
S T A T U T O R Y I N S T R U M E N T S

2000 No. 2482**HEALTH AND SAFETY****The Health and Safety (Fees) Regulations 2000**

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The Secretary of State, being the designated(a) Minister for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to 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 and by sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(c) (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect with 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) Regulations 2000 and shall come into force on 10th October 2000.

(2) In these Regulations, unless the context otherwise requires—

“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(d);

(b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999(e); and

(c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969(f); 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(g) or are health and safety regulations);

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

“renewal of approval” or “renewal of licence” means respectively the granting of an approval or licence to follow a previous approval or licence without any amendment or gap in time; and

“respiratory protective equipment” includes any respirator and any breathing apparatus.

(3) Unless the context otherwise requires, any reference in these Regulations to—

(a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;

(b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.

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 I 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.

(a) S.I. 1998/1750.

(b) 1972 c. 68.

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

(d) 1954 c. 70.

(e) S.I. 1999/2024.

(f) 1969 c. 10.

(g) S.I. 1974/2013.

(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 II 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 III of Schedule 1 (that is to say the reasonable cost to the Executive of having the testing carried out).

Fees for applications for approval of respiratory protective equipment

3.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of respiratory protective equipment—

- (a) under the Factories Act 1961 (a), or any regulations made or having effect as if made under that Act;
- (b) under the Control of Lead at Work Regulations 1998(b);
- (c) under the Ionising Radiations Regulations 1999(c);
- (d) under the Control of Asbestos at Work Regulations 1987(d); and
- (e) under the Control of Substances Hazardous to Health Regulations 1999(e).

(2) The fee payable on application for approval of respiratory protective equipment shall be that specified in column 2 of Schedule 2 (that is to say the reasonable cost to the Executive of having the work, including any testing, carried out).

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

4.—(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(f).

(2) The fee payable on application for such an approval or revision of an approval as is described in column 1 of Schedule 3 shall be that specified in the corresponding entry in column 2 of that Schedule.

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

5.—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(g).

(2) The fee payable on application for the approval described in column 1 of Schedule 4 shall be that specified in column 2 of that Schedule.

Fee for application for a licence under the Asbestos (Licensing) Regulations 1983

6.—(1) A fee shall be payable by the applicant to the Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983(h).

(2) The fee payable on application for a licence described in column 1 of Schedule 5 shall be that specified in column 2 of that Schedule.

Fees for examination or surveillance by an employment medical adviser

7.—(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 6.

(a) 1961 c. 34.

(b) S.I. 1998/543.

(c) S.I. 1999/3232.

(d) S.I. 1987/2115 to which there are amendments not relevant to these Regulations.

(e) S.I. 1999/437.

(f) S.I. 1974/2034 relevant amending instruments are S.I. 1976/1247, 1980/1036, 1981/1414 and 1990/1075.

(g) S.I. 1984/1890.

(h) S.I. 1983/1649 as amended by S.I. 1998/3233.

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

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 1998

8.—(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 1998(a).

(2) The fee payable for each item described in column 1 of Schedule 7 shall be that specified in the corresponding entry in column 2 of that Schedule.

Fees for application for approval or reassessment of approval of dosimetry services and for type approval of apparatus under the Ionising Radiations Regulations 1999

9.—(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 Schedule 8 shall be that specified in the corresponding entry in column 2 of that Schedule.

(4) 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 by virtue of paragraph (1) or (2) and the fee for work in connection with each such matter described in column 1 of Schedule 8 shall be that specified in the corresponding entry in column 3 of that Schedule for each hour or part of an hour worked.

(5) 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.

(6) Any fee payable under paragraph (4) or (5) shall be payable prior to notification of the result of the application.

(7) In this regulation "the 1999 Regulations" means the Ionising Radiations Regulations 1999(b).

(a) S.I. 1998/543.

(b) S.I. 1999/3232.

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

10.—(1) Where any application in relation to a provision specified in column 1 of Part I of Schedule 9 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.

(2) The fee or maximum fee payable under each provision specified in column 1 of Part II of Schedule 9 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.

(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 paragraph (1) for any purpose specified in column 2 of Part I of Schedule 9 for which there is a corresponding entry in column 4 of that 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 or part of an hour worked and such fee shall be payable prior to notification of the result of the application.

(4) A fee shall be payable by the applicant to the Executive on each application being made for each purpose specified in column 1 of each of Parts III, IV, and V of Schedule 9, and the fee for each such purpose shall be that specified in the corresponding entry in column 2 in the respective Part.

(5) 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 Parts III, IV and V of Schedule 9 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 or part of an hour worked and such fee shall be payable prior to notification of the result of the application.

(6) 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 VI of Schedule 9, 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.

