EXPLANATORY NOTE

(This note is not part of the Regulations)

- 1. These Regulations update and replace the Health and Safety (Fees) Regulations 2001 (S.I. 2001/2626). 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, for the transfer of a licence under the Petroleum (Transfer of Licences) Act 1936, 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 (*regulations 23 and 25 and Schedule 19*);
 - (k) an approval under the Offshore Installations and Pipelines Works (First-Aid) Regulations 1989 (regulations 24 and 25 and Schedule 20);

and in respect of-

- (l) a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 13 and Schedule 11*);
- (m) a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 (*regulation 15 and Schedule 13*);
- (n) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 17 and Schedule 14*);
- (o) a notification or application under the Notification of New Substances Regulations 1993 (regulation 18 and Schedule 15).
- **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 7 and 8 and Schedules 6 and 7).

- **3.** 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).
- **4.** Besides the increases for fixed fees which are indicated in the table below, the main changes made by these Regulations are the following.
- **5.** The fee for an application for the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or for an authorisation of an explosive under section 40(9) of the Explosives Act 1875 is now of a fixed amount instead of being the reasonable cost to the Executive of having the work carried out (*regulation 10(4) and (5) and Part V of Schedule 9*).
- **6.** The fees to be paid under regulation 14 and Schedule 12 (applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996) are no longer of a fixed amount, but are now to be the reasonable cost to the Secretary of State of having the work carried out.
- 7. There is a lower fee for the evaluation of a notification under regulation 4 of the Notification of New Substances Regulations 1993 in the case of a substance which has already been notified under those Regulations or notified to a competent authority of a European Community member State, than for an evaluation of a notification under regulation 4 where there has been no such earlier notification. There is now also specific provision for the fee for the evaluation of a notification under regulation 6(1) or (2) of those Regulations in the case of polymers of certain amounts for which a reduced test package is acceptable (regulation 18 and Schedule 15).
- **8.** These Regulations introduce fixed fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulation 24 and Schedule 20*). Supplementary provisions are included with respect to these fees and fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981 which provide for repayment of an amount of fees in certain situations (*regulation 25*). A copy of the regulatory impact assessment prepared in respect of these new provisions for fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 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.
- **9.** The new fees compared with those fixed by or determined under the previous fee-charging provisions are as follows:

Provision	1Previous	s Fee	-	New Fee	?		Percente	age Increa	ise
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	approva	l of	of	approva	l of	of	approva	l of	of
		approva	l approva	l	approva	l approva	l	approva	l approval
Schedule	1								
Part I									
Approval of	£1,835	£920	£65	£1,880	£940	£67	2.45	2.17	3.08

Provision Previou of	s Fee		New Fee	2		Percenta	ge Increas	se
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Approval £275 of explosives	£190	£65	£280	£195	£67	1.82	2.63	3.08
Approval £3,580 of locomotive or other vehicle	£910	£65	£3,670	£930	£67	2.51	2.20	3.08
Approval £1,110 of electrical equipment for use in potentially gassy zones	£715	£65	£1,140	£730	£67	2.70	2.10	3.08
Approval £510 of methanometers	£310	£65	£520	£320	£67	1.96	3.23	3.08
Approval £510 of electric safety lamps	£310	£65	£520	£320	£67	1.96	3.23	3.08
Approval £265 of other types of apparatus essential	£265	£65	£270	£270	£67	1.89	1.89	3.08

of these Regulation which fixes or determin		s Fee	New Fee		Percenta	ge Increase
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for		approval approval		approval approval		approval approval
safety						
Part II Ballistic pendulum shot	1	£130		£135		3.85
Break test shot		£210		£215		2.38
Deflagrat	ion	£165		£170		3.03
Detonator test (per 100 shots)	r	£1,280		£1,315		2.73
Detonator delay time test (per 100 shots	r	£1,015		£1,040		2.46
Gallery shot		£240		£245		2.08
Mortar shot		£130		£135		3.85
Velocity of detonatio test (per 3 shots)	n	£415		£425		2.41
Part III						
Other testing not fixed in Part II		e of having the		e of having the ried out		

