
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations update and replace the Health and Safety (Fees) Regulations 2004 (S.I. 2004/456). They fix or determine the fees payable by an applicant to, in most cases, 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 plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (*regulation 3 and Schedule 2*);
- (c) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations 1984 (*regulation 4 and Schedule 3*);
- (d) a licence under the Asbestos (Licensing) Regulations 1983 and the amendment to, replacement of, and reassessment of an application to grant, such a licence (*regulation 5 and Schedule 4*);
- (e) an approval of dosimetry services for the purposes of the Ionising Radiations Regulations 1999 or the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (*regulation 8 and Schedule 7*);
- (f) an approval, authorisation or licence etc. under the Explosives Act 1875 and certain instruments made 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 9 and Schedule 8*);
- (g) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 11 and Schedule 9*);
- (h) certificates and applications for approvals under the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2004 (*regulation 12 and Schedules 10, 11, and 12*);
- (i) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulations 20 and 22 and Schedule 18*);
- (j) an approval under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulations 21 and 22 and Schedule 19*);

and in respect of—

- (k) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 14 and Schedule 13*);
- (l) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 15 and Schedule 14*).

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 6 and 7 and Schedules 5 and 6*).

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 16 to 19 and Schedules 15 to 17*).

Changes to legislation: There are currently no known outstanding effects for the *The Health and Safety (Fees) Regulations 2005*. (See end of Document for details)

4. Besides the increases for fixed fees which are indicated in the table below, the Regulations make a minor amendment to regulation 22(6)(b)(i) of the Control of Major Accident Hazards Regulations 1999 (S.I. 1999/743) concerning the period up to which fees may be charged in relation to criminal investigations (*regulation 23*). This replicates a similar provision now included in regulation 19(2)(b)(i) of these Regulations.

5. 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 1									
Approval of explosives	£294	£205	£71	£301	£210	£73	2.38	2.44	2.82
Part 2									
Break test shot		£226			£232			2.65	
Deflagration		£179			£184			2.79	
Detonator test (per 100 shots)		£1,383			£1,418			2.53	
Detonator delay time test (per 100 shots)		£1,094			£1,122			2.56	
Gallery shot		£258			£265			2.71	
Velocity of detonation		£447			£458			2.46	

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

test
(per 3
shots)

Part 3

Other Reasonable cost to the
testing Executive of having the
not work carried out
fixed

Reasonable cost to the
Executive of having the
work carried out

in
Part 2

Schedule 2

Original approval of tractor cab	£421	£432	2.61
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Revision of an existing approval of a tractor cab	£232	£238	2.59
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Schedule 3

Approval of scheme or programme for examination of freight containers	£81	£83	2.47
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Schedule 4

Table 1

Licence for work with asbestos insulation, asbestos coating or asbestos insulating	£909	£998	9.79
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

board
or
renewal
of
licence

Table
2

Re-
assessment
of
licence
application

£251

£276

9.96

Amendment
of
condition,
or
duration,
of
licence

£251

£276

9.96

Amendment
or
replacement,
of a
licence

£67

£74

10.45

<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>
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Schedule 5

The
Ionising
Radiations
Regulations
1999

where (a)	£32	£61	£36	£33	£63	£37	3.13	3.28	2.78
surveillance is confined to examination of, and making entries in, records									

(b) in other cases	£60	£61	£36	£62	£63	£37	3.33	3.28	2.78
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Control of Asbestos at Work Regulations 2002	£60	£61	£36	£62	£63	£37	3.33	3.28	2.78
Control of Substances Hazardous to Health Regulations 2002	£60	£61	£36	£62	£63	£37	3.33	3.28	2.78
The Work in Compressed Air Regulations 1996	£60	£61	£36	£62	£63	£37	3.33	3.28	2.78
Schedule 6									
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£60			£62			3.33		
On each subsequent assessment of an employee —									

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

(i) of £36 laboratory tests where these are carried out	£37	2.78
(ii) of £36 a clinical medical examination where this is carried out	£37	2.78

Schedule 7

Table

1

Group		<i>Fee</i>	<i>Hourly rate</i>
1	Dose record kept by Nuclear or Specialist Inspector where the application is solely in respect of Group I function	£269 plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector
		20.07	3.45
	Dose record kept by Nuclear or Specialist Inspector where the application for Group I functions is	£269 plus £116 per hour worked by Nuclear or Specialist Inspector	£323 plus £120 per hour worked by Nuclear or Specialist Inspector
		20.07	3.45