(7) Where the Executive requires an inspection of premises to be carried out in connection with an application for—

- (a) a factory or magazine licence, or any amendment to such a licence;
- (b) the original approval of premises in which acetylene is to be manufactured or kept, or any amendment to such an approval; or
- (c) the original approval of premises in which acetylene is compressed, or any amendment to such an approval,

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.

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

11. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928(a) or section 1(4) of the Petroleum (Transfer of Licences) Act 1936(b) 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.

(a) 1928 c. 32 relevant amending instruments are S.I. 1974/1942 and 1987/52.

(b) 1936 c. 27 relevant amending instruments are S.I. 1974/1942 and 1987/52.

Fee for application for an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

12.—(1) A fee shall be payable by the applicant to the Executive on each application for an explosives licence or for any alteration in the terms of an existing licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987(a).

(2) The fee on an application for each purpose specified in column 1 of Schedule 10 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour, the fee so calculated shall be payable prior to notification of the result of the application.

Fee for a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

13.—(1) A driver may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996(b) where a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(2) The validity of a vocational training certificate may only be extended in accordance with paragraph (6) of regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(3) Nothing in this regulation shall be construed as making a fee payable by a person in any of the capacities specified in section 43(4) of the 1974 Act.

Fees for applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

14.—(1) A fee shall be payable by the applicant to the Secretary of State on each application for an original approval or a renewal of any approval of—

- (a) training under regulation 4(3)(a); or
- (b) a refresher course under regulation 4(6)(a),

of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996.

(2) The fee payable under paragraph (1) on application for such approval as is mentioned in column 1 of Schedule 12 shall be respectively that specified in the corresponding entry in column 2 or 3 of that Schedule.

Fee for a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999

15.—(1) An individual may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999(c) where a fee of the sum specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(2) The validity of a vocational training certificate may only be extended in accordance with paragraph (5) of regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee of the sum specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(3) Nothing in this regulation shall be construed as making a fee payable by a person in any of the capacities specified in section 43(4) of the 1974 Act.

(a) S.I. 1987/37.

(b) S.I. 1996/2094 as amended by S.I. 1999/303.

(c) S.I. 1999/257.

Estimate of cost of work

16. 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), 3(2) or 10(6), 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.

Fees for notifications under the Genetically Modified Organisms (Contained Use) Regulations 1992

17.—(1) A fee shall be payable by a notifier to the Executive on each notification of the intention to use premises for activities involving genetic modification for the first time and of individual activities involving genetic modification under the Genetically Modified Organisms (Contained Use) Regulations 1992(a).

(2) The fee payable for each notification described in column 1 of Schedule 14 shall be that specified in the corresponding entry in column 2 of that Schedule.

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

18.—(1) The fee fixed by column 2 of Schedule 15 shall be payable by a notifier to the Executive on each such notification or application under the Notification of New Substances Regulations 1993(b) as is referred to in the corresponding entry in column 1 of that Schedule.

(2) The Executive shall repay to the notifier the amount of any rebate due to the notifier in the circumstances described in Schedule 15.

Fees payable in respect of offshore installations

19.—(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 an operator or owner who has prepared a safety case pursuant to the 1992 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 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 22 and Schedule 16, “the 1992 Regulations” means the Offshore Installations (Safety Case) Regulations 1992(c), and “installation”, “safety case”, “operator” and “owner” have the same meanings as in those Regulations.

Fees payable in respect of railway safety functions

20.—(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 railway operator who has prepared a safety case which has been accepted by the Executive pursuant to the 1994 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;

(a) S.I. 1992/3217 as amended by S.I. 1996/967 and 1998/1548.

(b) S.I. 1993/3050 as amended by S.I. 1997/654.

(c) S.I. 1992/2885 as amended by S.I. 1995/738, 1995/743, 1997/2776.

(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(a).

(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 22 and Schedule 17 the “1994 Regulations” means the Railways (Safety Case) Regulations 1994(b), the “Approval Regulations” means the Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994(c), “railway”, “railway infrastructure”, “railway operator”, “safety case”, “station” and “train” have the same meanings as in the 1994 Regulations and “tramway” and “trolley vehicle system” have the same meanings as in the Transport and Works Act 1992(d).

Fees payable in respect of gas safety functions

21.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 18 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 22 and Schedule 18 “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996(e), and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in the 1996 Regulations.

Provisions supplementary to regulations 19 to 21

22.—(1) The fees referred to in regulations 19 to 21 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, such invoice to 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 19 to 21 shall be recoverable only as a civil debt.

(3) Any fees payable under regulations 19 to 21 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;

(a) 1987 c. 53.

(b) S.I. 1994/237 as amended by S.I. 1996/1592.

(c) S.I. 1994/157 as amended by S.I. 1997/553. 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).

