



Health and Safety at Work etc. Act 1974

1974 CHAPTER 37

PART I

HEALTH, SAFETY AND WELFARE IN CONNECTION WITH WORK, AND CONTROL OF DANGEROUS SUBSTANCES AND CERTAIN EMISSIONS INTO THE ATMOSPHERE

Financial provisions

43 Financial provisions.

- (1) It shall be the duty of the Secretary of State to pay to [^{F1}the Executive] such sums as are approved by the Treasury and as he considers appropriate for the purpose of enabling [^{F1}the Executive] to perform its functions; ^{F2}.....
- (2) Regulations may provide for such fees as may be fixed by or determined under the regulations to be payable for or in connection with the performance by or on behalf of any authority to which this subsection applies of any function conferred on that authority by or under any of the relevant statutory provisions.
- (3) Subsection (2) above applies to the following authorities, namely ^{F3}. . . the Executive, the Secretary of State, . . . ^{F4}, every enforcing authority, and any other person on whom any function is conferred by or under any of the relevant statutory provisions.
- (4) Regulations under this section may specify the person by whom any fee payable under the regulations is to be paid; but no such fee shall be made payable by a person in any of the following capacities, namely an employee, a person seeking employment, a person training for employment, and a person seeking training for employment.
- (5) Without prejudice to section 82(3), regulations under this section may fix or provide for the determination of different fees in relation to different functions, or in relation to the same function in different circumstances.
- [^{F5}(6) The power to make regulations under this section shall be exercisable by the Secretary of State ^{F6} . . .]

Changes to legislation: There are currently no known outstanding effects for the
Health and Safety at Work etc. Act 1974, Section 43. (See end of Document for details)

- (8) In subsection (4) above the references to a person training for employment and a person seeking training for employment shall include respectively a person attending an industrial rehabilitation course provided by virtue of the ^{M1}Employment and Training Act 1973 and a person seeking to attend such a course.
- (9) For the purposes of this section the performance by an inspector of his functions shall be treated as the performance by the enforcing authority which appointed him of functions conferred on that authority by or under any of the relevant statutory provisions.

Textual Amendments

- F1** Words in s. 43(1) substituted (1.4.2008) by [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 14\(a\)\(i\)](#) (with art. 21, Sch. 2)
- F2** Words in s. 43(1) omitted (1.4.2008) by virtue of [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 14\(a\)\(ii\)](#) (with art. 21, Sch. 2)
- F3** Words in s. 43(3) omitted (1.4.2008) by virtue of [The Legislative Reform \(Health and Safety Executive\) Order 2008 \(S.I. 2008/960\)](#), [art. 14\(b\)](#) (with art. 21, Sch. 2)
- F4** Words repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)
- F5** S. 43(6) substituted for s. 43(6)(7) by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 15 para. 12](#)
- F6** Words in s. 43(6) repealed (27.3.2002) by [S.I. 2002/794](#), art. 5(2), [Sch.](#) (with art. 6)

Modifications etc. (not altering text)

- C1** Ss. 1–25, 26, 27, 28, 30, 33, 34–59, 80, 81 and 82 applied by [S.I. 1989/840](#), [arts. 2–10](#)
- C2** Ss. 1-59, 80-82 applied (11.7.2001) by [S.I. 2001/2127](#), [arts. 4\(1\)](#), 5(1)(2), 6(1), 7(1), 8(1), 10 (with art. 11) (as amended by [S.I. 2009/1750](#), [art. 2\(2\)\(4\)](#))
- C3** Ss. 1-59, 80-82 applied (temp.) (5.8.2009) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) Order 2001 \(S.I. 2001/2127\)](#), arts. 8A, 8B (as inserted by [S.I. 2009/1750](#), [art. 2\(3\)](#))
- C4** Ss. 1-59 applied by [S.I. 2001/2127](#) art. 8A 8B (as inserted (E.W.S.) (6.4.2011) by [The Health and Safety at Work etc. Act 1974 \(Application outside Great Britain\) \(Variation\) Order 2011 \(S.I. 2011/745\)](#), arts. 1(1), 3(2))

Marginal Citations

- M1** 1973 c. 50.

Changes to legislation:

There are currently no known outstanding effects for the Health and Safety at Work etc. Act 1974, Section 43.