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

linked
to an
application
for
approval
in
another
group

Group
II

External dosimetry worked by Nuclear or Specialist Inspector	£269 plus £116 per hour	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
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Group
III

Internal
dosimetry

(b) worked by Nuclear or Specialist Inspector in-vivo monitoring or air sampling	£269 (a) plus £116 per hour	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
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(b) worked by Nuclear or Specialist Inspector additional technique	£269 (a) plus £116 per hour	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	20.07	3.45
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Type approval of apparatus under sub-paragraph 1(c) (i) or 1(d) (i) respectively of Schedule 1 to the Ionising Radiations	£119 plus £116 per hour worked by Nuclear or Specialist Inspector	£122 plus £120 per hour worked by Nuclear or Specialist Inspector	2.52	3.45
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Regulations
1999

Table
2

<p>Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001</p>	<p>£1,641 plus £116 per hour worked by Nuclear or Specialist Inspector</p>	<p>£1682 plus £120 per hour worked by Nuclear or Specialist Inspector</p>	<p>2.50</p>	<p>3.45</p>
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Schedule 8

Part 1

<p>Factory licence Inspector</p>	<p>£543 plus £111 per hour worked by Specialist Inspector</p>	<p>£557 plus £115 per hour worked by Specialist Inspector</p>	<p>2.58</p>	<p>3.60</p>
<p>Magazine licence Inspector</p>	<p>£543 plus £111 per hour worked by Specialist Inspector</p>	<p>£557 plus £115 per hour worked by Specialist Inspector</p>	<p>2.58</p>	<p>3.60</p>
<p>Factory amending licence Inspector</p>	<p>£391 plus £111 per hour worked by Specialist Inspector</p>	<p>£401 plus £115 per hour worked by Specialist Inspector</p>	<p>2.56</p>	<p>3.60</p>
<p>Magazine amending licence Inspector</p>	<p>£391 plus £111 per hour worked by Specialist Inspector</p>	<p>£401 plus £115 per hour worked by Specialist Inspector</p>	<p>2.56</p>	<p>3.60</p>

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Replacement of the above licenses if lost	£49		2.08
Licence for importation of compressed acetylene worked by Specialist Inspector	£33 plus £111 per hour	£34 plus £115 per hour worked by Specialist Inspector	3.03 3.60
Replacement of the above licence if lost	£34		3.03
Amendment to an existing licence	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03 3.60
Part 2			
A store licence	£75	£77	2.67
Renewal of a store licence	£75	£77	2.67
Registration and renewal of registration of premises for the keeping of explosives with a local authority	£13		
Licence to keep petroleum spirit			

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

of a quantity —			
- not exceeding 2,500 litres	£36 for each year of licence	£37 for each year of licence	2.78
- exceeding 2,500 litres but not exceeding 50,000 litres	£51 for each year of licence	£52 for each year of licence	1.96
- exceeding 50,000 litres	£102 for each year of licence	£105 for each year of licence	2.94
Transfer of petroleum spirit licence	£8	£8	
Part 3			
Original approval of premises in which acetylene is to be manufactured or kept	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03 3.60
Amendment of approval of premises in which acetylene is to be manufactured	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03 3.60

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

or kept				
Approval of apparatus in which acetylene is to be manufactured or kept	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Part 4				
Comparison of a porous substance with a sample porous substance	£50	£60	1.69	
Original approval of premises in which acetylene is compressed	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Amendment of approval of premises in which acetylene is compressed	£33 plus £111 per hour worked by Specialist Inspector	£34 plus £115 per hour worked by Specialist Inspector	3.03	3.60
Part 5				
Grant of an ammonium nitrate mixtures licence under	£205 plus £111 per hour worked by Specialist Inspector	£210 plus £115 per hour worked by Specialist Inspector	2.44	3.60

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

article
3 of
the
Ammonium
Nitrate
Mixtures
Exemption
Order
1967

Part 6

Testing Reasonable cost to the
in Executive of having the
connected testing carried out
with
specified
applications
in
Parts
1, 3,
4 or 5

Reasonable cost to the
Executive of having the
testing carried out

**Schedule
9**

Grant £594 plus £111 per hour
of an worked
explosives
licence
or
alteration
of the
terms
of an
existing
explosives
licence