(d) 1992 c. 42.

(e) S.I. 1996/551.

- (b) in Scotland, criminal investigation or prosecution incurred (in either case) after such time as—
 - (i) the inspector undertaking the investigation refers the case to the Procurator Fiscal; 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, in England and Wales, regulation 8(4)(b) of, and Schedule 4 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 1993(a) and, in Scotland, regulation 8(4)(b) of, and Schedule 4 to, the Employment Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993(b).

(4) For the purposes of regulation 19 and paragraphs (3)(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(c) and in Scotland if it is in the Scottish area within the meaning of that article.

(5) Any reference in regulations 19 to 21 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 cases 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 20(2) to a safety case which has been accepted by the Executive were a reference to safety case which is required to be accepted by the Executive.

(6) Any reference in regulations 19 and 20 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 19) regulation 2(9) of the 1992 Regulations or (in the case of regulation 20) regulation 2(7) of the 1994 Regulations.

(7) Any reference in regulations 19 to 21 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.

(8) Any reference in regulations 19 to 21 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.

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

23.—(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) Regulation 1981(d).

- (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 Part I of Schedule 19; and
 - (b) in respect of an application for a renewal of an approval, that specified in the corresponding entry in column 3 of that Part.

(a) S.I. 1993/2687 as amended by S.I. 1994/538 and 1996/1758. The title of these Regulations, formerly the “Industrial Tribunals (Constitution and Rules of Procedure) Regulations 1993” was amended by operation of section 1 of the Employment Rights (Dispute Resolution) Act 1998 c. 8.

(b) S.I. 1993/2688 as amended by S.I. 1994/538 and 1996/1758. The title of these Regulations, formerly the “Industrial Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993” was amended by operation of section 1 of the Employment Rights (Dispute Resolution) Act 1998 c. 8.

(c) S.I. 1987/2197.

(d) S.I. 1981/917 as amended by S.I. 1989/1671, 1993/1897, 1997/2776 and 1999/3242.

(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 Part I of Schedule 19.

(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 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 site-visit made after the original approval has been given.

(6) The fee payable under paragraph (5) for such a site-visit shall be that specified in column 1 of Part II of Schedule 19 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 Part.

(7) The fee referred to in paragraph (6) 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.

Revocation

24. The Health and Safety (Fees) Regulations 1999(a) and the Health and Safety (Fees) (Amendment) Regulations 1999(b) are hereby revoked.

Signed by authority of the Secretary of State

11th September 2000

Michael Meacher
Minister of State,
Department of the Environment,
Transport and the Regions

(a) S.I. 1999/645 as amended by S.I. 1999/2024, 1999/2597 and 1999/3232.
(b) S.I. 1999/2597.

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART 1

FEES FOR APPLICATIONS FOR APPROVAL OF PLANT, APPARATUS OR SUBSTANCE UNDER THE MINES AND QUARRIES PROVISIONS

<i>1</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee for an original approval</i>	<i>3</i> <i>Fee for amendment of approval</i>	<i>4</i> <i>Fee for renewal of approval</i>
(a) Approval of breathing apparatus	£1,595	£800	£65
(b) Approval of dust respirators	the reasonable cost to the Executive of having the work carried out		
(c) Approval of explosives	£240	£165	£65
(d) Approval of locomotive or other vehicle	£3,115	£790	£65
(e) Approval of electrical equipment for use in potentially gassy zones	£965	£620	£65
(f) Approval of methanometers	£445	£270	£65
(g) Approval of electric safety lamps	£445	£270	£65
(h) Approval of other types of apparatus	£230	£230	£65

PART II

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

<i>1</i> <i>Test</i>	<i>2</i> <i>Fee for test</i>
(a) Ballistic pendulum shot	£125
(b) Break test shot	£200
(c) Deflagration shot	£155
(d) Detonator test (per 100 shots)	£1,210
(e) Detonator delay time test (per 100 shots)	£955
(f) Gallery shot	£225
(g) Mortar shot	£125
(h) Velocity of detonation test (per 3 shots)	£390

PART III

FEES FOR OTHER TESTING

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

SCHEDULE 2

Regulation 3

FEE FOR APPLICATION FOR APPROVAL OF RESPIRATORY PROTECTIVE EQUIPMENT

<i>1</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee</i>
Approval of respiratory protective equipment	the reasonable cost to the Executive of having the work, including any testing, carried out

SCHEDULE 3

Regulation 4

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

<i>1</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee</i>
(a) Original approval of tractor cab	£380
(b) Revision of an existing approval of a tractor cab	£210

SCHEDULE 4

Regulation 5

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

<i>1</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee</i>
Approval of scheme or programme for examination of freight containers	£75

SCHEDULE 5

Regulation 6

FEE FOR APPLICATION FOR A LICENCE UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