Provision Previo	ous Fee	New Fee		Percenta	ge Increase
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Schedule 2					
Approval Reason of Execut	ive of having the	Executive	e of having the		_
respirator work c protective equipment	arried out	work carr	ried out		
Schedule 3					
Original	£390		£400		2.56
approval					
of					
tractor					
cab					
Revision	£215		£220		2.33
of an existing					
approval					
of a					
tractor					
cab					
Schedule 4					
Approval	£75		£77		2.67
of					
scheme or					
programme					
for					
examination					
of					
freight containers					
Schedule 5					
Licence	£615		£738		20
for work					
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at Work Regulation 1987	ons								
Control of Substanc Hazardou to Health Regulation 1999	es us	£56	£33	£57	£58	£34	5.56	3.57	3.03
The Work in Compres Air Regulation 1996		£56	£33	£57	£58	£34	5.56	3.57	3.03
Schedule	e 7								
On the first assessme of an employed (including any clinical medical examinate and laborator tests in connection with the assessme	e g ion y on			£57			1.79		
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	n Previous	Fee		New Fee			Percenta	ge Increase
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med	nical dical mination ere			£34			3.03	
Schedule	e 8							
Group I								Hourly rate
Dose record keeping where the application is solely in respect of Group I function	£156 plus worked by Specialist	y Nuclear			£86 per ho y Nuclear o Inspector		19.87	19.44

Provisio	n Previous	Fee	New Fee	·	Percenta	ge Increase
of these Regulati which fixes or determin						
fees	Original approval	of of	approval	of of	approval	
Dose record keeping where the application for Group I functions is linked to an application for approval in another group	worked by Specialist on	£72 per hour y Nuclear or Inspector	£187 plus	£86 per hour Nuclear or Inspector		approval approval 19.44
		£72 per hour Nuclear or Inspector		£86 per hour Nuclear or Inspector	19.87	19.44
Group III Internal dosimetr			F Sermine			
•	-£1 5(6) plus	-		£86 per hour Nuclear or Inspector	19.87	19.44

	Previous Fee	No	ew Fee		Percenta	ge Increase
of these Regulation which fixes or determin the fees	es Original Amendme h	of ap	oproval		approval	
(lf)or	£15(6)plus £72 hour po waatked by Nuclear or Solditionist Inspector technique	. wc	orked by	£86 per hour Nuclear or Inspector	19.87	19.44
approval of apparatus under sub- paragraph 1(c) (i) or 1(d)(i) respective of Schedule to the Ionising Radiation Regulatio 1999	ely 1 s ns	. wc	orked by	£86 per hour Nuclear or Inspector	2.73	19.44
Schedule 9						
Part 1						
licence	£430 plus £66 per ho worked by Specialist Inspector	WC		£79 per hour Specialist	20	19.70
licence	£430 plus £66 per howorked by Specialist Inspector	WC	-	£79 per hour Specialist	20	19.70
amending	£310 plus £66 per howorked by Specialist Inspector	WC	-	£79 per hour Specialist	20	19.70

Provision Previous Fee of	New Fee	Percenta	age Increase
these Regulations which fixes or determines the fees			
Original Amename k ene approval of of approval appro	wal Original Amendme Rt enew approval of of oval approval approv	approva	
Magazine£310 plus £66 per hour amendingworked by Specialist licence Inspector	£372 plus £79 per hour worked by Specialist Inspector	20	19.70
Replacements of the above licences if lost	£46	17.95	_
Licence £26 plus £66 per hour for worked by Specialist importationspector of compressed acetylene	£31 plus £79 per hour worked by Specialist Inspector	19.23	19.70
Replacem£26 of the above licence if lost	£31	19.23	_
Amendme£26 plus £66 per hour to an worked by Specialist existing Inspector licence	£31 plus £79 per hour worked by Specialist Inspector	19.23	19.70
Part II			
A store £69 £71 2.90 licence	_		
Renewal £69 of a store licence	£71	2.90	_
Registration Registration	£13	8.33	_

Provis of	ion Previous	Fee		New Fee		Perce	ntage Increase	2
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Part III								

Provision	nPrevious Fee	New Fee	Percenta	ge Increase
of these Regulation which fixes or determin the fees	ves			
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approval	£26 plus £66 per hour worked by Specialist Inspector	£31 plus £79 per hour worked by Specialist Inspector	19.23	19.70
of an		£31 plus £79 per hour worked by Specialist inspector	19.23	19.70
of		£31 plus £79 per hour worked by Specialist inspector	19.23	19.70
Comparisof a porous substance with a sample		£57	18.75	

