
STATUTORY INSTRUMENTS

2005 No. 676

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 2005

Made - - - - *11th March 2005*
Laid before Parliament *16th March 2005*
Coming into force - - *6th April 2005*

The Secretary of State, being the designated ^{M1} Minister for the purpose of section 2(2) of the European Communities Act 1972 ^{M2} in relation to the notification and control of substances, the control and regulation of genetically modified organisms and measures relating to the prevention and limitation of the effects of accidents involving dangerous substances, in exercise of the powers conferred on him by the said section 2(2) and sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974 ^{M3} (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, hereby makes the following Regulations:

Marginal Citations

- M1** [S.I. 1981/1536](#) for the designation in relation to the notification and control of substances, [S.I. 1991/755](#) in relation to the control and regulation of genetically modified organisms and [S.I. 1998/1750](#) for measures relating to the prevention and limitation of the effects of accidents involving dangerous substances.
- M2** [1972 c. 68](#); the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the [European Economic Area Act 1993 \(c. 51\)](#).
- M3** [1974 c. 37](#); [sections 2,3 and 7](#) were modified by [S.I. 2000/2831](#); [section 43](#) was amended by the [Employment Protection Act 1975 \(c. 71\)](#), [Schedule 15](#), paragraph 12.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) Regulations 2005 and shall come into force on 6th April 2005.

(2) In these Regulations—

“approval” includes the amendment of an approval, and “amendment of an approval” includes the issue of a new approval replacing the original incorporating an amendment;

“employment medical adviser” means an employment medical adviser appointed under section 56(1) of the 1974 Act;

“the mines and quarries provisions” means such of the relevant statutory provisions as relate exclusively to—

- (a) mines within the meaning of section 180 of the Mines and Quarries Act 1954 ^{M4};
 - (b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999 ^{M5}; and
 - (c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969 ^{M6};
- and includes regulations, rules and orders relating to a particular mine (whether they are continued in force by regulation 7(3) of the Mines and Quarries Acts 1954 to 1971 (Repeals and Modifications) Regulations 1974 ^{M7} or are health and safety regulations);

“original approval” does not include an amendment of an approval;

[^{F1}“renewal of approval”, “renewal of explosives certificate”, “renewal of licence” or “renewal of registration” means respectively the granting of an approval, explosives certificate, licence or registration to follow a previous approval, explosives certificate, licence or registration without any amendment or gap in time; and]

“working days” does not include weekends or public holidays.

Textual Amendments

- F1** Words in [reg. 1\(2\)](#) substituted (26/4/2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), [regs. 1\(1\)](#), [Sch. 5 para. 45\(2\)](#) (with [reg. 3](#))

Marginal Citations

- M4** 1954 c. 70.
M5 S.I. 1999/2024, to which there are amendments not relevant to these Regulations.
M6 1969 c. 10, amended by S.I. 1999/2024.
M7 S.I. 1974/2013, modified by S.I. 1979/318.

Fees payable under the mines and quarries provisions

2.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval, an amendment of approval or a renewal of approval under any of the mines and quarries provisions.

(2) The fee payable under paragraph (1) on application for such approval as is mentioned in column 1 of Part 1 of Schedule 1 shall be respectively that specified in the corresponding entry in column 2, 3 or 4 of that Part and shall be payable on making the application for approval, or, where any such entry specifies a fee as the reasonable cost to the Executive of having the work carried out, the fee so costed shall be payable prior to the notification of the result of the application.

(3) Where the Executive requires testing to be carried out to decide whether approval can be granted, a fee shall be payable to the Executive by the applicant prior to the notification of the result of the application for the approval as described below—

- (a) in the case of explosives and detonators, for each test specified in column 1 of Part 2 of Schedule 1, the fee shall be that specified in the corresponding entry in column 2 of that Part;
- (b) in any other case, the fee shall be as set out in Part 3 of Schedule 1 (that is to say the reasonable cost to the Executive of having the testing carried out).

Fees for applications for approval under the Agriculture (Tractor Cabs) Regulations 1974

3.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974 ^{M8}.

(2) The fee payable on application for such an approval or revision of an approval as is described in column 1 of Schedule 2 shall be that specified in the corresponding entry in column 2 of that Schedule.

Marginal Citations

M8 [S.I. 1974/2034](#); relevant amending instruments are [S.I. 1976/1247](#), 1980/1036, 1981/1414 and 1990/1075.

Fee for application for approval under the Freight Containers (Safety Convention) Regulations 1984

4.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of a scheme or programme for examination of freight containers under the Freight Containers (Safety Convention) Regulations 1984 ^{M9}.

(2) The fee payable on application for the approval described in column 1 of Schedule 3 shall be that specified in column 2 of that Schedule.

Marginal Citations

M9 [S.I. 1984/1890](#), amended by [S.I. 1986/392](#).

Fees for various applications under the Asbestos (Licensing) Regulations 1983

5.—(1) A fee shall be payable by the applicant to the Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983 ^{M10} (“the 1983 Regulations”).

(2) The fee payable on application for a licence described in column 1 of Table 1 to Schedule 4 shall be that specified in column 2 of that Table.

(3) Where the Executive refuses to grant an applicant a licence under the 1983 Regulations and offers to reassess whether to grant the application if shortcomings leading to the refusal are remedied, a fee shall be payable by the applicant to the Executive in respect of any such reassessment.

(4) The fee payable for the reassessment referred to in paragraph (3) shall be that specified in column 1 of Table 2 to Schedule 4.

(5) Where the Executive amends a licence granted under the 1983 Regulations and the amendment relates to a condition or the duration of the licence, a fee shall be payable to the Executive by the licensee.

(6) The fee payable under paragraph (5) shall be that specified in column 2 of Table 2 to Schedule 4.

(7) Where the Executive replaces a lost licence granted under the 1983 Regulations or the Executive amends a licence granted under the 1983 Regulations for reasons other than those referred to in paragraph (5), a fee shall be payable to the Executive by the licensee.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 to Schedule 4.

Marginal Citations

M10 [S.I. 1983/1649](#), amended by [S.I. 1998/3233](#).

Fees for examination or surveillance by an employment medical adviser

6.—(1) A fee shall be payable to the Executive by an employer in respect of a medical examination or medical surveillance of each of his employees by an employment medical adviser for the purposes of any provision specified in column 1 of Schedule 5.

(2) The fee payable under paragraph (1) shall be a basic fee for each examination or on each occasion when surveillance is carried out together with additional fees for X-rays and laboratory tests where these are taken or carried out in connection with the examination; and for each provision specified in column 1 of Schedule 5—

- (a) the basic fee shall be the amount specified in column 3 of that Schedule for that provision;
- (b) the additional fee for X-rays shall be the amount specified in column 4 of that Schedule for that provision and shall cover all X-rays taken in connection with any one examination;
- (c) the additional fee for laboratory tests shall be the amount specified in column 5 of that Schedule for that provision and shall cover all such tests carried out in connection with any one examination.

(3) Where an employment medical adviser carries out a medical examination of a self-employed person for the purposes of the Control of Asbestos at Work Regulations 2002^{M11}, that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).

Marginal Citations

M11 [S.I. 2002/2675](#).

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 2002

7.—(1) A fee shall be payable to the Executive by an employer in respect of medical surveillance of any of his employees by an employment medical adviser for the purposes of the Control of Lead at Work Regulations 2002^{M12}.

(2) The fee payable for each item described in column 1 of Schedule 6 shall be that specified in the corresponding entry in column 2 of that Schedule.

Marginal Citations

M12 [S.I. 2002/2676](#), to which there are amendments not relevant to these Regulations.

Fees for various applications in connection with the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001

8.—(1) A fee shall be payable by the applicant to the Executive on each application for an approval of dosimetry services, or for the reassessment of an approval of dosimetry services previously granted, for the purposes of the 1999 Regulations.

(2) A fee shall be payable by the applicant to the Executive on each application for the type approval of apparatus pursuant to sub-paragraphs 1(c)(i) and 1(d)(i) of Schedule 1 to the 1999 Regulations.

(3) The fee payable for approval or reassessment or type approval in respect of each matter described in column 1 of Table 1 to Schedule 7 shall be that specified in the corresponding entry in column 2 of that Table.

(4) A fee shall be payable by the applicant to the Executive on each application for an approval of dosimetry services, or for the reassessment of an approval of dosimetry services previously granted, for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001^{M13}.

(5) The fee payable for an application for each purpose specified in column 1 of Table 2 to Schedule 7 shall be that specified in column 2 of that Table.

(6) A fee shall be payable by the applicant to the Executive where the Executive requires any work to be carried out by its nuclear or other specialist inspectors in connection with any application in respect of which a fee is payable —

(a) by virtue of paragraph (1) or (2), or

(b) by virtue of paragraph (4)

and the fee for such work in connection with each matter described in column 1 of Tables 1 and 2 to Schedule 7 shall be that specified in the corresponding entry in column 3 of those Tables for each hour worked, adjusted pro rata for a period worked of less than one hour.