<i>1</i> <i>Subject matter of licence</i>	<i>2</i> <i>Fee</i>
Licence for work with asbestos insulation or asbestos coating or asbestos insulating board or renewal of (original) licence	£515

SCHEDULE 6

Regulation 7

FEES FOR EXAMINATION OR SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER

<i>1</i> <i>Provision</i>	<i>2</i> <i>Reference</i>	<i>3</i> <i>Basic Fee</i>	<i>4</i> <i>Additional fees</i> <i>where appropriate</i> <i>Fee for</i> <i>X-Rays</i>	<i>5</i> <i>Fee for</i> <i>Laboratory</i> <i>tests</i>
(a) The Ionising Radiations Regulations 1999	S.I.1999/3232	£27 where surveillance is confined to examination of, and making entries in, records £43 in other cases	£54	£32
(b) The Control of Asbestos at Work Regulations 1987	S.I.1987/2115	£54	£54	£32
(c) The Control of Substances Hazardous to Health Regulations 1994	S.I.1994/3246	£54	£54	£32
(d) The Work in Compressed Air Regulations 1996	S.I.1996/1656	£54	£54	£32

SCHEDULE 7

Regulation 8

FEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 1998

<i>1</i> <i>Item</i>	<i>2</i> <i>Fee</i>
(a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£54
(b) On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£32
(ii) for a clinical medical examination where this is carried out	£32

SCHEDULE 8

Regulation 9

**FEES FOR APPLICATIONS FOR APPROVAL OR REASSESSMENT OF APPROVAL OF
DOSIMETRY SERVICES AND FOR TYPE APPROVAL OF APPARATUS UNDER THE
IONISING RADIATIONS REGULATIONS 1999**

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999		
Group 1		
Dose record keeping		
(a) Where the application is solely in respect of Group 1 functions	£130	£60 per hour worked
(b) Where the application for Group 1 functions is linked to an application in respect of functions in another group	£130	£60 per hour worked
Group II		
External dosimetry		
(a) Whole body (beta, gamma, thermal neutrons) film	£130	£60 per hour worked
(b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD)	£130	£60 per hour worked
(c) Whole body (neutron), other than sub-groups (a) or (b)	£130	£60 per hour worked
(d) Whole body, other than sub-groups (a), (b), or (c)	£130	£60 per hour worked
(e) Extremity monitoring	£130	£60 per hour worked
(f) Accident dosimetry, other than in the previous sub-groups	£130	£60 per hour worked
Group III		
Internal Dosimetry		
(a) Bio-assay, in-vivo monitoring or air sampling	£130	£60 per hour worked
(b) for each additional one of the above techniques	£130	£60 per hour worked
Type approval of apparatus under sub-paragraph 1(c)(i) or 1(d)(i) of Schedule 1 to the Ionising Radiation Regulations 1999 (which exempts such type approved apparatus from the notification requirements of regulation 6 of those Regulations)	£105	£60 per hour worked

SCHEDULE 9

Regulation 10

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> <i>Provision under which a licence is granted</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>
Explosives Act 1875 c.17			
Section 6 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory licence	£410	£55 per hour worked
	Magazine licence	£410	£55 per hour worked
Section 12 (as applied to explosives other than gunpowder by sections 39 and 40)	Replacement of one of the above licences if lost	£33	
	Factory amending licence	£260	£55 per hour worked
Section 40(9)(a) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(b)	Magazine amending licence	£260	£55 per hour worked
	Replacement of one of the above licences if lost	£33	
	Licence for importation of compressed acetylene	£22	£55 per hour worked
	Replacement of the above licence if lost	£22	
	Amendment to an existing licence	£22	£55 per hour worked

(a) Section 40(9) was amended by S.I. 1974/1885 and was applied to compressed acetylene by S.I. 1978/1723; the effect of section 40(9) of the Explosives Act 1875 (c. 17) in so far as it applied to acetylene by virtue of Order in Council (No. 30) dated 2nd February 1937 (S.R. & O. 1937/54) was saved by regulation 12 of, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714).

(b) S.I. 1978/1723.

PART II

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>
Explosives Act 1875 c.17		
Section 15 (see note 1)	A store licence	£67
Section 18 (see note 1)	Renewal of a store licence	£67
Section 21 (see note 1)	Registration and renewal of registration of premises for the keeping of explosives with a local authority	£12
Petroleum (Consolidation) Act 1928 c.32		
Section 4 (see notes 2 and 3)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£32 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£47 for each year of licence
	exceeding 50,000 litres	£93 for each year of licence
Petroleum (Transfer of Licences) Act 1936 c.27		
Section 1(4)	Transfer of petroleum spirit licence	£8

Note:

1. Part 1 of the Explosives Act 1875 (which includes sections 15, 18 and 21) is applied to explosives other than gunpowder by sections 39 and 40 of that Act.
2. 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.
3. 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 III

APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISO TO ORDER IN COUNCIL (No. 30) OF 2ND FEBRUARY 1937(a) FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Specialist Inspector</i>
(a) Original approval of premises in which acetylene is to be manufactured or kept	£22	£55 per hour worked
(b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£22	£55 per hour worked
(c) Approval of apparatus in which acetylene is to be manufactured or kept	£22	£55 per hour worked

(a) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885.