Provision	n Previous	Fee		New Fee		Percenta	ge Increase
of these Regulation which fixes or determin the fees							
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porous substance	;						
			st		E79 per hour y Specialist	19.23	19.70
of an			st		E79 per hour y Specialist	19.23	19.70
of an	es ons tion	of having		£55 per ho	our worked		

Provisio	n Previous Fee	New Fee		Percentag	ge Increase
of these Regulati which fixes or determin the fees					
	Original AmendmeRtenewa approval of of approval approva	approval o		Original approval	
section 40 of the Explosive Act 1875	0(9)				
Grant of an ammoniu nitrate mixtures licence under article 3 of the Ammoniu Nitrate Mixtures Exemptic Order 1967		£195 plus £ worked by S inspector		2.63	19.70
Testing in connection with specified application in Parts I, III, IV or V		Reasonable Executive o testing carri	f having the		
Schedule	2 10				
Grant of an explosive licence or alteration of the terms		£565 plus £ worked	79 per hour	2.73	19.70

of these Regulations which fixes	
or determines the fees	
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of an existing explosives licence	
Schedule 11	
Vocationa£2.90 £3 3.45 — training certificates under regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996	
Schedule 12	
Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996	
Approval £1,025 Reasonable cost to the — — of Secretary of State of having training the work carried out	
For £1,025 Reasonable cost to the — — approval Secretary of State of having of a the work carried out refresher	

Provision Pre	evious Fee	New Fee	<u> </u>	Percenta	ge Increase
of these Regulations which fixes or determines the fees					
	iginal Amendme R i proval of oj approval aj	f approva	l Amendme R tenewal al of of approval approva	approval	
course under regulation 4(6 (a)	5)		ble cost to the		
renewal of approval	3	Secretary	y of State of having carried out	_	_
Schedule 13					
training Sec certificatepers under him regulationissu	isonable cost to the retary of State or the son designated by a for the purpose of thing vocational training inficates of having to the carried out	he Secretary person d him for t ning issuing v	ble cost to the y of State or the esignated by the purpose of rocational training tes of having the tried out		
Schedule 14					
Genetically Modified Organisms (Contained Use) Regulations 2000					
Notification 33 of the intention to use premises for the	0	£240		4.35	_

	1Previous	Fee		New Fee		,	Percenta	ge Increase
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2 under regulation	10(1)							
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Schedule applies	10							
	0.4.40			0.400			0.00	
Notification of the	oual 40			£480			9.09	_
intention								
to use								
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Provision	Previous	Fee		New Fee			Percenta	ge Increase
of these Regulatio which fixes or determine the fees								
y c c	Original approval	of	of	approval	of	of	approval	
for the purpose of undertakir activities involving genetic modificati under regulation at the same time as notificatio of an activity involving genetic modificati in class 2 under regulation	on 9(1) n	approval	approval		approval	approval		approval approval
Notification of an activity involving genetic modification class 3 under regulation except a notification to which paragraph 4(2) or paragraph 5(2) of	on 11(1), n			£520			9.47	

Provision	n Previous	Fee		New Fee			Percenta	ge Increase
of these Regulation which fixes or determina the fees	ons							
jees	Original approval	of	e Rt enewal of approval	approval		of	approval	AmendmeRtenewal of of approval approval
Schedule applies	10	<u>upprovur</u>	арриотал		approvar	approvai		approvar approvar
Notification of the intention to use premises for the first time for the purpose of undertakin activities involving genetic modification at the same time as notification of an activity involving genetic modification of an activity involving genetic modification class 3 under regulation.	ng ion n 9(1) on i 11(1)			£520			9.47	
Notification of an activity involving genetic modification along				£600			9.09	
in class				20)			

Provision of	nPrevious	Fee		New Fee			Percenta	ge Increas	e
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Notificati	dis 50			£600			9.09	_	
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of an									
activity									
involving									
genetic									
modificat	10n								