(7) Where the Executive requires an inspection to be carried out in connection with any application mentioned in this regulation, a fee shall be payable by the applicant to the Executive of an amount equal to the reasonable cost of travelling and subsistence of any member of the Executive's staff in connection with the inspection.

(8) Any fee payable under paragraph (6) or (7) shall be payable prior to notification of the result of the application.

(9) In this regulation “the 1999 Regulations” means the Ionising Radiations Regulations 1999^{M14}.

Marginal Citations

M13 [S.I. 2001/2975](#), to which there are amendments not relevant to these Regulations. An approval of dosimetry services for the purposes of regulation 14 of these Regulations is made under regulation 35 of the [Ionising Radiation Regulations 1999 \(S.I. 1999/3232\)](#).

M14 [S.I. 1999/3232](#), amended by [S.I. 2001/2975](#).

Fees 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

9.—(1) Where any application in relation to a provision specified in column 1 of Part 1 of Schedule 8 is made for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part shall be payable by the applicant to the Executive.

[^{F2}(1A) Where any application in relation to a provision specified in column 1 of Part 1A of Schedule 8 is made to the Executive, where it is the licensing authority by virtue of paragraphs 1(b) or (c) or 2 of Schedule 1 to the 2005 Regulations, for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part shall be payable by the applicant to the Executive, save that —

- (a) in the case of an application referred to in column 2 of that Part for a licence to manufacture ammonium nitrate blasting intermediate, or to vary any such licence, the fee —
- (i) referred to in column 3 of that Part as an amount per hour, shall be adjusted pro rata for a period worked of less than one hour; and
 - (ii) shall be payable prior to notification of the result of the application.

(1B) Where any application under a provision specified in column 1 of Part 1B of Schedule 8 is made to a licensing authority, which is the licensing authority by virtue of paragraph 1(a) of Schedule 1 to the 2005 Regulations, for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part shall be payable by the applicant to that licensing authority.]

(2) The fee or maximum fee payable under each provision specified in column 1 of Part 2 of Schedule 8 for the purpose described in the corresponding entry in column 2 shall be that specified in the corresponding entry in column 3 of that Part.

[^{F3}(3) A fee shall be payable to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraphs (1) or (1A) for any purpose specified in column 2 of each of Parts 1 and 1A of Schedule 8 for which there is a corresponding entry in column 4 of the respective Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 4 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to the notification of the result of the application.]

(4) A fee shall be payable by the applicant to the Executive for each application made for each purpose specified in column 1 of each of Parts 3, 4 and 5 of Schedule 8 and such fee shall be payable on making the application save that, in the case of an application for the purpose referred to in [^{F4}the entry] in column 1 of Part 5 of that Schedule, the fee shall be payable prior to notification of the result of the application.

(5) The fee for an application for each purpose specified in column 1 of each of Parts 3, 4 and 5 of Schedule 8 shall be that specified in the corresponding entry in column 2 in the respective Part and, where the fee is determined as an amount per hour, the fee shall be adjusted pro rata for a period worked of less than one hour.

(6) A fee shall be payable to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (4) for any purpose specified in column 1 of each of [^{F5}Parts 3 and 4] of Schedule 8 for which there is a corresponding entry in column 3 of the respective Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 3 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(7) A fee shall be payable to the Executive where the Executive requires any testing to be carried out in connection with any purpose specified in column 1 of Part 6 of Schedule 8, and the fee for testing in connection with each such purpose shall be the reasonable cost to the Executive of having the work carried out and such fee shall be payable prior to notification of the result of the application.

(8) [^{F6}Parts 1B and 2] of Schedule 8 shall have effect subject to [^{F7}, respectively, the Notes to Parts 1B and 2].

[^{F8}(9) Where any application in relation to the provision specified in column 1 of Part 7 of Schedule 8 is made for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part shall be payable by the applicant to the chief officer of police.

(10) Where, in relation to an application for an explosives certificate under the Control of Explosives Regulations 1991, a check is carried out for the purposes of regulation 4(6)(d) of those

Regulations to ascertain whether the applicant is a prohibited person or not, a fee shall be payable by the applicant to the chief officer of police and the fee, which shall be payable prior to that check being carried out, shall be that specified in Table 2 to Part 7 of Schedule 8.

- (11) For the purposes of this regulation and Schedule 8 —
- (a) “the 2005 Regulations” means the Manufacture and Storage of Explosives Regulations 2005;
 - (b) “ammonium nitrate blasting intermediate”, “licence”, “licensing authority”, “on-site mixing”, “registered” and “registration” have the same meanings as in the 2005 Regulations; and
 - (c) “chief officer of police”, “explosives certificate” and “prohibited person” have the same meanings respectively as in the Control of Explosives Regulations 1991.]

Textual Amendments

- F2** Reg. 9(1A)(1B) inserted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(a\)](#) (with reg. 3)
- F3** Reg. 9(3) substituted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(b\)](#) (with reg. 3)
- F4** Words in reg. 9(4) substituted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(c\)](#) (with reg. 3)
- F5** Words in reg. 9(6) substituted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(d\)](#) (with reg. 3)
- F6** Words in reg. 9(8) substituted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(e\)\(i\)](#) (with reg. 3)
- F7** Words in reg. 9(8) substituted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(e\)\(ii\)](#) (with reg. 3)
- F8** Reg. 9(9)-(11) inserted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), [Sch. 5 para. 45\(3\)\(f\)](#) (with reg. 3)

Date from which fees are payable under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936

10. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928^{M15} or section 1(4) of the Petroleum (Transfer of Licences) Act 1936^{M16} the fees in respect of applications for petroleum licences prescribed by these Regulations shall be payable for any licence first having effect or any transfer or renewal of a licence first taking effect on or after the coming into force of these Regulations irrespective of the date of the application for that licence, transfer or renewal.

Marginal Citations

- M15** 1928 c. 32; relevant amending instruments are [S.I. 1974/1942](#) and 1987/52.
- M16** 1936 c. 27; relevant amending instruments are [S.I. 1974/1942](#) and 1987/52.

Fees for application for or changes to an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

11.—(1) A fee shall be payable by the applicant to the Executive on each application for an explosives licence, for any alteration in the terms of, or other change to an existing licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987^{M17}.

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

(2) The fee on an application for each purpose specified in column 1 of Schedule 9 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour, the fee, which shall be adjusted pro rata for a period worked of less than one hour, so calculated shall be payable prior to notification of the result of the application.

Marginal Citations

M17 [S.I. 1987/37](#), amended by [S.I.1988/712](#).

Fees for certificates and applications for approvals under the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004

^{F9}12.

Textual Amendments

F9 [Reg. 12](#) omitted (22.7.2005) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2005](#) (S.I. 2005/1732), reg. 1, [Sch. 4 para. 1](#)

Estimate of cost of work

13. Where any fee is to be assessed on the reasonable cost to the Executive of carrying out any work or testing under regulation 2(2), 2(3)(b), 9(2) or 9(9), the Executive shall on receipt of the application first prepare and send to the applicant an estimate of that cost and shall, before carrying out the work, obtain confirmation from the applicant that he wishes the work to be carried out on the basis of that estimate of cost.

Fees for notifications and applications under the Genetically Modified Organisms (Contained Use) Regulations 2000

14.—(1) [^{F10}Subject to paragraph (1A) below] the fee specified in column 2 of Schedule 13 shall be payable by a notifier to the competent authority on each such notification or application under the 2000 Regulations as is referred to in the corresponding entry in column 1 of that Schedule.

[^{F11}(1A) No Fee shall be payable by a notifier to the competent authority for a notification of an activity involving genetic modification in class 3 under regulation 11(1), or an application for the written agreement of that authority under regulation 18(2), of the 2000 Regulations in circumstances where—

- (a) the notifier is of the view, and makes a statement in writing to the effect, that the containment measure for the activity in question has changed as a result of an amendment to any of the containment measures that has been effected by the Genetically Modified Organisms (Contained Use)(Amendment) Regulations 2005; and
- (b) the application was submitted to the authority no later than 30 November 2005.]

(2) No fee shall be returned to a notifier where the competent authority returns a notification pursuant to regulation 14(7) of the 2000 Regulations or a notifier withdraws his notification pursuant to regulation 15(6) of the 2000 Regulations.

(3) In this regulation, “the 2000 Regulations” means the Genetically Modified Organisms (Contained Use) Regulations 2000 ^{M18} and “competent authority” has the same meaning as in those Regulations.

Textual Amendments

- F10** Words in reg. 14(1) inserted (1.10.2005) by [The Genetically Modified Organisms \(Contained Use\) \(Amendment\) Regulations 2005 \(S.I. 2005/2466\)](#), regs. 1, **3(2)**
- F11** Reg. 14(1A) inserted (1.10.2005) by [The Genetically Modified Organisms \(Contained Use\) \(Amendment\) Regulations 2005 \(S.I. 2005/2466\)](#), regs. 1, **3(3)**

Marginal Citations

- M18** [S.I. 2000/2831](#), to which there are amendments not relevant to these Regulations.

