
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) 2008 (S.R. 2008 No. 21). They consolidate amendments made to those Regulations and also update fees to be charged. They also extend charging for general health and safety in high hazard industries. 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 or application under the Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001 (S.R. 2001 No. 295) (*regulation 8 and Schedule 6*).

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 and in relation to general health and safety functions at those sites (*regulations 9 to 11 and Schedules 7 and 8*).

4. The Regulations introduce fees for work done by the Executive in relation to the enforcement of general health and safety functions conferred by the 1978 Order relating to the transportation of gas through “major accident hazard pipelines”, including where such work is not directly concerned with protecting persons from the risks arising from the manner in which gas is conveyed or used (*regulation 10*).

5. The Regulations amend the Control of Major Accident Hazards Regulations (Northern Ireland) 2000 (as amended) (“the COMAH Regulations”) to introduce fees for work done by the Executive in relation to the enforcement of general health and safety functions conferred by the 1978 Order for establishments that are required by regulation 7 of the COMAH Regulations to prepare a safety report (*regulation 12*).

6. 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.

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

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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>
Regulation 2 and Schedule 1			
Licence to keep petroleum-spirit of a quantity—			
—not exceeding 2,500 litres	£39 for each year of licence	£40 for each year of licence	2.56
—exceeding 2,500 litres but not exceeding 50,000 litres	£54 for each year of licence	£55 for each year of licence	1.85
—exceeding 50,000 litres	£111 for each year of licence	£115 for each year of licence	3.60
Transfer of petroleum-spirit licence	£8	£8	
<i>Regulation 4 and Schedule 2</i>	<i>Basic X-Rays Laboratory Tests</i>	<i>Basic X-Rays Laboratory Tests</i>	<i>Basic X-Rays Laboratory Tests</i>
Medical examination or surveillance			

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Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee			Percentage Increase		
by an employment medical adviser under the—									
Work in Compressed Air Regulations (Northern Ireland) 2004	£66	£67	£39	£68	£70	£40	3.03	4.48	2.56
Control of Asbestos Regulations (Northern Ireland) 2007	£66	£67	£39	£68	£70	£40	3.03	4.48	2.56
Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003	£66	£67	£39	£68	£70	£40	3.03	4.48	2.56
Ionising Radiation Regulations (Northern Ireland) 2000									
(a) where surveillance is	£35	£67	£39	£36	£70	£40	2.86	4.48	2.56

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Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee			Percentage Increase		
confined to examination of, and making entries in, records									
(b) in other cases	£66	£67	£39	£68	£70	£40	3.03	4.48	2.56
Regulation 5 and Schedule 3									
Medical surveillance by an employment medical adviser under the—									
Control of Lead at Work Regulations (Northern Ireland) 2003									
(a) on the first assessment of an employee (including any clinical medical examination and	£66			£68			3.03		

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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>
laboratory tests in connection with the assessment)			
(b) on each subsequent assessment of an employee—			
(i) for laboratory tests where these are carried out	£39	£40	2.56
(ii) for a clinical medical examination where this is carried out	£39	£40	2.56
Regulation 6 and Schedule 4 Applications under the Control of Asbestos Regulations (Northern			

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Ireland) 2007			
Table 1			
Licence for work with asbestos or renewal of (original) licence	£1,050	£1,160	10.48
Table 2			
Re-assessment of licence application	£283	£300	6.01
Amendment of condition, or duration, of licence	£283	£300	6.01
Other amendment, or replacement, of a licence	£76	£80	5.26
Regulation 7 and Schedule 5			
Approval under			

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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>
the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992			
Approval of scheme or programme for examination of freight containers	£87	£90	3.45
Regulation 8 and Schedule 6			
Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001			
Notification of the intention to use premises for the first time	£465	£465	

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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>
for the purpose of undertaking activities involving genetic modification under regulation 9(1)			
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£929	£929	
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	£929	£929	

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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>
activity involving genetic modification in class 2 under regulation 10(1)	£1,007	£1,007	
Notification of an activity involving genetic modification in class 3 under regulation 11(1) 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	£1,007	£1,007	

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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>
modification in class 3 under regulation 11(1)			
Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,161	£1,161	
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	£1,161	£1,161	

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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>
4 under regulation 11(1) Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£929	£929	
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	£929	£929	

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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>
modification of organisms other than micro-organisms under regulation 12(1)	£696	£696	
Notification of additional information under regulation 15(3)	£696	£696	
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)	£696	£696	

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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>
Regulation 9 and Schedule 7	Offshore Installation	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed
Regulation 10 and Schedule 8	Gas Safety Functions	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed