmental toxicity in their offspring.	1000
	33	Failure to draw up plans to deal with emergencies likely to result in abnormally high exposure.	2500
	34	Failed to keep an up-to-date list of the workers engaged in the activities in respect of which the results of a risk assessment reveals a risk to workers' health or safety.	2500
	35	Failed to keep any medical record required under the Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens or Reprotoxic Substances at Work Regulations for the stipulated duration.	2500
	36	Failed to keep with regard to reprotoxic substances, the list of workers and the medical records required by the Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens or Reprotoxic Substances at Work Regulations for the stipulated duration.	2500
	37	Failed to make available to the Authority, documents which include lists and medical records with regard to carcinogens and mutagens referred to the Protection of Workers from the Risks related to Exposure to Carcinogens or Mutagens or Reprotoxic Substances at Work Regulations in cases where the undertaking ceases activity.	2500
	38	Failed to keep an up-to-date list of the workers engaged in the activities in respect of which the results of the assessment referred a risk to workers' health or safety.	1000
	39	Failure to assess the risk to the health or safety of workers in relation to exposure to carcinogenic, mutagenic or reprotoxic substances.	1500

Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations (S.L. 646.15)	40	Failed to notify the Authority before commencing work involving asbestos.	2500
	41	Failed to notify the Authority in cases were change in working conditions is likely to result in a significant increase in exposure.	2500
	42	Failed to send the plan of work before the start of the projected work.	1500
	43	Failed to provide the Authority evidence of the contractor's ability in this field before carrying out asbestos demolition or removal work.	2500
	44	Failure of any government department, agency or entity that has been notified of the occurrence of a case of asbestosis and, or mesothelioma to notify the Authority of such cases.	500
	45	Failed to draw up a plan of work before demolition work or work on removing asbestos and, or asbestos-containing products.	2500
	46	Failed to keep a record of all health surveillance and medical assessments required by the Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations for the stipulated duration.	2500
	47	Failed to keep the register required by the Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations for the stipulated duration.	2500
	48	Failed to make available to the Authority, documents as referred to in the Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations in cases where the undertaking ceases activity.	2500
	49	Failure to assess the risk to the health or safety of workers in relation to exposure to asbestos dust or to asbestos-containing materials.	1500

Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations (S.L. 646.16)	50	Failed to forward to the Authority reports on occupational accidents suffered by his workers without undue delay.	750
	51	Failed to give advance notice of relevant work hazards, hazard identification arrangements, precautions and procedures, so that the emergency services can prepare their own response procedures and precautionary measures.	1000
	52	Failed to make available health surveillance and exposure records to the Authority, or to the worker concerned as the case may be.	1000
	53	Failed to keep an assessment of the risks to health and safety at work, including those facing groups of workers exposed to particular risks.	1000
	54	Failed to keep a list of occupational accidents resulting in a worker being unfit for work for more than three (3) working days.	1500
	55	Failed to draw up reports on occupational accidents suffered by his workers, which shall be forwarded to the Authority without undue delay.	2500
	56	Failed to be in possession of an assessment of the risks mentioned in paragraphs (e) and (f) of regulation 4(1) and regulation 4(4) of the Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations.	2500
	57	Failed to ensure that information on emergency arrangements involving hazardous chemical agents is available.	1500
	58	Failed to keep health and exposure records in a suitable form so as to permit consultation at a later date, taking into account any confidentiality.	1500
	59	Failed to make available information concerning specific hazards arising, or likely to rise, at the time of an accident or emergency, including information on procedures prepared pursuant to regulation 7 (7) of the Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations.	2000
	60	Failed to keep up to date the risk assessment, particularly if there have been significant changes which could render it out-of-date, or when the results of health surveillance show it to be necessary.	2500
	61	Failed to ensure that individual health and exposure records are kept up-to-date.	1000
	62	Failure to assess the risks to the health and safety of workers, in the choice of work equipment and when working with chemical substances or preparations used.	1500

Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations (S.L. 646.17)	63	Failed to inform the Authority of any accident or incident which may have resulted in the release of a biological agent, and which could cause severe human infection and, or illness.	1000
	64	Failed to make a prior notification to the Authority of the use for the first time of: (i) group 2 biological agents; (ii) group 3 biological agents; (iii) group 4 biological agents.	1000
	65	Laboratories providing a diagnostic service in relation to group 4 biological agents, failed to make an initial notification of their intention.	1000
	66	Failed to re-notify the Authority in any case where there are substantial changes of importance to safety or health at work to processes and, or procedures which render the notification out of date.	750
	67	Failed to notify the Authority in any case of diseases or death identified in accordance with applicable laws and, or regulations as resulting from occupational exposure to biological agents.	1500
	68	Failed to make medical records referred to in regulation 14 of the Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations available to the Authority in cases where the undertaking ceases activity.	1500
	69	Failed to draw up the plans to deal with accidents involving biological agents.	2500
	70	Failed to keep a list of workers exposed to group 3 and, or group 4 biological agents, and other specified details required by the Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations.	1500
	71	Failed to keep the list of workers mentioned in the Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations for at least ten (10) years following the end of exposure.	1500
	72	Failed to keep the list mentioned in the Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations for an appropriately longer time up to forty (40) years following the last known exposure in any of the cases listed under regulation 11(2)(b) of the said regulations.	1500
	73	Failed to keep, an individual medical record in cases where health surveillance is carried out for at least ten (10) years following the end of exposure.	2500
	74	Failure to assess potential risks and duration of workers exposure to biological agents.	1500

Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations (S.L. 646.18)	75	Failed draw up and keep up to date a health and safety document in accordance with regulation 5(1) of Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations.	7500
	76	Failed to draw up a health and safety document prior to the commencement of work and be revised if the workplace undergoes major changes, extensions or conversions.	7500
	77	Failure to keep the necessary information in the health and safety document in accordance with regulation 5(3) of the Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations.	7500
	78	Failed to introduce a system of work permits when required by the health and safety document.	7500
	79	Failed to set up a suitable system of maintenance and, where appropriate, for the testing of mechanical and electrical equipment and plant and, or failed to keep records of such examinations and tests.	3500
	80	Failed to prepare a protection plan where hydrogen sulphide or other toxic gases are present.	7500
	81	Failed to prepare an explosion prevention plan.	7500
	82	Failed to prepare, and, or display a list of persons assigned special duties in the event of an emergency at suitable locations at the workplace.	2500
	83	Failed to include the names of the persons assigned special duties in the event of an emergency in the written instructions (referred to in item 5 of Annex I of the Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations).	2500
	84	Failed to draw up an emergency plan for sea rescue and workplace evacuation situations.	5000
	85	Failed to keep suitable and sufficient rules for shot firing procedures.	2500
	86	Failed to ensure that a suitable and sufficient appraisal of all proposed or existing excavations has been undertaken by a competent person in order to determine whether any such excavation is a significant hazard.	2500
	87	Failed to ensure that any significant findings in the appraisal and any conclusions reached are recorded, signed and dated by the competent person.	2500

88	Failed to ensure that the findings of the geotechnical assessment, the findings and reasons for those findings have been recorded, dated and signed.	2500
89	Failed to keep a record of excavation geotechnical assessment (in the event of no significant risk).	2500
90	Failed to keep a record of a misfire.	1000
91	Failure to prepare plans for underground works or fail to make these readily accessible or failed to keep for as long as is necessary for safety purposes.	2500
92	Failed to update and, or keep plans for underground workings.	2500
93	Failed to measure and record the ventilation parameters.	2500
94	Failed to prepare a ventilation plan, in accordance with item 12(2) of Annex VI of the Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations.	2500
95	Failure to conduct further appraisals (where required), at appropriate intervals.	10000
96	Failure to ensure that a geotechnical assessment has been carried out (where required) in accordance with item 6(4) of Annex IV of the Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations.	10000
97	Failure to draw up an operating plan for gas outbursts, rock bursts or water inrushes.	10000
98	Failure to update the ventilation plan in terms of Annex VI of the Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations.	2500
99	Failed to bring up to date the health and safety document regularly and make it available for inspection at the workplace.	2500
100	Failed to include the relevant measures on any auxiliary ventilation systems in the health and safety document.	2500
101	Failed to include the relevant measures on the limit of propagation of flammable dust in the health and safety document.	2500
102	Failed to include the location of the explosion barriers in the health and safety document.	2500
103	Failed to include the risk zones in the health and safety document.	2500