PART IV**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(a)**

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Specialist Inspector</i>
(a) Comparison of a porous substance with a sample porous substance	£40	
(b) Original approval of premises in which acetylene is compressed	£22	£55 per hour worked
(c) Amendment of an approval of premises in which acetylene is compressed	£22	£55 per hour worked

PART V**MISCELLANEOUS APPLICATIONS**

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Specialist inspector</i>
(a) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(b) or authorisation of an explosive under section 40(9) of the Explosives Act 1875(c)	the reasonable cost to the Executive of having the work carried out	
(b) Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(d)	£190	£55 per hour worked

PART VI**FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE HEALTH AND SAFETY EXECUTIVE**

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>
(a) Application for a licence for the importation of compressed acetylene (Part I above)	the reasonable cost to the Executive of having the work carried out
(b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above)	ditto
(c) Comparison of a porous substance with a sample porous substance (Part IV above)	ditto
(d) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 (Part V above)	ditto
(e) Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above)	ditto

(a) S.R. & O. 1919/809; amended by S.I. 1974/1885.

(b) S.I. 1983/1140.

(c) 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).

(d) S.I. 1967/1485.

SCHEDULE 10

Regulation 12

**FEE FOR APPLICATION FOR THE GRANT OR ALTERATION OF THE TERMS OF AN
EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS SUBSTANCES IN
HARBOUR AREAS REGULATIONS 1987**

<i>1</i> <i>Purpose of Application</i>	<i>2</i> <i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£550 plus £55 per hour worked

SCHEDULE 11

Regulation 13

**FEE FOR VOCATIONAL TRAINING CERTIFICATE UNDER THE CARRIAGE OF
DANGEROUS GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996**

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>
Issue or extension of vocational training certificate	£2.80

SCHEDULE 12

Regulation 14

**FEES FOR APPLICATIONS FOR APPROVALS UNDER THE CARRIAGE OF DANGEROUS
GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996**

<i>1</i> <i>Purpose of Application</i>	<i>2</i> <i>Fee for an original approval</i>	<i>3</i> <i>Fee for renewal of approval</i>
(a) For approval of training	£1,000	£600
(b) For approval of a refresher course	£1,000	£600

SCHEDULE 13

Regulation 15

**VOCATIONAL TRAINING CERTIFICATES UNDER THE TRANSPORT OF DANGEROUS
GOODS (SAFETY ADVISERS) REGULATIONS 1999**

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>
Issue or extension of vocational training certificate	£170

SCHEDULE 14

Regulation 17

**FEES FOR NOTIFICATIONS UNDER THE GENETICALLY MODIFIED ORGANISMS
(CONTAINED USE) REGULATIONS 1992**

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>
(a) Notification of intention to use premises for activities involving genetic modification for the first time under regulation 8 other than a case where a consent is required under regulation 8(3)	£150
(b) Notification of intention to use premises for activities involving genetic modification for the first time, where a consent is required under regulation 8(3)	£150
(c) Notification of individual activities involving genetic modification under regulation 9, other than a case where a consent is required under regulation 9(5)	£400
(d) Notification of individual activities involving genetic modification where a consent is required under regulation 9(5)	£500

SCHEDULE 15

Regulation 18

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

<i>1</i> <i>Subject matter</i>	<i>2</i> <i>Fee payable</i>
For the evaluation of a notification under regulation 4 ("base set") (see note 1)	£6,652 (plus £378 VAT)
For the evaluation of a notification under regulation 5(1)(a) (> 10 tonnes per year)	£2,180
For the evaluation of a notification under regulation 5(1)(b) (> 100 tonnes per year)	£4,590
For the evaluation of a notification under regulation 5(1)(c) (> 1,000 tonnes per year)	£3,820
For a notification under regulation 6 (see note 2)—	
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£1,279 (plus £91 VAT)
(b) quantity of the new substance up to 100 kg (regulation 6(2))	£999 (plus £91 VAT)
For an application made by a notifier for an exemption relating to him under regulation 23	£2,180
Note 1. Rebate where an adequate draft risk assessment is included	£2,160 (plus £378 VAT)
Note 2. Rebate where an adequate draft risk assessment is included	£520 (plus £91 VAT)