Provision Previous of these	Fee		New Fee		Percenta	ge Increase
Regulations which fixes or determines the fees						
Original approval	of	e Rt enewal of approval	approval	of	approval	AmendmeRtenewal of of of approval approval
in class 4 under regulation 11(1)						
Notification 40 of an activity involving genetic modification or organisms other than microorganisms under regulation 12(1)			£480		9.09	
Notification 40 of the intention to use premises for the purpose of undertaking genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification			£480		9.09	

Provision Previous	Fee	New Fee		Percenta	ge Increase
of these Regulations which fixes or determines the					
fees Original approval	of of	approval		approval	of of
0	approval approval		approval approval		approval approva
of organisms other than micro- organisms under regulation 12(1)					
Notification 30 of an additional information under regulation 15(3)		£360		9.09	
Application 30 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		£360		9.09	

Provision of	Previous	Fee		New Fee			Percenta	ge Increase	
these Regulatio which fixes or determine the fees	es								
	Original approval	of	e k tenewal of approval	Original approval	of	e kt enewal of ' approval	approval	Amendme Rt en of of approval app	
Schedule	15								
Notification of New Substance Regulation 1993	S								
For the evaluation of a notification under regulation ("base set")	n		£4,630			£4,630	_	_	
Additional fee to the fee above for the evaluation of a notification under regulation where there is no adequate risk assessment	on 4	us £388.50	O VAT	£2,220 plı	us £388.50	0 VAT			
	£2,250 on			£2,430			8.00	_	

Provision of	n Previous	Fee		New Fee	Percenta	ge Increase
these Regulation which fixes or determina the fees						
	Original approval	of	e R tenewal of approval	approval	approval	Amendme R tenewal of of approval approval
tonnes per year)			••			**
For the evaluation of a notification under regulation (b) (>100 tonnes per year)	n on			£4,780	1.06	
For the evaluation of a notification under regulation (c) (>1,000 tonnes per year)	on			£3,350	(14.87 decrease)	
For a notification under regulation						
quan(ta)ty	of the new substance equal to or more			£935	19.87	
				25		

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Provision Previous Fee
                                     New Fee
                                                                 Percentage Increase
of
these
Regulations
which
fixes
or
determines
the
fees
          Original AmendmeRenewal Original AmendmeRenewal Original AmendmeRenewal
          approval of
                            of
                                     approval of
                                                        of
                                                                 approval of
                   approval approval
                                              approval approval
                                                                          approval approval
         than
         100
         kg
         (regulation 6(1))
 quantity£495)
                                     £590
                                                                19.19
         of
         the
         new
         substance
         up
         to
         100
         kg
         (regulation 6(2))
Additional
fee to
the fee
above
for the
evaluation
of a
notification
under
regulation 6
where
there
is no
adequate
risk
assessment-
 quan(tai)ty£540)plus £94.50 VAT
                                    £540 plus £94.50 VAT
         of
         the
         new
         substance
         equal
         to
         or
```

Provision Previous Fee			New Fee			Percentage Increase		
of these Regulati which fixes or determin								
fees	Original approval		e R tenewal of	Original approval		e R tenewal of	Original approval	Amendme R tenewa
			approval			approval		approval approva
	more than 100 kg (regulatio	on 6(1))						
qua((bi))	y£54(0)plus of the new substance up to 100 kg (regulatio	,	AΤ	£540 plus	£94.50 V	AT		
For an application made by a notifier for an exemption relating to him under regulation	n			£2,430			8.00	
Schedule	16							
	Reasonab Executive work carr	of having	the the	Reasonab Executive work carr	of having		_	_
Schedule	17							
	Reasonab Executive work carr	of having	the the	Reasonab Executive work carr	of having			_

Provision Previous Fee			New Fee			Percentage Increase			
of									
these									
Regulat	ions								
which									
fixes									
or									
determi	nes								
the									
fees									
	Original approva		e Rt enewal of	Original approva		e Rt enewal of	Original approval		e Rt enewal of
		approval	l approva	l	approval	! approval		approval	l approval
Gas safety functions					ole cost to e of having ried out		—		
Schedule	e 19								
Part I	original		renewal	original approval		renewal	2.30	3.23	3.33
Part II	Fee for initial site visit £345	Fee for any additiona site-visit £310	1	Fee for initial site visit £355	Fee for any additiona site-visit £320		2.90	3.23	