	104	Failed to include measures to know exactly who is underground at any time in the health and safety document.	2500
	105	Failure to assess the safety of workers exposure in relation to dangerous and potentially explosive compounds in the atmosphere inclusive of respective concentration levels.	1500
Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations (S.L. 646.19)	106	Failed to set up and keep the permit to work posted outside and adjacent to the confined space (where applicable in the Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations).	2500
	107	Failed to keep a copy of all assessments, maintenance records, permit to work, medical exams etc as stipulated in the Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations.	2500
	108	Failed to prepare written instructions and a system of permits to work when required by the explosion protection document.	2500
	109	Failure to carry out health surveillance, medical examination of worker	2500
	110	Competent person failed to include all details required by Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations in the permit to work in terms of the said regulations.	2500
	111	Failed to ensure that the permit to work contains the name and signature of the competent person and the name and counter signature of the supervisor at the site.	2500
	112	Failure to state the period during which the use of breathing apparatus shall remain unnecessary, with respect to confined spaces certified as safe to enter without a breathing apparatus.	2500
	113	Failed to draw up and update the explosion protection document referred to in regulation 22.	2500
	114	Failure to conduct a risk assessment.	1500
Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Noise) Regulations (S.L. 646.20)	115	Failed to keep risk assessment in terms of regulation 4(7).	1500
	116	Failed to keep records of health surveillance where applicable.	1500
	117	Failed to ensure that each worker who undergoes health surveillance has his individual health records made and kept up to date in accordance with regulation 10(3).	1500
	118	Failure to evaluate and measure noise levels that employees are exposed to.	1000

Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Vibration) Regulations (S.L. 646.21)	119	Failed to keep risk assessment in terms of regulation 4(5).	1500
	120	Failed to keep records of health surveillance where applicable.	1500
	121	Failed to ensure that each worker who undergoes health surveillance must have his individual records made and kept up to date in accordance with regulation 8(2).	1500
	122	Failure to assess, and measure, the level of mechanical vibration to which workers are exposed.	1000
Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Artificial Optical Radiation) Regulations (S.L. 646.22)	123	Failed to keep, and update risk assessment in terms of regulation 4.	1500
	124	Failed to keep records with respect to health surveillance.	1500
	125	Failed to ensure that each worker who undergoes health surveillance must have his individual records made and kept up to date in accordance with regulation 8(3).	1500
	126	Failure to assess and, if necessary, measure and, or calculate the levels of exposure to optical radiation to which workers are likely to be exposed.	1000
Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Electromagnetic Fields) Regulations (S.L. 646.23)	127	Failed to keep and update risk assessments in terms of regulation 4.	1500
	128	Failed to keep records with respect to health surveillance.	1500
	129	Failure to assess the risks posed to employees by electromagnetic fields to which employees are exposed.	1000