SCHEDULE 16

Regulation 19

FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
Assessing a safety case (sent to the Executive pursuant to regulation 4(1) of the 1992 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the safety case to the Executive pursuant to that provision
Assessing a safety case or a revision to a safety case (sent to the Executive pursuant to any other provision of the 1992 Regulations) for the purpose of deciding whether to accept that safety case or revision and accepting any such safety case or revision	The operator or owner who sent the safety case or revision to the Executive 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 1992 Regulations	The operator or owner who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 17 of the 1992 Regulations and granting any such exemption	The operator or owner who has requested the exemption

SCHEDULE 17

Regulation 20

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>
Assessing a safety case or a revision of a safety case (sent to the Executive pursuant to any provision of the 1994 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision	The railway operator who has prepared that safety case pursuant to that provision
Assessing whether to grant an exemption pursuant to regulation 11 of the 1994 Regulations and granting any such exemption	The railway operator who has requested the exemption
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 1994 Regulations	The railway operator who has requested that advice
Assessing whether to grant an approval pursuant to any provision of the Approval Regulations and granting any such approval	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
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(a) and to an agreement made pursuant to section 13(1)(b) of the 1974 Act	The operator within the meaning of the Level Crossings Act 1983
Assessing whether to grant an exemption pursuant to regulation 6 of the Railway Safety Regulations 1999(b) and granting any such exemption	The railway operator who has requested the exemption

(a) 1983 c. 16; the Act was amended by the Level Crossings Regulations 1997 (S.I. 1997/487).

(b) S.I. 1999/2244.

SCHEDULE 18

Regulation 21

FEES PAYABLE IN RESPECT OF GAS SAFETY FUNCTIONS

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
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 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 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 19

Regulation 23

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

<i>1</i> <i>Fee for an original approval</i>	<i>2</i> <i>Fee for an additional site visit</i>	<i>3</i> <i>Fee for renewal of approval</i>
£870	£300	£60

PART II

<i>1</i> <i>Fee for an initial site-visit</i>	<i>2</i> <i>Fee for any additional site-visit</i>
£340	£300

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations update and replace the Health and Safety (Fees) Regulations 1999 (S.I. 1999/645 as amended by S.I. 1999/2024, 1999/2597 and 1999/3232). They fix or determine the fees payable by an applicant to the Health and Safety Executive in respect of an application made for—

- (a) an approval under mines and quarries legislation (*regulation 2 and Schedule 1*);
- (b) an approval of certain respiratory protective equipment (*regulation 3 and Schedule 2*);
- (c) an approval of plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (*regulation 4 and Schedule 3*);
- (d) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations 1984 (*regulation 5 and Schedule 4*);
- (e) a licence under the Asbestos (Licensing) Regulations 1983 (*regulation 6 and Schedule 5*);
- (f) an approval of dosimetry services or type approval of apparatus under the Ionising Radiations Regulations 1999 (*regulation 9 and Schedule 8*);
- (g) an approval, authorisation or licence etc. under the Explosives Act 1875 and certain instruments thereunder, for a licence under the Petroleum (Consolidation) Act 1928 or for the classification of an article, substance, combination or unit load under the Classification and Labelling of Explosives Regulations 1983 (*regulation 10 and Schedule 9*);
- (h) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 12 and Schedule 10*);
- (i) an approval under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 14 and Schedule 12*);
- (j) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulation 23 and Schedule 19*);

and in respect of—

- (k) a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 13 and Schedule 11*);
- (l) a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 (*regulation 15 and Schedule 13*);
- (m) a notification under the Genetically Modified Organisms (Contained Use) Regulations 1992 (*regulation 17 and Schedule 14*);
- (n) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 18 and Schedule 15*).

2. 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 19 to 22 and Schedules 16 to 18*).

3. The Regulations update the 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 7 and 8 and Schedules 6 and 7*).

4. The Regulations update maximum fees which may be charged under the Explosives Act 1875, the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936 (*regulation 10 (2) and Schedule 9, Part II*).

5. A copy of the regulatory impact assessment prepared in respect of regulation 23 and Schedule 19 can be obtained from the Health and Safety Executive, Economic Adviser's Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A copy has been placed in the Library of each House of Parliament.