Fees for notifications and applications under the Notification of New Substances Regulations 1993

15.—(1) The fee specified in column 2 of Table 1 to Schedule 14 shall be payable by a notifier to the competent authority, within the meaning of the Notification of New Substances Regulations 1993 ^{M19}, on each such notification or application under those Regulations as is referred to in the corresponding entry in column 1 of that Table.

(2) In the circumstances described in column 1 of Table 2 to Schedule 14, the fee specified in the corresponding entry in column 2 of that Table shall be payable by the notifier to the Executive in addition to the fee payable under paragraph (1) in respect of the notification concerned.

(3) In Schedule 14—

“the 1982 Regulations” means the Notification of New Substances Regulations 1982 ^{M20};

“the 1993 Regulations” means the Notification of New Substances Regulations 1993;

“the predecessor Directive” has the same meaning as is given to “the Directive” in the first mentioned Regulations in this paragraph;

“RTP polymer” means a polymer, which word has the same meaning as in the second mentioned Regulations in this paragraph, for which a reduced test package is acceptable pursuant to paragraph C.2 of Part D of Schedule 2 to those second mentioned Regulations; and, references in that Schedule to “competent authority”, “the Directive”, “member State” and “process-orientated research and development” have the same meanings as in those second mentioned Regulations.

Marginal Citations

- M19** [S.I. 1993/3050](#), to which there are amendments not relevant to these Regulations.
- M20** [S.I. 1982/1496](#), revoked by [S.I. 1993/3050](#).

Fees payable in respect of offshore installations

16.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 15 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by an operator or owner [^{F12}with regard to] a [^{F13}current safety case] pursuant to the [^{F14}2005] Regulations for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against—

- (a) that operator or owner in relation to the installation to which the ^{F13}current safety case] relates;
 - (b) a contractor in relation to any work carried out by him on or in connection with that installation.
- (3) In this regulation, regulation 19 and Schedule 15, “the ^{F15}2005] Regulations” means the Offshore Installations (Safety Case) Regulations ^{F15}2005], and “installation”, “[^{F16}current safety case]”, “operator” and “owner” have the same meanings as in those Regulations.

Textual Amendments

- F12** Words in reg. 16(2) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, Sch. 9 para. 7(a)(i) (with reg. 27)
- F13** Words in reg. 16(2) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, Sch. 9 para. 7(a)(ii)(bb) (with reg. 27)
- F14** Word in reg. 16(2) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, Sch. 9 para. 7(a)(ii)(aa) (with reg. 27)
- F15** Word in reg. 16(3) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, Sch. 9 para. 7(a)(ii)(aa) (with reg. 27)
- F16** Words in reg. 16(3) substituted (6.4.2006) by The Offshore Installations (Safety Case) Regulations 2005 (S.I. 2005/3117), reg. 1, Sch. 9 para. 7(a)(ii)(bb) (with reg. 27)

Fees payable in respect of railway safety functions

17.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 16 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by a railway operator who has prepared a safety case which has been accepted by the Executive pursuant to the 2000 Regulations for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against—

- (a) that railway operator in relation to the railway infrastructure, station or train operation to which that safety case relates;
- (b) a contractor in relation to work carried out by him on or in connection with that railway infrastructure or station or in connection with that train operation.

(3) This regulation shall not apply to a function performed in relation to the tunnel system within the meaning of section 1(7) of the Channel Tunnel Act 1987 ^{M21}.

(4) This regulation shall not apply to a function performed in relation to a railway, tramway or trolley vehicle system if on no part of that railway, tramway or trolley vehicle system there is a line speed exceeding 40 kilometres per hour and for the purposes of this paragraph “line speed” means the highest of the permitted speeds on the railway, tramway or trolley vehicle system concerned and “permitted speed” means the maximum speed permitted on the part of the railway, tramway or trolley vehicle system concerned.

(5) In this regulation, regulation 19 and Schedule 16, “the 2000 Regulations” means the Railways (Safety Case) Regulations 2000 ^{M22}, the “Approval Regulations” means the Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994 ^{M23}, “railway”, “railway infrastructure”, “railway operator”, “safety case”, “station” and “train” have the same

meanings as in the 2000 Regulations and “tramway” and “trolley vehicle system” have the same meanings as in the Transport and Works Act 1992 ^{M24}.

Marginal Citations

M21 1987 c. 53.

M22 S.I. 2000/2688, to which there are amendments not relevant to these Regulations.

M23 S.I. 1994/157, amended by S.I. 1997/553 and 2002/1166. The Regulations are relevant statutory provisions within the meaning of section 53 of the Health and Safety at Work etc. Act 1974 (c. 37) by virtue of section 117(1) and (4) of the Railways Act 1993 (c. 43).

M24 1992 c. 42.

Fees payable in respect of gas safety functions

18.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 17 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by a person conveying gas who has prepared a safety case pursuant to the 1996 Regulations or by a network emergency co-ordinator for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against—

(a) that person in relation to the network to which the safety case relates; and

(b) a contractor in relation to work carried out by him on or in connection with that network, insofar as such enforcement is for the purpose of protecting persons from risks arising from the manner in which gas is conveyed or used.

(3) In this regulation, regulation 19 and Schedule 17, “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996 ^{M25}, and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in the 1996 Regulations.

Marginal Citations

M25 S.I. 1996/551.

Provisions supplementary to regulations 16 to 18

19.—(1) The fees referred to in regulations 16 to 18 above shall —

(a) not exceed the sum of the costs reasonably incurred by the Executive for the performance of the function referred to in the respective regulation; and

(b) be payable within 30 days from the date of the invoice that the Executive has sent or given to the person who is required to pay the fees, and such invoices shall include a statement of the work done and the costs incurred including the period to which the statement relates.

(2) Any fees payable under regulations 16 to 18 shall not include any costs connected with any—

(a) in England and Wales, criminal investigation or prosecution incurred (in either case) from the date any summons is obtained from a Magistrates' Court;

(b) in Scotland, criminal investigation or prosecution incurred (in either case) after such a time as—

- (i) the inspector undertaking the investigation submits a report to the Procurator Fiscal for his decision as to whether a prosecution should be brought; or
 - (ii) the Procurator Fiscal intervenes in the investigation,
- whichever is the sooner; or
- (c) appeal pursuant to section 24 of the 1974 Act (appeal against improvement or prohibition notice) and regulation 16(1) and (3)(b) of, and Schedules 1 and 4 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 ^{M26}.
- (3) For the purposes of regulation 16 and paragraph (2)(a) and (b), an installation shall be treated as being in England and Wales if it is in the English area within the meaning of article 1 of the Civil Jurisdiction (Offshore Activities) Order 1987 ^{M27} and in Scotland if it is in the Scottish area within the meaning of that article.
- (4) Any reference in regulations 16 to 18 to a person who has prepared a safety case includes a reference to a person who is required to prepare a safety case, and in that connection as if—
- (a) any reference in those regulations to the installation, railway infrastructure, station, train operation or network to which the safety case relates were a reference to the installation, railway infrastructure, station, train operation or network to which the safety case would have related if it had been prepared in accordance with such requirement; and
 - (b) the reference in regulation 17(2) to a safety case which has been accepted by the Executive were a reference to a safety case which is required to be accepted by the Executive.
- (5) Any reference in regulations 16 and 17 to a person who has prepared a safety case includes a reference to a person who is treated as having prepared a safety case by virtue of (in the case of regulation 16) regulation 2(9) of the 1992 Regulations or (in the case of regulation 17) regulation 2(7) of the 2000 Regulations.
- (6) Any reference in regulations 16 to 18 to work carried out by a contractor is a reference to work carried out by the contractor or his employees for the benefit of the person by whom the fees are payable under that regulation, whether pursuant to an agreement or an arrangement he has made with that person or with another person.
- (7) Any reference in regulations 16 to 18 to a function conferred on an inspector by the 1974 Act which relates to enforcement against a person of any of the relevant statutory provisions includes a reference to any function conferred on an inspector by that Act which is exercised for the purpose of carrying into effect those provisions in relation to that person.

Marginal Citations

M26 S.I. 2004/1861, amended by S.I. 2004/2351.

M27 S.I. 1987/2197.

Fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981

20.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval of training or a renewal of an approval of training under regulation 3(2)(a) of the Health and Safety (First-Aid) Regulations 1981 ^{M28}.

- (2) The fee payable under paragraph (1) shall be—
 - (a) in respect of an application for an original approval, that specified in column 1 of Table 1 to Schedule 18; and
 - (b) in respect of an application for a renewal of an approval, that specified in column 3 of that Table.

(3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and an additional site-visit for the purpose of reassessment is required, the fee payable shall be that specified in column 2 of Table 2 to Schedule 18.

(4) The fee referred to—

- (a) in paragraph (1) shall be payable on making the application for approval or renewal of an approval of training;
- (b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (7), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first such site-visit made after the original approval has been given.