Work Equipment (Minimum Safety and Health Requirements) Regulations (S.L. 646.24)	130	Failed to send to Authority the examination report of an escalator, moving walkway drawn up by an Engineer within fifteen (15) working days from the date on which the examination falls due in terms of item 7.2 of Schedule I.	1000
	131	Failed to send to the Authority the examination report drawn up by the competent person under item 1.2 of Part 1 – Goods Lift of Schedule II of the Work Equipment (Minimum Safety and Health Requirements) Regulations within twenty-eight (28) days from the date on which the examination falls due.	1500
	132	Competent person failed to send to the Authority a copy of the report in cases where the examination shows that the lifting machine or its attachment cannot be used safely unless certain repairs are carried out immediately or within a specified time in terms of item 2.2 of Schedule III.	1500
	133	Competent person failed to notify employer about a defect in work equipment following an examination.	3000
	134	Failed to ensure that a copy of the examination report carried out in accordance with item 2.2. of Schedule III of the Work Equipment (Minimum Safety and Health Requirements) Regulations that accompanies the lifting machine at the workplace where it is being used and, or Failed to keep available for inspection the examination report carried out in accordance with item 2.2. of Schedule III of the Work Equipment (Minimum Safety and Health Requirements) Regulations.	1000
	135	Failed to keep a register in respect of all chains, ropes or lifting tackles (except fibre rope slings) that have been tested and thoroughly examined by a competent person prior being taken into use in the workplace for the first time in that workplace.	1000
	136	Failed to obtain and, or keep available for inspection a certificate of the test and examination specifying the safe workload and making the test and examination.	1000

	137	Failed to ensure that the lifting machine was accompanied by a copy of the examination report of all parts, and working gear, whether fixed or moveable, including the anchoring and fixing appliances, of every lifting machine carried out in accordance with item 2.1 of Schedule III of the Work Equipment (Minimum Safety and Health Requirements) Regulations and, or Failed to keep available for inspection the examination report of all parts, and working gear, whether fixed or moveable, including the anchoring and fixing appliances, of every lifting machine carried out in accordance with item 2.1 of Schedule III of the Work Equipment (Minimum Safety and Health Requirements) Regulations.	1000
	138	Failed to ensure that a report of the test and examination specifying the safe working load of the machine has been drawn up by a competent persons and, or Failed to obtain and, or keep available for inspection a report of the test and examination specifying the safe working load/s of the machine drawn up by a competent person.	1000
	139	Competent person failed to ensure that the report drawn up under item 1.2 of Part I – Goods Lift of Schedule II of the Work Equipment (Minimum Safety and Health Requirements) Regulations, includes as a minimum, the information listed in Part 2 of the said Schedule.	1000
Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27)	140	Failed to send a prior notice to the Authority for notifiable construction works.	1500
	141	Failure to display once any work activity on the project commences on the construction site, a copy of the prior notice in such form as prescribed by the Authority and, if necessary, to periodically update it.	1500
	142	Project supervisor for health and safety matters failed to draw up a health and safety plan.	2500
	143	Failure of the project supervisor for health and safety matters to prepare a health and safety file.	1500
	144	Client failed to keep and make available health and safety file.	5000

145	Client failed to ensure that prior to the setting up of a construction site, a health and safety plan is drawn up.	500
146	Client failed to deliver health and safety file to another person at the end of the works	500
147	Failure to ensure that scaffolding has been inspected and certified as being safe for use.	2000
148	Lifting devices and accessories were_not displaying their maximum load values.	1500
149	Failure to update health and safety plan.	5000
150	Client failed to notify the Authority about the appointment of the project supervisor for health and safety matters.	1500
151	Client failed to notify the Authority following the demise of the project supervisor for health and safety matters.	1500
152	Project supervisor for health and safety matters failed to notify the Authority on his termination of engagement from acting as such.	500
153	Project supervisor for health and safety matters failed to issue and submit without undue delay to the relevant duty holders involved in the construction project, an inspection report in writing highlighting the measures being undertaken by the contractors, employers or any self-employed persons in identifying any potential hazards and risks and any unaddressed hazards and risks that resulted during the inspection carried out under the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27) and the required preventive and corrective measures to be taken by the relevant duty holders to address the identified hazards and risks, or manage health and safety.	2500
154	Project supervisor for health and safety matters failed to give a written copy of the health and safety plan prepared in terms of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27) or a relevant extract thereof to all duty holders in terms of said regulations.	2500
155	Project supervisor for health and safety matters failed to prepare a written report in relation to reports received in accordance with regulations 16(f)(i) of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27).	2500

