

1989 No. 2367

HEALTH AND SAFETY

**The Health and Safety (Fees) (Amendment) Regulations
1989**

Made - - - - - *15th December 1989*

Laid before Parliament *3rd January 1990*

Coming into force *29th January 1990*

The Secretary of State, in exercise of the powers conferred on him by sections 43(2), (4), (5), (6) and (9) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(a) ("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:-

Citation and commencement

1.—(1) These Regulations may be cited as the Health and Safety (Fees) (Amendment) Regulations 1989 and shall come into force on 29th January 1990.

Amendment of fees

2.—(1) The Health and Safety (Fees) Regulations 1989(b) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 3(1)-

(a) in sub-paragraph (a)(iv), for the semi-colon substitute ", and";

(b) after sub-paragraph (a)(iv), insert the following:

"(v) under the Control of Substances Hazardous to Health Regulations 1988(c);
and";

(c) omit sub-paragraph (b).

(3) For regulation 4 substitute the following regulation:

"Fees Payable under the Agriculture (Tractor Cabs) Regulations 1974

4.—(1) A fee shall be payable by the applicant to the Health and Safety Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974(d).

(2) The fee payable for the approval of each subject matter described in column 1 of Schedule 3 shall be that specified in the corresponding entry in column 2 of that Schedule."

(4) For regulation 7 substitute the following regulation:

(a) 1974 c. 37; section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.

(b) S.I. 1989/462.

(c) S.I. 1988/1657.

(d) S.I. 1974/2034; relevant amending instruments are S.I. 1976/1247, 1980/1036 and 1981/1414.

“Fees payable for examination or surveillance by an employment medical adviser

7.—(1) A fee shall be payable to the Health and Safety 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 6.

(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 6—

- (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 1987(a), that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).”.

(5) In regulation 14, omit “4(3).”.

(6) For Part I of Schedule 2 substitute the following Part:

“PART I

APPROVALS OF BLASTING HELMETS, OTHER RESPIRATORY PROTECTIVE EQUIPMENT AND AUTOMATIC SAFE LOAD INDICATORS

(1) <i>Subject matter of approval</i>	(2) <i>Fee</i>
(a) Approval of blasting helmets	£40
(b) Approval of other respiratory protective equipment	£60
(c) Approval of automatic safe load indicators	£32 per hour worked

(7) For Schedule 3 substitute the following Schedule:

“SCHEDULE 3

Regulation 4

APPROVALS UNDER THE AGRICULTURE (TRACTOR CABS) REGULATIONS 1974

(1) <i>Subject matter of approval</i>	(2) <i>Fee</i>
(a) Original approval of tractor cab	£145
(b) Revision of an existing approval of a tractor cab	£72

(8) For Schedule 6 substitute the following Schedule:

(a) S.I. 1987/2115.

FEEES FOR EXAMINATION OR SURVEILLANCE BY AN EMPLOYMENT
MEDICAL ADVISER

Provision	Reference	Basic fee	Additional fees where appropriate	
			Fee for X-rays	Fee for laboratory tests
(1)	(2)	(3)	(4)	(5)
(a) The Work in Compressed Air Special Regulations 1958	S.I. 1958/61 (relevant amending instrument is S.I. 1973/36).	£31	£32	£18.50
(b) The Ionising Radiations Regulations 1985	S.I. 1985/1333	£13 where surveillance is confined to examination of, and making entries in, records. £42 in other cases	£32	£18.50
(c) The Control of Asbestos at Work Regulations 1987	S.I. 1987/2115	£37	£29	£16.50
(d) The Control of Substances Hazardous to Health Regulations 1988	S.I. 1988/1657	£31	£32	£18.50

Signed by order of the Secretary of State.

15th December 1989

Patrick Nicholls
Parliamentary Under Secretary of State,
Department of Employment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health and Safety (Fees) Regulations 1989 by fixing fees payable to the Health and Safety Executive in respect of:-

- (a) application for approval of types of, or standards for, respiratory protective equipment and
- (b) medical surveillance by an employment medical adviser, under the Control of Substances Hazardous to Health Regulations 1988 (“the 1988 Regulations”).

The Regulations revoke provisions for fees payable under Regulations which have been revoked by the 1988 Regulations.

The fees for work done under the 1988 Regulations are the same as for similar work done under the Regulations which have been so revoked. The fees are as follows:-

(1)	(2)
<i>Subject matter of fee</i>	<i>Fee</i>
1. Approval of respiratory protective equipment	£60 plus £48 per hour worked on tests
2. Medical surveillance—	
(a) Basic fee	£31
(b) Fee for X-rays where taken	£32
(c) Fee for laboratory test where carried out.	£18.50

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