(6) The fee payable under paragraph (5) shall be that specified in column 1 of Table 2 to Schedule 18 except where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, when the fee shall be that specified in column 2 of that Table.

(7) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where —

- (a) the result of the investigation is that the complaint is found to be justified, and
- (b) the complaint could not be fully investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 to Schedule 18.

(9) Where the date for any site visit referred to in this regulation has been agreed between the training provider and the Executive and —

- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
- (b) there is as a result no site-visit on that date,

a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.

(10) The fee payable under paragraph (9) shall be that specified in column 4 of Table 2 to Schedule 18.

(11) The fee referred to in paragraphs (6), (8) and (10) shall be payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

Marginal Citations

M28 S.I. 1981/917, to which there are amendments not relevant to these Regulations.

Fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989

21.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval or a renewal of an approval of training under regulation 5(2)(a) of the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989^{M29}.

- (2) The fee payable under paragraph (1) shall be—
- (a) where the application for an original approval of training relates to, as the case may be—
 - (i) rendering first-aid to persons who are injured or become ill while at work (referred to in this regulation as “first-aid training”), or
 - (ii) rendering first-aid to, and treating in accordance with the directions of a registered medical practitioner (who may or may not be present) persons who are injured or become ill while at work, and giving simple advice in connection with the health of persons at work (together referred to in this regulation as “medical training”),
 that specified in, respectively, columns 1 and 2 of Table 1 to Schedule 19;
 - (b) in respect of an application for a renewal of approval of, as the case may be, first-aid training or medical training, that specified in, respectively, columns 3 and 4 of that Table.
- (3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and an additional site-visit for the purpose of reassessment is required, the fee payable shall—
- (a) where the application for approval relates to first-aid training, be that specified in column 1 of Table 2 to Schedule 19, or
 - (b) where the application for approval relates to medical training, be that specified in column 2 of that Table.
- (4) The fee referred to—
- (a) in paragraph (1) shall be payable on making the application for approval or renewal of approval of training;
 - (b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.
- (5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (8), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first such site-visit made after the original approval has been given.
- (6) Subject to paragraph (7), the fee payable under paragraph (5) shall—
- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 1 of Table 3 to Schedule 19, or
 - (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 2 of that Table,
- provided that, where the site-visit is in respect of both kinds of approval of training as are referred to in sub-paragraphs (a) and (b) above and takes only one day to complete, the sum of the payable fees specified in columns 1 and 2 of that Table shall be reduced by an amount of £150.
- (7) The fee payable under paragraph (5) where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, shall—
- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 3 of Table 3 to Schedule 19, or
 - (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 4 of that Table.
- (8) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where—

- (a) the result of the investigation is that the complaint is found to be justified, and
 - (b) the complaint could not be investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.
- (9) The fee payable under paragraph (8) for such a site-visit as is there referred to, whether in connection with first-aid training or medical training provided, shall be that specified in column 1 of Table 4 to Schedule 19.
- (10) Where the date for any site-visit referred to in this regulation has been agreed between the training provider and the Executive and —
- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
 - (b) there is as a result no site-visit on that date,
- a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.
- (11) The fee payable under paragraph (10) shall —
- (a) where the site-visit was to have been in connection with an approval of first-aid training, be that specified in column 2 of Table 4 to Schedule 19, or
 - (b) where the site-visit was to have been in connection with an approval of medical training, be that specified in column 3 of that Table, (that is to say the reasonable cost to the Executive due to the cancellation).
- (12) The fee referred to in paragraphs (6), (7), (9) and (11) shall be payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

Marginal Citations

M29 S.I. 1989/1671, amended by S.I. 1993/1823; there are other amending instruments, but none is relevant.

Provisions supplementary to regulations 20 and 21

22.—(1) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter applies for an original approval of the one of those two kinds of training not earlier applied for or the applications are made together, the Executive shall repay to the applicant the amount of £150 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of medical training, the Executive shall repay to the applicant a further amount of £50 in respect of the fees paid for the original approvals of training applied for.

(2) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter or at the same time applies for an original approval of medical training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of the one of the two kinds of training first referred to in this paragraph not earlier applied for, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(3) Where an application for an original approval of medical training is made and the applicant thereafter or at the same time applies for an original approval of first-aid training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals

of training applied for; and if after those applications the applicant applies for an original approval of training for the purposes of regulation 3(2)(a) of the 1981 Regulations, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(4) Where an applicant applies for original approvals of first-aid training, medical training and training for the purposes of regulation 3(2)(a) of the 1981 Regulations at the same time, the Executive shall repay to the applicant the amount of £200 in respect of the fees paid for those applications.

(5) In this regulation—

“the 1981 Regulations” means the Health and Safety (First-Aid) Regulations 1981; and

“first-aid training” and “medical training” have the same meanings as in regulation 21.

Amendment

23. For paragraph (6)(b)(i) of regulation 22 (fee payable by operator) of the Control of Major Accident Hazards Regulations 1999 ^{M30}, substitute —

“(i) the inspector or authorised person undertaking the investigation submits a report to the Procurator Fiscal for his decision as to whether a prosecution should be brought; or”

Marginal Citations

M30 [S.I. 1999/743](#), amended by [S.I. 1999/2597](#); there are other amending instruments but none is relevant.

Revocation

24.—(1) The Health and Safety (Fees) Regulations 2004 ^{M31} are hereby revoked.

(2) Regulation 59 of, and Schedule 10 to, the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 ^{M32} are revoked.

Marginal Citations

M31 [S.I. 2004/456](#).

M32 [S.I. 2004/568](#).

Signed by authority of the Secretary of State

Jane Kennedy
Minister of State
Department for Work and Pensions

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART 1FEES FOR APPLICATIONS FOR APPROVAL OF SUBSTANCES
UNDER THE MINES AND QUARRIES PROVISIONS

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Subject matter of approval</i>	<i>Fee for an original approval</i>	<i>Fee for amendment of approval</i>	<i>Fee for renewal of approval</i>
Approval of explosives	£301	£210	£73

PART 2FEES FOR TESTING EXPLOSIVES AND DETONATORS
UNDER THE MINES AND QUARRIES PROVISIONS

<i>1</i>	<i>2</i>
<i>Test</i>	<i>Fee for test</i>
(a) Break test shot	£232
(b) Deflagration shot	£184
(c) Detonator test (per 100 shots)	£1,418
(d) Detonator delay time test (per 100 shots)	£1,122
(e) Gallery shot	£265
(f) Velocity of detonation test (per 3 shots)	£458

PART 3

FEES FOR OTHER TESTING

The fee for any testing not fixed by Part 2 of this Schedule shall be the reasonable cost to the Executive of having the testing carried out.

SCHEDULE 2

Regulation 3

FEES FOR APPLICATIONS FOR APPROVAL UNDER THE
AGRICULTURE (TRACTOR CABS) REGULATIONS 1974

<i>1</i>	<i>2</i>
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

<i>Subject matter</i>	<i>Fee</i>
(a) (a) Original approval of tractor cab	£432
(b) (b) Revision of an existing approval of a tractor cab	£238

SCHEDULE 3

Regulation 4

FEE FOR APPLICATION FOR APPROVAL UNDER THE FREIGHT CONTAINERS (SAFETY CONVENTION) REGULATIONS 1984

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£83

SCHEDULE 4

Regulation 5

FEEES FOR VARIOUS APPLICATIONS UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

Table 1

<i>1</i>	<i>2</i>
<i>Subject matter of licence</i>	<i>Fee</i>
Licence for work with asbestos insulation or asbestos coating or asbestos insulating board or renewal of (original) licence	£998

Table 2

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for re-assessment of licence application</i>	<i>Fee for amendment of condition, or duration, of licence</i>	<i>Fee for other amendment, or replacement, of a licence</i>
£276	£276	£74

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

SCHEDULE 5

Regulation 6

FEEES FOR EXAMINATION OR SURVEILLANCE
BY AN EMPLOYMENT MEDICAL ADVISER

<i>1</i> Provision	<i>2</i> Reference	<i>3</i> Basic fee	<i>4</i> Additional fees where appropriate Fee for X-Rays	<i>5</i> Fee for Laboratory tests
(a) (a)The Ionising Radiations Regulations 1999	S.I.1999/3232	£33 where surveillance is confined to examination of, and making entries in, records £62 in other cases	£63	£37
(b) (b)The Control of Asbestos at Work Regulations 2002	S.I.2002/2675	£62	£63	£37
(c) (c)The Control of Substances Hazardous to Health 2002	S.I.2002/2677	£62	£63	£37
(d) (d)The Work in Compressed Air Regulations 1996	S.I.1996/1656	£62	£63	£37

SCHEDULE 6

Regulation 7

FEEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL
ADVISEER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 2002

<i>1</i> Item	<i>2</i> Fee
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Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

- (a) (a) On the first assessment £62 of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)
- (b) (b) On each subsequent assessment of an employee—
 - (i) for laboratory tests where these are carried out £37
 - (ii) for a clinical medical examination where this is carried out £37

SCHEDULE 7

Regulation 8

FEES FOR VARIOUS APPLICATIONS IN CONNECTION WITH THE IONISING RADIATIONS REGULATIONS 1999 AND THE RADIATION (EMERGENCY PREPAREDNESS AND PUBLIC INFORMATION) REGULATIONS 2001

Table 1

<i>1</i> Description	<i>2</i> Fee	<i>3</i> Fee for work by Nuclear or Specialist Inspector
Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of those Regulations		
Group I		
Dose record keeping		
(a) (a) Where the application is solely in respect of Group I functions	£323	£120 per hour worked
(b) (b) Where the application for Group I functions is linked to an application in	£323	£120 per hour worked

respect of functions
in another group

Group II

External dosimetry

- | | | | |
|-----|--|------|----------------------|
| (a) | (a) Whole body (beta, gamma, thermal neutrons) film | £323 | £120 per hour worked |
| (b) | (b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD) | £323 | £120 per hour worked |
| (c) | (c) Whole body (neutron), other than sub-groups (a) or (b) | £323 | £120 per hour worked |
| (d) | (d) Whole body, other than sub-groups (a), (b), or (c) | £323 | £120 per hour worked |
| (e) | (e) Extremity monitoring | £323 | £120 per hour worked |
| (f) | (f) Accident dosimetry, other than in the previous sub-groups | £323 | £120 per hour worked |

Group III

Internal dosimetry

- | | | | |
|-----|---|------|----------------------|
| (a) | (a) Bio-assay, in-vivo monitoring or air sampling | £323 | £120 per hour worked |
| (b) | (b) For each additional one of the above techniques | £323 | £120 per hour worked |
| | Type approval of apparatus under sub-paragraph 1(c) (i) or 1(d)(i) of Schedule 1 to the Ionising Radiations | £122 | £120 per hour worked |

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Regulations 1999 (which excepts such type approved apparatus from the notification requirements of regulation 6 of those Regulations)

Table 2

<i>1</i> Purpose of application	<i>2</i> Fee	<i>3</i> Fee for work by Nuclear or Specialist Inspector
Approval or reassessment of approval of dosimetry services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001	£1,682	£120 per hour worked

SCHEDULE 8

Regulation 9

FEES 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 1875 AND REPLACEMENT OF SUCH LICENCES

<i>1</i> Provision under which a licence is granted	<i>2</i> Purpose of application	<i>3</i> Fee	<i>4</i> Fee for work by Specialist Inspector
Explosives Act 1875 c. 17			
F17	F17	F17	F17
...
	F17	F17	F17

	F17	F17	

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

	
F17	F17	F17	F17

	F17	F17	F17

	F17	F17	
	
Section 40(9) M33	Licence for importation of compressed acetylene	£34	£115 per hour worked
as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978 M34			
	Replacement of the above licence if lost	£34	

Textual Amendments

F17 Words in Sch. 8 Pt. 1 omitted (26.4.2005) by virtue of [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(a)** (with reg. 3)

Marginal Citations

M33 Section 40(9) was amended by [S.I. 1974/1885](#) and was applied to compressed acetylene by [S.I. 1978/1723](#). Save in so far as it applies to acetylene, section 40(9) was modified by [S.I. 1993/2714](#).

M34 [S.I. 1978/1723](#), to which there are amendments not relevant to these Regulations.

[^{F18}PART 1A

APPLICATIONS FOR LICENCES, OR VARIATIONS OF LICENCES,
TO MANUFACTURE OR STORE EXPLOSIVES MADE TO THE
EXECUTIVE WHERE IT IS THE LICENSING AUTHORITY BY
VIRTUE OF PARAGRAPHS 1(b) OR (c) OR 2 OF SCHEDULE 1 TO THE
MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS 2005

Textual Amendments

F18 Sch. 8 Pts. 1A, 1B inserted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(b)** (with reg. 3)

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

<i>1</i> <i>Provision in relation to which the application is made</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>	<i>4</i> <i>Fee for work by Specialist Inspector</i>
The Manufacture and Storage of Explosives Regulations 2005			
Regulation 9, as extended by regulation 2(2) of those Regulations to the manufacture of ammonium nitrate blasting intermediate	Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£557	£ 115 per hour worked
	Licence to manufacture ammonium nitrate blasting intermediate	£137 per hour worked	
	Licence to manufacture explosives by means of on-site mixing	£205	£115 per hour worked
	Renewal of any of the above licences	£73	£115 per hour worked
Regulation 10	Licence to store explosives	£557	£115 per hour worked
	Renewal of licence	£73	£115 per hour worked
Regulation 16	Varying a licence — (a) to manufacture explosives not being ammonium nitrate blasting intermediate, or (b) to store explosives	£381	£115 per hour worked
	Varying a licence to manufacture ammonium nitrate blasting intermediate	£137 per hour worked	
	Regulation 20	Transfer of licence	£47
	Replacement of any of the licences referred to in this Part if lost	£47	

PART 1B

APPLICATIONS FOR LICENCES TO STORE EXPLOSIVES AND FOR
REGISTRATION IN RELATION TO THE STORAGE OF EXPLOSIVES
MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING
AUTHORITIES BY VIRTUE OF PARAGRAPH 1(a) OF SCHEDULE 1 TO THE
MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS 2005

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which application made</i>	<i>Purpose of application</i>	<i>Fee</i>
The Manufacture and Storage of Explosives Regulations 2005		
Regulation 10 (see Notes 1 to 3)	Licence to store explosives: (a) one year's duration (b) two years' duration (c) three years' duration Renewal of a licence: (a) one year's duration (b) two years' duration (c) three years' duration	£100 £150 £200 £75 £125 £175
Regulation 11 (see Notes 1 to 3)	Registration in relation to the storage of explosives: (a) one year's duration (b) two years' duration (c) three years' duration Renewal of registration: (a) one year's duration (b) two years' duration (c) three years' duration	£60 £90 £120 £30 £60 £90
Regulation 16	Varying a licence: (a) varying name of licensee or address of site (b) any other kind of variation	£30 the reasonable cost to the licensing authority of having the work carried out
Regulation 20	Transfer of licence or registration	£30

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

<i>1</i> <i>Provision under which application made</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>
	Replacement of licence or registration referred to above if lost	£30

Notes:

1. The fee payable for —
 - (a) a licence,
 - (b) registration, or
 - (c) renewal of a licence or registration, of less than one year’s duration shall be, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration, of one year’s duration decreased proportionately according to the duration of the period for which the licence, registration or renewal of either is granted.
2. The fee payable for—
 - (a) a licence,
 - (b) registration, or
 - (c) renewal of a licence or registration, of more than one but less than two years' duration shall be, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration of one year’s duration increased proportionately according to the duration of the period for which the licence, registration or a renewal of either is granted.
3. The fee payable for —
 - (a) a licence,
 - (b) registration, or
 - (c) renewal of a licence or registration,

of more than two but less than three years' duration shall be, respectively, the fee set above for a licence, registration or renewal of a licence or registration of two years increased proportionately according to the duration of the period for which the licence, registration, or renewal of either is granted.]

PART 2

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>Provision under which a fee or maximum fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee or maximum fee</i>
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F19

...

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

<p>F19 ... F19 ... F19 ...</p>	<p>F19 ... F19 ... F19 ...</p>	<p>F19 ... F19 ... F19 ...</p>
Petroleum (Consolidation) Act 1928 c. 32		
Section 4 (see notes 1 and 2)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£37 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£52 each year of licence
	exceeding 50,000 litres	£105 for each year of licence
Petroleum (Transfer of Licences) Act 1936 c. 27		
Section 1(4)	Transfer of petroleum spirit licence	£8

Textual Amendments

F19 Words in Sch. 8 Pt. 2 omitted (26.4.2005) by virtue of [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(c)** (with reg. 3)

Notes:

1. 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.
2. 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 3

**APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISIO
TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY 1937**

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

M35 FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

Marginal Citations

M35 S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and [S.I. 1974/1885](#) and 1984/510.

<i>1</i> Purpose of application	<i>2</i> Fee	<i>3</i> Fee for work by Specialist Inspector
(a) (a) Original approval of premises in which acetylene is to be manufactured or kept	£34	£115 per hour worked
(b) (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£34	£115 per hour worked
(c) (c) Approval of apparatus in which acetylene is to be manufactured or kept	£34	£115 per hour worked

PART 4

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 ^{M36}

Marginal Citations

M36 S.R. & O. 1919/809, amended by [S.I. 1974/1885](#) and 1984/510.

<i>1</i> Purpose of application	<i>2</i> Fee	<i>3</i> Fee for work by Specialist Inspector
(a) (a) Comparison of a porous substance with a sample porous substance	£60	

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

- | | | |
|-----|---|----------------------|
| (b) | (b) Original £34
approval of premises
in which acetylene is
compressed | £115 per hour worked |
| (c) | (c) Amendment £34
of an approval
of premises in
which acetylene is
compressed | £115 per hour worked |

PART 5

MISCELLANEOUS APPLICATIONS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of the application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
(a)	(a) Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 ^{M37} or authorisation of an explosive under section 40(9) of the Explosives Act 1875 ^{M38}	£58 per hour worked
F20	F20	F20
.