6. 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 I									
Approval of breathing apparatus	£1,329	£664	£56	£1,595	£800	£65	20.02	20.48	16.07
Approval of dust respirators	Reasonable cost to the Executive of having the work carried out			Reasonable cost to the Executive of having the work carried out			—	—	—
Approval of explosives	£199	£137	£56	£240	£165	£65	20.60	20.44	16.07
Approval of locomotive or other vehicle	£2,594	£659	£56	£3,115	£790	£65	20.08	19.88	16.07
Approval of electrical equipment for use in potentially gassy zones	£803	£515	£56	£965	£620	£65	20.17	20.39	16.07
Approval of methanometers	£371	£227	£56	£445	£270	£65	19.95	18.94	16.07
Approval of electric safety lamps	£371	£227	£56	£445	£270	£65	19.95	18.94	16.07
Approval of other types of apparatus essential for safety	£190	£190	£56	£230	£230	£65	21.05	21.05	16.07
Part II									
Ballistic pendulum shot		£115			£125			8.70	
Break test shot		£185			£200			8.11	
Deflagration		£145			£155			6.90	
Detonator test (per 100 shots)		£1,130			£1,210			7.08	
Detonator delay time test (per 100 shots)		£895			£955			6.70	
Gallery shot		£210			£225			7.14	
Mortar shot		£115			£125			8.70	
Velocity of detonation test (per 3 shots)		£365			£390			6.85	
Part III									
Other testing not fixed in Part II	Reasonable cost to the Executive of having the work carried out			Reasonable cost to the Executive of having the work carried out			—		
Schedule 2									
Approval of respiratory protective equipment	Reasonable cost to the Executive of having the work carried out			Reasonable cost to the Executive of having the work carried out			—		
Schedule 3									
Original approval of tractor cab		£286			£380			32.87	
Revision of an existing approval of a tractor cab		£157			£210			33.76	
Schedule 4									
Approval of scheme or programme for examination of freight containers		£75			£75			—	
Schedule 5									
Licence for work with asbestos insulations, asbestos coating or asbestos insulating board or renewal of licence		£505			£515			1.98	
	<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>
Schedule 6									
The Ionising Radiations Regulations 1999									
(a) where surveillance is confined to examination of, and making entries in, records	£27	£49	£30	£27	£54	£32	—	10.20	6.67
(b) in other cases	£43	£49	£30	£43	£54	£32	—	10.20	6.67
Control of Asbestos at Work Regulations 1987	£48	£49	£30	£54	£54	£32	12.50	10.20	6.67
Control of Substances Hazardous to Health Regulations 1999	£48	£49	£30	£54	£54	£32	12.50	10.20	6.67
The Work in Compressed Air Regulations 1996	£45	£49	£30	£54	£54	£32	20.00	10.20	6.67

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
Schedule 7				
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£49	£54		10.20
On each subsequent assessment of an employee—				
(i) for laboratory tests where these are carried out	£30	£32		6.67
(ii) for a clinical medical examination where this is carried out	£30	£32		6.67
Schedule 8			<i>Fee</i>	<i>Hourly rate</i>
Group I				
Dose record keeping where the application is solely in respect of Group I function	£97 plus £48 per hour worked by Nuclear or Specialist Inspector	£130 plus £60 per hour worked by Nuclear or Specialist Inspector	34.02	25.00
Dose record keeping where the application for Group I functions is linked to an application for approval in another group	£97 plus £48 per hour worked by Nuclear or Specialist Inspector	£130 plus £60 per hour worked by Nuclear or Specialist Inspector	34.02	25.00
Group II				
External dosimetry	£97 plus £48 per hour worked by Nuclear or Specialist Inspector	£130 plus £60 per hour worked by Nuclear or Specialist Inspector	34.02	25.00
Group III				
Internal dosimetry				
(a) Bio-assay or in-vivo monitoring or air sampling	£97 plus £48 per hour worked by Nuclear or Specialist Inspector	£130 plus £60 per hour worked by Nuclear or Specialist Inspector	34.02	25.00
(b) for each additional technique	£97 plus £48 per hour worked by Nuclear or Specialist Inspector	£130 plus £60 per hour worked by Nuclear or Specialist Inspector	34.02	25.00
Type approval of apparatus under subparagraph 1(c)(i) or 1(d)(i) respectively of Schedule 1 to the Ionising Radiations Regulations 1999	£102 plus £48 per hour worked by Nuclear or Specialist Inspector	£105 plus £60 per hour worked by Nuclear or Specialist Inspector	2.94	25.00
Schedule 9 Part I				
Factory licence	£555 plus £41 per hour worked by Specialist Inspector	£410 plus £55 per hour worked by Specialist Inspector	(26.13)	34.15
Magazine licence	£555 plus £41 per hour worked by Specialist Inspector	£410 plus £55 per hour worked by Specialist Inspector	(26.13)	34.15
Factory amending licence	£214 plus £41 per hour worked by Specialist Inspector	£260 plus £55 per hour worked by Specialist Inspector	21.50	34.15
Magazine amending licence	£214 plus £41 per hour worked by Specialist Inspector	£260 plus £55 per hour worked by Specialist Inspector	21.50	34.15
Replacement of the above licences if lost	£25	£33	32.00	—
Licence for importation of compressed acetylene	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Replacement of the above licence if lost	£17	£22	29.41	—
Amendment to an existing licence	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Part II				
A store licence	£65.50	£67	2.29	—
Renewal of a store licence	£65.50	£67	2.29	—
Registration and renewal of registration of premises for the keeping of explosives with a local authority	£11.20	£12	7.14	—
Licence to keep petroleum spirit of a quantity—				
not exceeding 2,500 litres	£31.30 for each year of licence	£32 for each year of licence	2.25	—
exceeding 2,500 litres but not exceeding 50,000 litres	£46.30 for each year of licence	£47 for each year of licence	1.51	—
exceeding 50,000 litres	£90.90 for each year of licence	£93 for each year of licence	2.31	—
Transfer of petroleum spirit licence	£7.40	£8	8.11	—

