

SCHEDULE 9**Regulation 10****FEE PAYABLE UNDER THE EXPLOSIVES ACT 1875 AND INSTRUMENTS MADE THEREUNDER, UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928, THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936 AND THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983****PART 1****APPLICATIONS FOR FACTORY LICENCES,
MAGAZINE LICENCES, ACETYLENE IMPORTATION****LICENCES AND AMENDING LICENCES UNDER
SECTIONS 6, 12 AND 40(9) OF THE EXPLOSIVES
ACT AND REPLACEMENT OF SUCH LICENCES**

| <i>1</i> <i>Provision under</i> <i>which a licence is</i> <i>granted</i> | <i>2</i> <i>Purpose of</i> <i>Application</i> | <i>3</i> <i>Fee</i> | <i>4</i> <i>Fee for work by</i> <i>Specialist Inspector</i> |
|---|---|------------------------|---|
| Explosives Act 1875 c. 17 | | | |
| Section 6 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory licence | £555 | £41 per hour worked |
| | Magazine licence | £555 | £41 per hour worked |
| | Replacement of one of the above licences if lost | £25 | |
| Section 12 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory amending licence | £214 | £41 per hour worked |
| | Magazine amending licence | £214 | £41 per hour worked |
| | Replacement of one of the above licences if lost | £25 | |
| Section 40(9)(1) as applied to compressed acetylene by the Compressed Acetylene | Licence for importation of compressed acetylene | £17 | £41 per hour worked |

(1) Section 40(9) was amended by S.I. 1974/1885 and was applied to compressed acetylene by S.I. 1978/1723; the effect of section 40(9) of the Explosives Act 1875 (c. 17) in so far as it applied to acetylene by virtue of Order in Council (No. 30) dated 2nd February 1937 (S.R. & O. 1937/54) was saved by regulation 12 of, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714).

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| <i>1</i> | <i>2</i> | <i>3</i> | <i>4</i> |
|---|--|------------|---|
| <i>Provision under which a licence is granted</i> | <i>Purpose of Application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| (Importation) Regulations 1978(2) | Replacement of the above licence if lost | £17 | |
| | Amendment to an existing licence | £17 | £41 per hour worked |

PART II

FEE OR MAXIMUM FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE GRANTING AND RENEWAL OF AN EXPLOSIVES STORE LICENCE, THE REGISTRATION OR RENEWAL OF REGISTRATION OF PREMISES USED FOR KEEPING EXPLOSIVES AND THE GRANTING AND TRANSFER OF PETROLEUM-SPIRIT LICENCES

| <i>1</i> | <i>2</i> | <i>3</i> |
|--|---|---------------------------------|
| <i>Provision under which a fee or maximum fee is payable</i> | <i>Purpose of application</i> | <i>Fee or maximum fee</i> |
| Explosives Act 1875 c. 17 | | |
| Section 15 (see note 1) | A store licence | £65.50 |
| Section 18 (see note 1) | Renewal of a store licence | £65.50 |
| Section 21 (see note 1) | Registration and renewal of registration of premises for the keeping of explosives with a local authority | £11.20 |
| Petroleum (Consolidation) Act 1928 c. 32 | | |
| Section 4 (see notes 2 and 3) | Licence to keep petroleum spirit of a quantity— not exceeding 2,500 litres | £31.30 for each year of licence |

Note:

- Part 1 of the Explosives Act 1875 (which includes sections 15, 18 and 21) is applied to explosives other than gunpowder by sections 39 and 40 of that Act.
- In the case of a solid substance for which by virtue of an Order in Council made under section 19 of the Petroleum (Consolidation) Act 1928 a licence is required, the fee payable under this Schedule shall be calculated as if one kilogram of the substance were equivalent to one litre.
- The fee payable for a licence of more or less than one year's duration shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

(2) [S.I. 1978/1723](#).

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| <i>1</i> | <i>2</i> | <i>3</i> |
|--|--|---------------------------------|
| <i>Provision under which a fee or maximum fee is payable</i> | <i>Purpose of application</i> | <i>Fee or maximum fee</i> |
| exceeding 50,000 litres | exceeding 2,500 litres but not exceeding 50,000 litres | £46.30 for each year of licence |
| Petroleum (Transfer of Licences) Act 1936 c. 27 | £90.90 for each year of licence | |
| Section 1(4) | Transfer of petroleum spirit licence | £7.40 |

Note:

1. Part 1 of the Explosives Act 1875 (which includes sections 15, 18 and 21) is applied to explosives other than gunpowder by sections 39 and 40 of that Act.
2. In the case of a solid substance for which by virtue of an Order in Council made under section 19 of the Petroleum (Consolidation) Act 1928 a licence is required, the fee payable under this Schedule shall be calculated as if one kilogram of the substance were equivalent to one litre.
3. The fee payable for a licence of more or less than one year's duration shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

PART III

APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISO TO ORDER IN COUNCIL (No. 30) OF 2ND FEBRUARY 1937(3) FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

| <i>1</i> | <i>2</i> | <i>3</i> |
|---|------------|---|
| <i>Purpose of application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| (a) (a) Original approval of premises in which acetylene is to be manufactured or kept | £17 | £41 per hour worked |
| (b) (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept | £17 | £41 per hour worked |
| (c) (c) Approval of apparatus in which acetylene is to be manufactured or kept | £17 | £41 per hour worked |

(3) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885.

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PART IV

APPLICATIONS FOR COMPARISONS AND APPROVALS IN RESPECT OF CONDITIONS (1) AND (8) IN THE ORDER OF THE SECRETARY OF STATE (No. 9) OF 23RD JUNE 1919(4)

| <i>1</i> | <i>2</i> | <i>3</i> |
|---|------------|---|
| <i>Purpose of application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| (a) (a) Comparison of a porous substance with a sample porous substance | £31 | |
| (b) (b) Original approval of premises in which acetylene is compressed | £17 | £41 per hour worked |
| (c) (c) Amendment of an approval of premises in which acetylene is compressed | £17 | £41 per hour worked |

PART V

MISCELLANEOUS APPLICATIONS

| <i>1</i> | <i>2</i> | <i>3</i> |
|---|------------|---|
| <i>Purpose of application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| (a) (a) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(5) or authorisation of an explosive under section 40(9) of the Explosives Act 1875(6). | £168 | |
| (b) (b) Grant of an ammonium nitrate mixtures licence | £176 | £41 per hour worked |

(4) S.R. & O. 1919/809; amended by S.I. 1974/1885.

(5) S.I. 1983/1140.

(6) 1875 c. 17; section 40(9) was modified by regulation 12, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714.)

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| <i>1</i> | <i>2</i> | <i>3</i> |
|---|------------|---|
| <i>Purpose of application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(7). | | |

PART VI

FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE HEALTH AND SAFETY EXECUTIVE

| <i>1</i> | <i>2</i> |
|---|---|
| <i>Purpose of application</i> | <i>Fee</i> |
| (a) (a) Application for a licence for the importation of compressed acetylene (Part I above) | the reasonable cost to the Executive of having the work carried out |
| (b) (b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above) | ditto |
| (c) (c) Comparison of a porous substance with a sample porous substance (Part IV above) | ditto |
| (d) (d) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 (Part V above) | ditto |
| (e) (e) Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above) | ditto |

(7) S.I. 1967/1485.