Textual Amendments

F20 Words in Sch. 8 Pt. 5 omitted (26.4.2005) by virtue of [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(d)** (with reg. 3)

Marginal Citations

M37 [S.I. 1983/1140](#), amended by [S.I. 2004/568](#); there are other amending instruments, but none is relevant.

M38 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 \(S.I. 1993/2714\)](#).

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

PART 6

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 1 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 3 above)	ditto
(c) (c) Comparison of a porous substance with a sample porous substance (Part 4 above)	ditto
(d) (d) Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 (Part 5 above)	ditto
F21	F21
.

Textual Amendments

F21 Words in Sch. 8 Pt. 6 omitted (26.4.2005) by virtue of [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(e)** (with reg. 3)

[^{F22}PART 7

FEES FOR EXPLOSIVES CERTIFICATES UNDER THE CONTROL OF EXPLOSIVES REGULATIONS 1991

Textual Amendments

F22 Sch. 8 Pt. 7 inserted (26.4.2005) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), regs. 1(1), **Sch. 5 para. 45(4)(f)**, (with reg. 3)

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Table 1

<i>1</i> <i>Provision under which a fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>
Regulation 4 of the Control of Explosives Regulations 1991	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a registration	£165
	Renewal of the above certificate	£135
	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a licence for the storage of no more than 2000 kilograms of explosives	£175
	Renewal of the above certificate	£160
	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a licence for the storage of more than 2000 kilograms of explosives	£225
	Renewal of the above certificate	£200
	Replacement of any of the above certificates if lost	£30

Table 2

The fee for a check carried out for the purposes of regulation 4(6)(d) of the Control of Explosives Regulations 1991 shall be £5]

SCHEDULE 9

Regulation 11

FEES FOR APPLICATION FOR OR CHANGES TO AN
EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS
SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

<i>1</i> <i>Purpose of the application</i>	<i>2</i> <i>Fee</i>
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Grant of an explosives licence or alteration of the terms of an existing explosives licence	£609 plus £115 per hour worked
Change of licence name or address	£49

^{F23}SCHEDULE 10

Regulation 12(1) and (2)

FEE FOR DRIVER TRAINING CERTIFICATE UNDER THE CARRIAGE OF DANGEROUS GOODS AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2004

Textual Amendments

F23 Sch. 10 omitted (22.7.2005) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2005 \(S.I. 2005/1732\)](#), reg. 1, **Sch. 4 para. 1**

^{F24}SCHEDULE 11

Regulation 12(4)

FEEES FOR APPLICATIONS FOR APPROVALS UNDER THE CARRIAGE OF DANGEROUS GOODS AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2004

Textual Amendments

F24 Sch. 11 omitted (22.7.2005) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2005 \(S.I. 2005/1732\)](#), reg. 1, **Sch. 4 para. 1**

^{F25}SCHEDULE 12

Regulation 12(5) and (6)

FEE FOR SAFETY ADVISER VOCATIONAL TRAINING CERTIFICATE UNDER THE CARRIAGE OF DANGEROUS GOODS AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2004

Textual Amendments

F25 Sch. 12 omitted (22.7.2005) by virtue of [The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment \(Amendment\) Regulations 2005 \(S.I. 2005/1732\)](#), reg. 1, **Sch. 4 para. 1**

SCHEDULE 13

Regulation 14

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY
MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000

1 Description	2 Fee
(a) (a) Notification of intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£415
(b) (b) Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829
(c) (c) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829
(d) (d) Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899
(e) (e) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899
(f) (f) Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,037
(g) (g) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as the notification of an activity involving	£1,037

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

genetic modification in class 4 under regulation 11(1)

- (h) (h) Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1) £829
- (i) (i) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1) £829
- (j) (j) Notification of additional information under regulation 15(3) £622
- (k) (k) Application for the written agreement of the competent authority under regulation 18(2) where the application is made after a notification has been submitted pursuant to regulation 9(1), 10(1), 11(1) or 12(1) £622

SCHEDULE 14

Regulation 15

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE NOTIFICATION OF NEW SUBSTANCES REGULATIONS 1993

Table 1

<i>1</i> Subject matter	<i>2</i> Fee payable
For the evaluation of a notification under regulation 4 (“base set”) of a substance not already notified under the 1993 Regulations or to a competent authority of a Member State for the purposes of the Directive	£4,987
For the evaluation of a notification under regulation 4 of a substance already notified—	£2,374
(i) under that regulation,	

(ii) regulation 4(1) of the 1982 Regulations,
or

(iii) to a competent authority of a member state, other than the competent authority for Great Britain, for the purposes of either Article 6(1) of the predecessor Directive or Article 7 of the Directive,

and either regulation 11 of the 1993 Regulations applies or the agreement of the competent authority for Great Britain has been obtained pursuant to regulation 13(1) of the 1993 Regulations

For the evaluation of information provided for the purposes of regulation 5(1)(a) (> 10 tonnes per year) £2,619

For the evaluation of information provided for the purposes of regulation 5(1)(b) (> 100 tonnes per year) £5,154

For the evaluation of information provided for the purposes of regulation 5(1)(c) (> 1000 tonnes per year) £3,613

For the evaluation of a notification under regulation 6, subject to the entry below relating to an evaluation of a notification in respect of an RTP polymer—

(a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1)) £1,614

(b) (b) quantity of the new substance equal to or more than 10kg but less than 100 kg (regulation 6(2)) £1,014

For the evaluation of a notification (whether made under regulation 6(1) or 6(2), as the case may be,) in respect of an RTP polymer of an amount equal to or more than 10 kg per annum but less than one tonne per annum or the total amount is equal to or more than 500 kg but less than 5 tonnes £1,614

For the evaluation of information provided under regulation 6(4)(d)(i) in respect of a substance for the purposes of process-orientated research and development £646

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

For an application made by a notifier for an exemption relating to him under regulation 23 £2,619

Table 2

<i>1</i> Circumstances described	<i>2</i> Fee payable
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 4 (“base set”)	£2,393 (plus VAT)
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 6—	
(a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£578 (plus VAT)
(b) (b) quantity of the new substance equal to or more than 10 kg but less than 100 kg (regulation 6(2))	£578 (plus VAT)

SCHEDULE 15

Regulation 16

FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS

<i>1</i> Function	<i>2</i> Person by whom fee is payable
[^{F26} Assessing a design notification (sent to the Executive pursuant to regulation 6(1) or 9(1) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator or owner who sent the design notification to the Executive pursuant to that provision
Assessing a relocation notification (sent to the Executive pursuant to regulation 6(2) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the relocation notification to the Executive pursuant to that provision]
Assessing a [^{F27} current safety case] or a revision to a [^{F27} current safety case] (sent to the Executive pursuant to any other provision of the [^{F28} 2005] Regulations) for the purpose of deciding whether to accept that [^{F27} current safety case] or revision and accepting any such [^{F27} current safety case] or revision	The operator or owner who sent the [^{F27} current safety case] or revision to the Executive pursuant to that provision

<p>Providing advice with respect to the preparation of a [^{F27}current safety case] or a revision to a [^{F27}current safety case] which is proposed to be sent to the Executive pursuant to any provision of the [^{F28}2005] Regulations</p>	<p>The operator or owner who has requested that advice</p>
<p>Assessing whether to grant an exemption pursuant to regulation [^{F29}23] of the [^{F28}2005] Regulations and granting any such exemption</p>	<p>The operator or owner who has requested the exemption</p>

Textual Amendments

- F26** Words in Sch. 15 substituted (6.4.2006) by [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, **Sch. 9 para. 7(b)(i)** (with reg. 27)
- F27** Words in Sch. 15 substituted (6.4.2006) by [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, **Sch. 9 para. 7(b)(iii)(bb)** (with reg. 27)
- F28** Word in Sch. 15 substituted (6.4.2006) by [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, **Sch. 9 para. 7(b)(iii)(aa)** (with reg. 27)
- F29** Word in Sch. 15 substituted (6.4.2006) by [The Offshore Installations \(Safety Case\) Regulations 2005 \(S.I. 2005/3117\)](#), reg. 1, **Sch. 9 para. 7(b)(ii)** (with reg. 27)

SCHEDULE 16

Regulation 17

FEES PAYABLE IN RESPECT OF RAILWAY SAFETY FUNCTIONS

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
<p>Assessing a safety case or a revision to a safety case (sent to the Executive pursuant to any provision of the 2000 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision</p>	<p>The railway operator or person intending to become the railway operator who has prepared that safety case pursuant to that provision</p>
<p>Assessing whether to grant an exemption pursuant to regulation 17 of the 2000 Regulations and granting any such exemption</p>	<p>The railway operator who has requested the exemption</p>
<p>Providing advice with respect to the preparation of a safety case or revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 2000 Regulations</p>	<p>The railway operator or person intending to become the railway operator who has requested that advice</p>
<p>Assessing whether to grant an approval pursuant to any provision of the Approval Regulations and granting any such approval</p>	<p>The operator or manufacturer (within the meaning of the Approval Regulations) who has made the application for the approval, or on whose behalf the application has been made</p>