<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>Fee</i>	<i>Hourly rate</i>
Part III				
Original approval of premises in which acetylene is to be manufactured or kept	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Amendment of an approval of premises in which acetylene is to be manufactured or kept	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Approval of apparatus in which acetylene is to be manufactured or kept	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Part IV				
Comparison of a porous substance with a sample porous substance	£31	£40	29.03	—
Original approval of premises in which acetylene is compressed	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Amendment of an approval of premises in which acetylene is compressed	£17 plus £41 per hour worked by Specialist Inspector	£22 plus £55 per hour worked by Specialist Inspector	29.41	34.15
Part V				
Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875	£168	Reasonable cost to the Executive of having the work carried out	—	—
Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967	£176 plus £41 per hour worked by Specialist Inspector	£190 plus £55 per hour worked by Specialist Inspector	7.95	34.15
Part VI				
Testing in connection with specified applications in Parts I, III, IV or V	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out	—	—
Schedule 10				
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£487 plus £41 per hour worked	£550 plus £55 per hour worked	12.94	34.15
Schedule 11				
Vocational training certificates under regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996	£2.80	£2.80	—	—
Schedule 12				
Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996				
Approval of training	£1,000	£1,000	—	—
For approval or a renewal of a refresher course under regulation 4(6)(a)	£1,000	£1,000	—	—
Fee for renewal of approval	£600	£600	—	—
Schedule 13				
Vocational training certificates under regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999	£170	£170	—	—
Schedule 14				
Genetically Modified Organisms (Contained Use) Regulations 1992				
Notification of intention to use premises for activities involving genetic modification for the first time under regulations 8 other than a case where a consent is required under regulation 8(3)	£150	£150	—	—

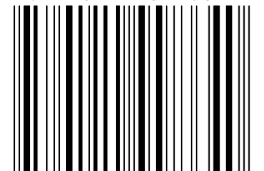
<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
Notification of intention to use premises for activities involving genetic modification for the first time where a consent is required under regulation 8(3)	£150	£150	—	
Notification of individual activities involving genetic modification under regulation 9 other than in a case where a consent is required under regulation 9(5)	£400	£400	—	
Notification of individual activities involving genetic modification where a consent is required under regulation 9(5)	£500	£500	—	
Schedule 15 Notification of New Substances Regulations 1993				
For the evaluation of a notification under regulation 4 ("base set") (see note 1)	£6,330 plus £364 VAT	£6,652 plus £378 VAT	5.02	
For the evaluation of a notification under regulation 5(1)(a) (> 10 tonnes per year)	£2,080	£2,180	4.81	
For the evaluation of a notification under regulation 5(1)(b) (> 100 tonnes per year)	£4,368	£4,590	5.08	
For the evaluation of a notification under regulation 5(1)(c) (> 1,000 tonnes per year)	£3,640	£3,820	4.95	
For a notification under regulation 6 (see note 2)—				
(a) quantity of the new substance equal to or more than 100kg (regulation 6(1))	£1,216 plus £91 VAT	£1,279 plus £91 VAT	4.82	
(b) quantity of the new substance up to 100kg (regulation 6(2))	£951 plus £91 VAT	£999 plus £91 VAT	4.61	
For an application made by a notifier for an exemption relating to him under regulation 23	£2,080	£2,180	4.81	
Note 1. Rebate where an adequate draft risk assessment is included	£2,080 plus £364 VAT	£2,160 plus £378 VAT	3.85	
Note 2. Rebate where an adequate draft risk assessment is included	£520 plus £91 VAT	£520 plus £91 VAT	—	
Schedule 16 Offshore installations	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	—	
Schedule 17 Railway safety functions	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	—	
Schedule 18 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	—	
Schedule 19 Part I		Fee for original approval £870	Fee for an additional site-visit £300	Fee for renewal of approval £60
Part II		Fee for an initial site-visit £340	Fee for any additional site-visit £300	

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