	156	Project supervisor for health and safety matters failed to register any report made by any person in relation to any matter which may give rise to suspicion of a breach of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27), or the Act or any regulations made thereunder.	2500
	157	Project supervisor for health and safety matters failed to inform the Authority that any orders made in accordance with regulation 16(d) of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27) have not been observed or complied with.	2500
	158	Project supervisor for health and safety matters failed to register any matter reported in accordance with regulation 16(f)(ii) of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations (S.L. 646.27).	2500
	159	Project supervisor for health and safety matters failed to inform the Authority that his recommendations in accordance with regulation 16(f)(ii) of the Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) (S.L. 646.27) have not been implemented or adhered to.	5000
	160	Contractor failed to carry out or keep a written copy of the risk assessment.	2500
	161	Contractor failed to update risk assessment.	2500
Inspection of Lifts Regulations (S.L. 427.63)	162	Failed to inform the Authority in writing within two (2) working days from the date of inspection in cases where the Authorised Conformity Assessment Body (ACAB) has forbidden the use of the lift requiring repair or immediate maintenance due to existing or imminent risk of serious personal injury.	1000
	163	Failure to forward to the Authority a copy of the regularisation certificate within fifteen (15) days.	500
	164	Failed to notify the Authority in writing that the repairs indicated by the preventive inspection have been completed.	500
	165	Failed to inform the Authority in writing within two (2) working days from the start of the procedure in cases where the use of the lift requiring repair or immediate maintenance due to an existing or imminent risk of serious personal injury has been forbidden by the Authorised Conformity Assessment Body (ACAB).	500

166	Failed to cause the submission of a copy of the report of the thorough examination made by Authorised Conformity Assessment Body (ACAB) to the Authority within fifteen (15) days from the day of ACAB's decision prohibiting the use of the lift in terms of regulation 6(7) of the Inspection of Lifts Regulations.	500
167	Authorised Conformity Assessment Body (ACAB) failed to make to the responsible person a report in writing of the thorough examination containing the information specified in Schedule II of the Inspection of Lifts Regulations.	500
168	Failed to send a copy of the report of the thorough examination carried out under regulation 6 of the Inspection of Lifts Regulations to the Authority not later than twenty-eight (28) days from the date on which the thorough examination falls due.	500
169	Authorised Conformity Assessment Body (ACAB) failed to draw up and forward to the responsible person the report required by regulation 6(7) of the Inspection of Lifts Regulations.	500
170	Failed to send a copy of the report drawn up by Authorised Conformity Assessment Body (ACAB) in accordance with regulation 6(7) of the Inspection of Lifts Regulations to the Authority within fifteen (15) days from the day on which the decision mentioned in regulation 6(7) of the said regulations was taken.	500
171	Failed to cause a copy of the report drawn up by Authorised Conformity Assessment Body (ACAB) in accordance with regulation 8(10) of the Inspection of Lifts Regulations to be sent to the Authority within fifteen (15) days from the day on which the decision mentioned in the said regulation was taken in accordance with regulation 9(7).	500
172	Authorised Conformity Assessment Body (ACAB) failed to make a preventive inspection in writing containing the information specified in Schedule IV of the Inspection of Lifts Regulations for a responsible person under regulation 8 of the said regulations in accordance with regulation 9(5).	500".

Amended by: L.N. 192 of 2025.

SCHEDULE II
Fees due to the Tribunal in respect of an appeal

	Rates (€)
Any appeal from an administrative penalty not exceeding one thousand five hundred euro (€1,500)	150
Any appeal from an administrative penalty ranging from one thousand five hundred and one euro (€1,501) to four thousand nine hundred and ninety-nine euro (€4,999)	250
Any appeal from an administrative penalty of five thousand euro (€ 5,000) or more	450
Any appeal brought by any person following decisions, orders, or administrative instruments issued by the Authority	150