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

Providing advice with respect to a proposed application for the grant of an approval pursuant to the Approval Regulations	The operator or manufacturer (within the meaning of the Approval Regulations) who has requested that advice
Assessing whether to make and making an order in relation to a level crossing pursuant to the Level Crossings Act 1983 M39	The operator within the meaning of the Level Crossings Act 1983
and to an agreement made pursuant to section 13(1)(b) of the 1974 Act	
Assessing whether to grant an exemption pursuant to regulation 6 of the Railway Safety Regulations 1999 M40	The railway operator who has requested the exemption
and granting any such exemption	

Marginal Citations

M39 1983 c. 16; the Act, which was amended by the level [Crossings Regulations 1997 \(S.I. 1997/487\)](#), is one of the relevant statutory provisions within the meaning of section 53 of the [Health and Safety at Work etc. Act 1974 \(c. 37\)](#) by virtue of section 117(1) and (4) of the [Railways Act 1993 \(c. 43\)](#).

M40 [S.I. 1999/2244](#), to which there are amendments not relevant to these Regulations.

SCHEDULE 17

Regulation 18

FEES PAYABLE IN RESPECT OF GAS SAFETY FUNCTIONS

1 Function	2 Person by whom fee is payable
Assessing a safety case or a revision of a safety case (sent to the Executive pursuant to any provision of the 1996 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision	The person conveying gas, the person intending to convey gas or the network emergency co-ordinator who has prepared the safety case or revision pursuant to that provision
Providing advice with respect to the preparation of a safety case or revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 1996 Regulations	The person conveying gas, the person intending to convey gas or the network co-ordinator who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 11 of the 1996 Regulations	The operator or owner who has requested the exemption

SCHEDULE 18

Regulation 20

FEES FOR APPLICATIONS FOR APPROVALS UNDER THE HEALTH AND SAFETY (FIRST-AID) REGULATIONS 1981

Table 1

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for an original approval</i>	<i>Fee for an additional site-visit</i>	<i>Fee for renewal of approval</i>
£960	£344	£66

Table 2

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an initial site-visit</i>	<i>Fee for any additional site-visit</i>	<i>Fee for a site-visit to investigate a complaint</i>	<i>Fee for a cancelled site-visit</i>
£382	£344	£382	£382

SCHEDULE 19

Regulation 21

FEES FOR APPLICATIONS FOR APPROVALS UNDER THE OFFSHORE INSTALLATIONS AND PIPELINES WORKS (FIRST-AID) REGULATIONS 1989

Table 1

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an original approval of first-aid training</i>	<i>Fee for an original approval of medical training</i>	<i>Fee for renewal of approval of first-aid training</i>	<i>Fee for renewal of approval of medical training</i>
£960	£1,408	£66	£66

Table 2

<i>1</i>	<i>2</i>
<i>Fee for an additional site-visit relating to first-aid training</i>	<i>Fee for an additional site-visit relating to medical training</i>
£344	£912

Table 3

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an initial site-visit relating to first-aid training</i>	<i>Fee for an initial site-visit relating to medical training</i>	<i>Fee for any additional site-visit relating to first-aid training</i>	<i>Fee for any additional site-visit relating to medical training</i>

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

and in respect of—

- (k) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 14 and Schedule 13*);
- (l) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 15 and Schedule 14*).

2. The Regulations fix fees to be paid in respect of medical examinations and surveillance by an employment medical adviser which are required under certain of the relevant statutory provisions (*regulations 6 and 7 and Schedules 5 and 6*).

3. The Regulations fix or determine the fees payable by specified persons in the offshore, rail and gas industries for the performance by the Executive of the functions specified in those provisions (*regulations 16 to 19 and Schedules 15 to 17*).

4. Besides the increases for fixed fees which are indicated in the table below, the Regulations make a minor amendment to regulation 22(6)(b)(i) of the Control of Major Accident Hazards Regulations 1999 (S.I. 1999/743) concerning the period up to which fees may be charged in relation to criminal investigations (*regulation 23*). This replicates a similar provision now included in regulation 19(2)(b)(i) of these Regulations.

5. The new fees compared with those fixed by or determined under the previous fee-charging provisions are as follows:

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
	<i>Original approval</i>	<i>Amendment of approval</i>	<i>Renewal of approval</i>	<i>Original approval</i>	<i>Amendment of approval</i>	<i>Renewal of approval</i>	<i>Original approval</i>	<i>Amendment of approval</i>	<i>Renewal of approval</i>
Schedule 1									
Part 1									
Approval of explosives	£294	£205	£71	£301	£210	£73	2.38	2.44	2.82
Part 2									
Break test shot		£226			£232			2.65	
Deflagration		£179			£184			2.79	
Detonator test (per 100 shots)		£1,383			£1,418			2.53	

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Detonator delay time test (per 100 shots)	£1,094	£1,122	2.56
Gallery shot	£258	£265	2.71
Velocity of detonation test (per 3 shots)	£447	£458	2.46
Part 3			
Other testing not fixed in Part 2	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	
Schedule 2			
Original approval of tractor cab	£421	£432	2.61
Revision of an existing approval of a tractor cab	£232	£238	2.59
Schedule 3			
Approval of scheme or programme for examination of freight containers	£81	£83	2.47
Schedule 4			

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Table 1

Licence for work with asbestos insulation, asbestos coating or asbestos insulating board or renewal of licence	£909	£998	9.79
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Table 2

Re-assessment of licence application	£251	£276	9.96
Amendment of condition, or duration, of licence	£251	£276	9.96
Amendment or replacement, of a licence	£67	£74	10.45

	<i>Basic</i>	<i>X-Rays</i>	<i>Laboratory tests</i>	<i>Basic</i>	<i>X-Rays</i>	<i>Laboratory tests</i>	<i>Basic</i>	<i>X-Rays</i>	<i>Laboratory tests</i>
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Schedule 5

The Ionising Radiations Regulations 1999

where (a) surveillance is	£32	£61	£36	£33	£63	£37	3.13	3.28	2.78
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Changes to legislation: There are currently no known outstanding effects for the
The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

	(b)n	(b)£60	£61	£36	£62	£63	£37	3.33	3.28	2.78
confined to examination of, and making entries in, records										
other cases										
Control of Asbestos at Work Regulations 2002	£60	£61	£36		£62	£63	£37	3.33	3.28	2.78
Control of Substances Hazardous to Health Regulations 2002	£60	£61	£36		£62	£63	£37	3.33	3.28	2.78
The Work in Compressed Air Regulations 1996	£60	£61	£36		£62	£63	£37	3.33	3.28	2.78
Schedule 6										
On the first assessment of an employee (including any clinical medical examination and laboratory	£60				£62			3.33		

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

tests
in
connection
with
the
assessment)

On
each
subsequent
assessment
of an
employee —

(i) of £36 laboratory tests where these are carried out	£37	2.78
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(ii) of £36 a clinical medical examination where this is carried out	£37	2.78
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Schedule 7

Table

1

Group		<i>Fee</i>	<i>Hourly rate</i>
1	Dose £269 plus £116 per hour record worked by Nuclear or keeping Specialist Inspector where the application is solely in respect of Group	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07 3.45

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

I function				
Dose record kept where the application for Group I functions is linked to an application for approval in another group	£269 plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
Group II				
External dosimetry	£269 plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
Group III				
Internal dosimetry				
in-vivo monitoring or air sampling	£269 (a) plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
additional technique	£269 (b) plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
Type approval of apparatus	£119 plus £116 per hour worked by Nuclear or Specialist Inspector	£122 plus £120 per hour worked by Nuclear or Specialist Inspector	2.52	3.45

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

under
sub-
paragraph
1(c)
(i) or
1(d)
(i)
respectively
of
Schedule 1
to the
Ionising
Radiations
Regulations
1999

Table
2

Approval of or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001	£1,641 plus £116 per hour worked by Nuclear or Specialist Inspector	£1682 plus £120 per hour worked by Nuclear or Specialist Inspector	2.50	3.45
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Schedule 8

