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STATUTORY INSTRUMENTS

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**2005 No. 281**

**The Electromagnetic Compatibility Regulations 2005**

**PART V**

**THE TECHNICAL CONSTRUCTION FILE ROUTE TO COMPLIANCE**

*United Kingdom competent bodies*

**Power of competent body other than the Secretary of State to charge fees**

**51.**—(1) Without prejudice to the power of the Secretary of State, where she is a United Kingdom competent body, to charge fees pursuant to regulations made under section 56 of the Finance Act 1973 **(1)** and subject to paragraphs (2) and (3) below, a United Kingdom competent body other than the Secretary of State may charge applicants for technical reports or technical certificates such fees in connection with or incidental to the consideration of applications therefor as the body may determine; and such fees may include an amount on account of profit which is reasonable in the circumstances having regard to—

- (a) the character and extent of the work done or to be done by the body in the determination of such applications; and
- (b) the commercial rate normally charged on account of profit for that work or similar work.

(2) The power in paragraph (1) above includes power to require the payment of fees or a reasonable estimate thereof with the application.

(3) Without prejudice to the generality of regulation 48(2) above, the conditions to which an appointment under regulation 48(1) may be subject may include a requirement to publish from time to time the scale of fees which the United Kingdom competent body charges pursuant to this regulation, or such information about the basis of calculation thereof as may be specified in the condition.