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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations revoke and re-enact the Health and Safety (Fees) Regulations (Northern Ireland) 2005 ([S.R. 2005 No. 523](#)). They consolidate amendments made to those Regulations and also update fees to be charged. They fix or determine the fees payable by an applicant to, in most cases, the Health and Safety Executive for Northern Ireland (“the Executive”), in respect of an application made for—

- (a) a licence under the Petroleum (Consolidation) Act (Northern Ireland) 1929 ([1929 c. 13 \(N.I.\)](#)) and for the transfer of a licence under the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 ([1937 c. 4 \(N.I.\)](#)) (*regulation 2 and Schedule 1*);
- (b) a licence under the Control of Asbestos Regulations (Northern Ireland) 2007 ([S.R. 2007 No. 31](#)) and for the re-assessment of whether to grant an application for an asbestos licence and for amendments to, and replacements of lost, asbestos licences (*regulation 6 and Schedule 4*);
- (c) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992 ([S.R. 1992 No. 2](#)) (*regulation 7 and Schedule 5*);

and in respect of—

- (d) a notification, application or for the evaluation of information under the Notification of New Substances Regulations (Northern Ireland) 1994 ([S.R. 1994 No. 6](#)) (*regulation 8 and Schedule 6*);
- (e) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001 ([S.R. 2001 No. 295](#)) (*regulation 9 and Schedule 7*).

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 4 and 5 and Schedules 2 and 3*).

3. The Regulations fix or determine the fees payable by specified persons in the offshore and gas industries for the performance by the Executive of the functions specified in those provisions. (*regulations 10 to 12 and Schedules 8 and 9*).

4. An estimate of the costs associated with these Regulations has been prepared by the Executive and is held at its offices at 83 Ladas Drive, Belfast, BT6 9FR, from where a copy may be obtained on request.

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

**Table**

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
<b>Regulation 2 and Schedule 1</b>			

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
Licence to keep petroleum-spirit of a quantity—									
—not exceeding 2,500 litres	£37 for each year of licence			£38 for each year of licence			2.70		
—exceeding 2,500 litres but not exceeding 50,000 litres	£52 for each year of licence			£53 for each year of licence			1.92		
—exceeding 50,000 litres	£105 for each year of licence			£108 for each year of licence			2.86		
Transfer of petroleum-spirit licence	£8			£8					
<b>Regulation 4 and Schedule 2</b>									
	<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>
Medical examination or surveillance by an employment medical adviser under the—									
Work in Compressed Air Regulations (Northern Ireland) 2004	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Control of Asbestos Regulations (Northern Ireland) 2007	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Ionising Radiation Regulations (Northern Ireland) 2000									
(a) where surveillance is confined to examination of, and making entries in, records	£33	£63	£37	£34	£65	£38	3.03	3.17	2.70
(b) in other cases	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
<p><b>Regulation 5 and Schedule 3</b></p> <p>Medical surveillance by an employment medical adviser under the—</p> <p>Control of Lead at Work Regulations (Northern Ireland) 2003</p> <p>(a) on the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)</p> <p>(b) on each subsequent assessment of an employee—</p> <p>(i) for laboratory tests where these are carried out</p> <p>(ii) for a clinical medical examination where this is carried out</p>	<p>£62</p> <p>£37</p> <p>£37</p>	<p>£64</p> <p>£38</p> <p>£38</p>	<p>3.23</p> <p>2.70</p> <p>2.70</p>
<p><b>Regulation 6 and Schedule 4</b></p> <p>Applications under the Control of Asbestos Regulations (Northern Ireland) 2007</p> <p><b>Table 1</b></p>			

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
Licence for work with asbestos or renewal of (original) licence	£998	£1,023	2.51
<b>Table 2</b>			
Re-assessment of licence application	£276	£276	
Amendment of condition, or duration, of licence	£276	£276	
Other amendment, or replacement, of a licence	£74	£74	
<b>Regulation 7 and Schedule 5</b>			
Approval under the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992			
Approval of scheme or programme for examination of freight containers	£83	£85	2.41
<b>Regulation 8 and Schedule 6</b>			
Notification of New Substances Regulations (Northern Ireland) 1994			
<b>Table 1</b>			
For the evaluation of a notification under regulation 4 (“base set”)	£4,987	£4,987	
For the evaluation of a notification of a substance already notified	£2,374	£2,374	

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
For the evaluation of a notification under regulation 5(1)(a) (>10 tonnes per year)	£2,619	£2,619	
For the evaluation of a notification under regulation 5(1)(b) (>100 tonnes per year)	£5,154	£5,154	
For the evaluation of a notification under regulation 5(1)(c) (>1000 tonnes per year)	£3,613	£3,613	
For notifications under regulation 6—			
(a) quantity of the new substance equal to or more than 100kg (regulation 6(1))	£1,614	£1,614	
(b) quantity of the new substance equal to or more than 10kg but less than 100kg (regulation 6(2))	£1,014	£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 10kg per annum but less than one tonne per annum or the total amount is equal to or more than 500kg but less than 5 tonnes	£1,614	£1,614	
For the evaluation of information provided under regulation 6(4) (d)(i) in respect of a substance for the	£646	£646	

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purposes of process orientated research and development			
For an application made by a notifier for an exemption relating to him under regulation 23	£2,619	£2,619	
<b>Table 2</b>			
For the evaluation of a notification under regulation 4 as an additional fee to the fee above for such notification where no adequate risk assessment is included	£2,393 (plus VAT)	£2,393 (plus VAT)	
For notifications under regulation 6 as an additional fee to the fee above for such notification where no adequate risk assessment is included—			
(a) quantity of the new substance equal to or more than 100kg (regulation 6(1))	£578 (plus VAT)	£578 (plus VAT)	
(b) quantity of the new substance equal to or more than 10kg but less than 100kg (regulation 6(2))	£578 (plus VAT)	£578 (plus VAT)	
<b>Regulation 9 and Schedule 7</b>			
Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001			

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
Notification of intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£415	£465	12.05
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829	£929	12.06
Notification of 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	£929	12.06
Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899	£1,007	12.01
Notification of 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	£1,007	12.01

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Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,037	£1,161	11.96
Notification of 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	£1,161	11.96
Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£829	£929	12.06
Notification of 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	£929	12.06
Notification of additional information under regulation 15(3)	£622	£696	11.88
Application for the written agreement of the competent	£622	£696	11.88



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<p>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)</p> <p><b>Regulation 10 and Schedule 8</b></p> <p>Offshore Installations</p>	<p>The reasonable cost to the Executive of having the work carried out</p>	<p>Sum of the costs reasonably incurred by the Executive for the function performed</p>	
<p><b>Regulation 11 and Schedule 9</b></p> <p>Gas Safety Functions</p>	<p>The reasonable cost to the Executive of having the work carried out</p>	<p>Sum of the costs reasonably incurred by the Executive for the function performed</p>	