Part 1

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Factory licence worked by Specialist Inspector	£543 plus £111 per hour	£557 plus £115 per hour worked by Specialist Inspector	2.58	3.60
Magazine licence worked by Specialist Inspector	£543 plus £111 per hour	£557 plus £115 per hour worked by Specialist Inspector	2.58	3.60
Factory amending licence worked by Specialist Inspector	£391 plus £111 per hour	£401 plus £115 per hour worked by Specialist Inspector	2.56	3.60
Magazine amending licence worked by Specialist Inspector	£391 plus £111 per hour	£401 plus £115 per hour worked by Specialist Inspector	2.56	3.60
Replacement of the above licenses if lost	£48	£49	2.08	
Licence for importation of compressed acetylene worked by Specialist Inspector	£33 plus £111 per hour	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Replacement of the above licence if lost	£33	£34	3.03	
Amendment to an existing licence worked by Specialist Inspector	£33 plus £111 per hour	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Part 2				
A store licence	£75	£77	2.67	
Renewal of a store licence	£75	£77	2.67	
Registration and renewal of registration of premises	£13	£13		

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

for the keeping of explosives with a local authority				
Licence to keep petroleum spirit of a quantity —				
- not exceeding 2,500 litres	£36 for each year of licence	£37 for each year of licence		2.78
- exceeding 2,500 litres but not exceeding 50,000 litres	£51 for each year of licence	£52 for each year of licence		1.96
- exceeding 50,000 litres	£102 for each year of licence	£105 for each year of licence		2.94
Transfer of petroleum spirit licence	£8	£8		
Part 3				
Original approval of premises in which acetylene is to be manufactured	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

or kept				
Amendment 1 of an approval of premises in which acetylene is to be manufactured or kept	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Approval of apparatus in which acetylene is to be manufactured or kept	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Part 4				
Comparison of a porous substance with a sample porous substance	£50	£60	1.69	
Original approval of premises in which acetylene is compressed	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Amendment 1 of an approval of premises in	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

which
acetylene
is
compressed

Part 5

Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967	£205 plus £111 per hour worked by Specialist Inspector	£210 plus £115 per hour worked by Specialist Inspector	2.44	3.60
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nitrate
mixtures
licence
under
article
3 of
the
Ammonium
Nitrate
Mixtures
Exemption
Order
1967

Part 6

Testing in connection with specified applications in Parts 1, 3, 4 or 5	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out		
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**Schedule
9**

Grant of an explosives licence or alteration of the terms of an existing explosives licence	£594 plus £111 per hour worked	£609 plus £115 per hour worked	2.53	3.60
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explosives
licence
or
alteration
of the
terms
of an
existing
explosives
licence

Change of licence	£48	£49	2.08	
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

name
or
address

Schedule 10

Driver training certificates under the Carriage Regulations

£3

£3

Schedule 11

Approval of initial training under the Carriage Regulations

Reasonable cost to the GB competent authority of having the work carried out

Reasonable cost to the GB competent authority of having the work carried out

Approval of refreshment training under the Carriage Regulations

Reasonable cost to the GB competent authority of having the work carried out

Reasonable cost to the GB competent authority of having the work carried out

Schedule 12

Safety adviser vocational training certificates under the Carriage Regulations

Reasonable cost to the GB competent authority or the person designated by it for the purpose of issuing vocational training certificates of having the work carried out

Reasonable cost to the GB competent authority or the person designated by it for the purpose of issuing safety adviser vocational training certificates of having the work carried out

Schedule 13

Genetically Modified Organisms (Contained Use) Regulations 2000

Notification of the

£346

£415

19.94

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

intention
to use
premises
for
the
first
time
for
the
purpose
of
undertaking
activities
involving
genetic
modification
under
regulation 9(1)

Notification

£829

19.97

of an
activity
involving
genetic
modification
in
class
2
under
regulation 10(1)

Notification

£829

19.97

of the
intention
to use
premises
for
the
first
time
for
the
purpose
of
undertaking
activities
involving
genetic
modification
under
regulation 9(1)
at the
same
time

Changes to legislation: There are currently no known outstanding effects for the
 The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

as
 notification
 of an
 activity
 involving
 genetic
 modification
 in
 class
 2
 under
 regulation 10(1)

Notification ~~£749~~

£899

20.03

of an
 activity
 involving
 genetic
 modification
 in
 class
 3
 under
 regulation 11(1)

Notification ~~£749~~

£899

20.03

of the
 intention
 to use
 premises
 for
 the
 first
 time
 for
 the
 purpose
 of
 undertaking
 activities
 involving
 genetic
 modification
 under
 regulation 9(1)
 at the
 same
 time
 as
 notification
 of an
 activity
 involving
 genetic

Changes to legislation: There are currently no known outstanding effects for the
The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

modification in class 3 under regulation 11(1)			
Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,037		20.02
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,037		20.02

Changes to legislation: There are currently no known outstanding effects for the
 The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Notification of an activity involving genetic modification or organisms other than micro- organisms under regulation 12(1)	£829	19.97
Notification of the intention to use premises for the first time for the purpose of undertaking genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro- organisms under regulation 12(1)	£829	19.97
Notification of an	£622	20.08

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

additional
information
under
regulation 15(3)

Application

£622

20.08

for
the
written
agreement
of the
competent
authority
under
regulation 18(2)
where
the
application
is
made
after
a
notification
has
been
submitted
pursuant
to
regulation 9(1),
10(1),
11(1)
or
12(1)

Schedule 14

Notification
of
New
Substances
Regulations
1993

For £4,864

£4,987

2.53

the
evaluation
of a
notification
under
regulation 4
("base
set")

For £2,316

£2,374

2.50

the

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

evaluation of a notification of a substance already notified	For £2,555	£2,619	2.50
the evaluation of a notification under regulation 5(1) (a) (>10 tonnes per year)	For £5,027	£5,154	2.53
the evaluation of a notification under regulation 5(1) (b) (>100 tonnes per year)	For £3,524	£3,613	2.53
the evaluation of a notification under regulation 5(1) (c) (> 1,000 tonnes per year)	For a notification under regulation 6 — quantity of the	£1,614	20.00

Changes to legislation: There are currently no known outstanding effects for the
The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

new substance equal to or more than 100 kg (regulation 6(1))			
quantity of the new substance up to 100 kg (regulation 6(2))	£1,014		20.00
Evaluation of a notification (whether made under regulation 6(1) or 6(2), as the case may be) in respect of an RTP polymer of an amount equal to or more than 10kg per annum but less than one	£1,614		20.00

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

tonne
per
annum
or the
total
amount
is
equal
to or
more
than
500kg
but
less
than 5
tonnes

For	£630	£646	2.54
an evaluation of information provided under regulation 6(4) (d) (i) in respect of a substance for the purposes of process orientated research and development			

Additional	£1,334 plus VAT	£2,393 plus VAT	2.53
fee to the fee above for the evaluation of a notification under regulation 4 where there			

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

is no
adequate
risk
assessment

Additional
fee to
the
fee
above
for
the
evaluation
of a
notification
under
regulation 6
where
there
is no
adequate
risk
assessment

quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£564 plus VAT	£578 plus VAT	2.48
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quantity of the new substance up to 100 kg (regulation 6(2))	£564 plus VAT	£578 plus VAT	2.48
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For an application made	£2,555	£2,619	2.50
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

by a
notifier
for an
exemption
relating
to
him
under
regulation 23

Schedule 15

Offshore installations	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out
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Schedule 16

Railway functions	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out
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Schedule 17

Gas safety functions	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out
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Schedule 18

Table 1	Fee for original approval	Fee for an additional site-visit	Fee for renewal of approval	Fee for original approval	Fee for an additional site-visit	Fee for renewal of approval				
	£936	£336	£64	£960	£344	£66	2.56	2.38	3.13	

Table 2	Fee for initial site-visit	Fee for any additional site-visit	Fee for a site-visit to investigate a complaint	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit				
	£373	£336	£373	£373	£382	£344	£382	£382	2.41	2.38	2.41	2.41

Schedule 19

Table 1	Fee for original approval	Fee for original approval	Fee for renewal of medical approval	Fee for renewal of medical approval	Fee for original approval	Fee for original approval	Fee for renewal of medical approval	Fee for renewal of medical approval				
	£936	£1,373	£64	£64	£960	£1,408	£66	£66	2.56	2.55	3.13	3.13

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Table 2	Fee for additional site-visit: first-aid	£336	Fee for additional site-visit: medical	£890	Fee for additional site-visit: first-aid	£344	Fee for additional site-visit: medical	£912	2.38	2.47										
Table 3	Fee for initial site-visit: first-aid	£373	Fee for initial site-visit: medical	£890	Fee for additional site-visit: first-aid	£336	Fee for additional site-visit: medical	£890	Fee for initial site-visit: first-aid	£382	Fee for initial site-visit: medical	£912	Fee for additional site-visit: first-aid	£344	Fee for additional site-visit: medical	£912	2.41	2.47	2.38	2.47
Table 4	Fee for a site-visit to investigate a complaint	£373	Fee for a cancelled site-visit relating to training	£373	Fee for a cancelled site-visit relating to training	Reasonable cost to the Executive due to the cancellation	Fee for a site-visit to investigate a complaint	£382	Fee for a cancelled site-visit relating to training	£382	Fee for a cancelled site-visit relating to training	Reasonable cost to the Executive due to the cancellation	2.41	2.41						

Changes to legislation:

There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005.