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## EXPLANATORY NOTE

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

1. These Regulations revoke and re-enact the Health and Safety (Fees) Regulations (Northern Ireland) 2010 (S.R. 2010 No. 60) (“the 2010 Regulations”). They update fees to be charged and 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) 2012 (S.R. 2012 No. 179) 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 determine fees payable by specified persons in respect of the performance by the Executive of certain functions specified in the Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007 (*regulation 9 and Schedule 7*).

4. These Regulations determine fees payable by specified persons in respect of the performance by the Executive of the following functions specified in the Gas Safety (Management) Regulations (Northern Ireland) 1997—

- (a) assessing a safety case or a revision of a safety case;
- (b) providing advice with respect to the preparation of a safety case; and
- (c) assessing whether to grant an exemption (*regulation 10 and Schedule 8*)

5. These Regulations determine fees payable, in respect of 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 Health and Safety at Work (Northern Ireland) Order 1978 which relates to the enforcement of any of the relevant statutory provisions—

- (a) in relation to an offshore installation, by the operator or owner who has prepared a current safety case pursuant to the Offshore Installations (Safety Case) Regulations (Northern Ireland) 2007 (*regulation 9*);
- (b) by—
  - (i) a person conveying gas who has prepared a safety case pursuant to the Gas Safety (Management) Regulations (Northern Ireland) 1997 or by a network emergency co-

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ordinator, in relation to a network (including a pipeline that it is intended will form part of the network) to which the safety case relates; and

- (ii) a person conveying gas who has prepared a safety case pursuant to the Gas Safety (Management) Regulations (Northern Ireland) 1997 and a major accident prevention document pursuant to the Pipelines Safety Regulations (Northern Ireland) 1997 in relation to work relating to a major accident hazard pipeline (including the construction of a pipeline that it is intended will form part of the network) to which the major accident prevention document relates (*regulation 10*).

6. These Regulations contain a saving provision to ensure that regulation 12 of the Health and Safety (Fees) Regulations (Northern Ireland) 2009 (*S.R. 2009 No. 132*) continues to have affect (*regulation 13(3)*).

7. 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.

8. 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>			
Licence to keep petroleum-spirit of a quantity—			
—not exceeding 2,500 litres	£41 for each year of licence	£42 for each year of licence	2.44
—exceeding 2,500 litres but not exceeding 50,000 litres	£57 for each year of licence	£58 for each year of licence	1.75
—exceeding 50,000 litres	£118 for each year of licence	£120 for each year of licence	1.69
Transfer of petroleum-spirit licence	£8	£8	
<b>Regulation 4 and Schedule 2</b>			
	<i>Basic X- Laboratory</i>	<i>Basic X- Laboratory</i>	<i>Basic X- Laboratory</i>
	<i>Rays Tests</i>	<i>Rays Tests</i>	<i>Rays Tests</i>
Medical examination or surveillance by an			

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
employment medical adviser under the—									
Work in Compressed Air Regulations (Northern Ireland) 2004	£70	£72	£41	£71	£73	£42	1.43	1.39	2.44
Control of Asbestos Regulations (Northern Ireland) 2012	£70	£72	£41	£71	£73	£42	1.43	1.39	2.44
Control of Substances Hazardous to Health Regulations (Northern Ireland) 2003	£70	£72	£41	£71	£73	£42	1.43	1.39	2.44
Ionising Radiation Regulations (Northern Ireland) 2000									
(a) where surveillance is confined to examination of, and making entries in, records	£37	£72	£41	£38	£73	£42	2.70	1.39	2.44
(b) in other cases	£70	£72	£41	£71	£73	£42	1.43	1.39	2.44
<b>Regulation 5 and Schedule 3</b>									
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	£70			£71			1.43		

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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>
examination and laboratory tests in connection with the assessment)			
(b) on each subsequent assessment of an employee—			
(i) for laboratory tests where these are carried out	£41	£42	2.44
(ii) for a clinical medical examination where this is carried out	£41	£42	2.44
<b>Regulation 6 and Schedule 4</b>			
Applications under the Control of Asbestos Regulations (Northern Ireland) 2012			
<b>Table 1</b>			
Licence for work with asbestos or renewal of (original) licence	£1,160	£3,236	178.97
<b>Table 2</b>			
Re-assessment of licence application	£300	£741	147.00
Amendment of condition, or duration, of licence	£300	£741	147.00
Other amendment, or replacement, of a licence	£80	£80	

<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 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	£92	£94	2.17
<b>Regulation 8 and Schedule 6</b>			
Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001			
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£465	£472	1.51
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£929	£943	1.51
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	£943	1.51

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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)			
Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£1,007	£1,022	1.49
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)	£1,007	£1,022	1.49
Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,161	£1,178	1.46
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)	£1,161	£1,178	1.46
Notification of an activity involving genetic modification of organisms	£929	£943	1.51

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
other than micro-organisms under regulation 12(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 modification of organisms other than micro-organisms under regulation 12(1)	£929	£943	1.51
Notification of additional information under regulation 15(3)	£696	£706	1.44
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	£706	1.44
<b>Regulation 9 and Schedule 7</b>			
Offshore Installations	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	
<b>Regulation 10 and Schedule 8</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>
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	