£609 plus £115 per hour
worked

2.53 3.60

Change£48
of
licence
name
or
address

£49

2.08

Schedule 10

Driver £3
training
certificates
under
the
Carriage
Regulations

£3

Schedule 11

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

<p>Approval of initial training under the Carriage Regulations</p>	<p>Reasonable cost to the GB competent authority of having the work carried out</p>	<p>Reasonable cost to the GB competent authority of having the work carried out</p>
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<p>Approval of refreshment training under the Carriage Regulations</p>	<p>Reasonable cost to the GB competent authority of having the work carried out</p>	<p>Reasonable cost to the GB competent authority of having the work carried out</p>
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Schedule 12

<p>Safety adviser vocational training certificates under the Carriage Regulations</p>	<p>Reasonable cost to the GB competent authority or the person designated by it for the purpose of issuing vocational training certificates of having the work carried out</p>	<p>Reasonable cost to the GB competent authority or the person designated by it for the purpose of issuing safety adviser vocational training certificates of having the work carried out</p>
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Schedule 13

Genetically Modified Organisms (Contained Use) Regulations 2000

<p>Notification of the intention to use premises for the first time for the purpose of undertaking activities involving</p>	<p>£415</p>	<p>19.94</p>
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

genetic modification under regulation 9(1)		
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829	19.97
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829	19.97

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899	20.03
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899	20.03
Notification of an activity involving genetic modification	£1,037	20.02

Changes to legislation: There are currently no known outstanding effects for the
The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

<p>in class 4 under regulation 11(1)</p>	<p>£864</p>	<p>£1,037</p>	<p>20.02</p>
<p>Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 4 under regulation 11(1)</p>	<p>£691</p>	<p>£829</p>	<p>19.97</p>
<p>Notification of an activity involving genetic modification or organisms other than micro- organisms</p>	<p>£691</p>	<p>£829</p>	<p>19.97</p>

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

under regulation 12(1)			
Notification of the intention to use premises for the first time for the purpose of undertaking genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£691	£829	19.97
Notification of an additional information under regulation 15(3)	£518	£622	20.08
Application for the written agreement of the competent	£518	£622	20.08

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

authority
under
regulation 18(2)
where
the
application
is
made
after
a
notification
has
been
submitted
pursuant
to
regulation 9(1),
10(1),
11(1)
or
12(1)

Schedule 14

Notification
of
New
Substances
Regulations
1993

For	£4,864	£4,987	2.53
the			
evaluation			
of a			
notification			
under			
regulation 4			
("base			
set")			
For	£2,316	£2,374	2.50
the			
evaluation			
of a			
notification			
of a			
substance			
already			
notified			
For	£2,555	£2,619	2.50
the			
evaluation			
of a			

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

notification under regulation 5(1) (a) (>10 tonnes per year)	For £5,027	£5,154	2.53
the evaluation of a notification under regulation 5(1) (b) (>100 tonnes per year)	For £3,524	£3,613	2.53
the evaluation of a notification under regulation 5(1) (c) (> 1,000 tonnes per year)			
For a notification under regulation 6 — quantity, 34(a)		£1,614	20.00
of the new substance equal to or more than 100 kg (regulation 6(1))			

Changes to legislation: There are currently no known outstanding effects for the
 The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

quantity of the new substance up to 100 kg (regulation 6(2))	£1,014	20.00
Evaluation of a notification (whether made under regulation 6(1) or 6(2), as the case may be) in respect of an RTP polymer of an amount equal to or more than 10kg per annum but less than one tonne per annum or the total amount is equal to or more than	£1,614	20.00

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

500kg but less than 5 tonnes			
For £630 an evaluation of information provided under regulation 6(4) (d) (i) in respect of a substance for the purposes of process orientated research and development	£646		2.54
Additional fee of £1,334 plus VAT fee to the fee above for the evaluation of a notification under regulation 4 where there is no adequate risk assessment Additional fee to the fee above for	£2,393 plus VAT		2.53

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

the
evaluation
of a
notification
under
regulation 6
where
there
is no
adequate
risk
assessment

quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£578 plus VAT	2.48
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quantity of the new substance up to 100 kg (regulation 6(2))	£578 plus VAT	2.48
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For an application made by a notifier for an exemption relating to him under regulation 23	£2,555	£2,619	2.50
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Schedule 15

Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

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 16

Railway functions
Reasonable cost to the Executive of having the work carried out

Reasonable cost to the Executive of having the work carried out

Schedule 17

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 18

Table 1	Fee for original approval	Fee for an additional site-visit	Fee for a renewal of approval	Fee for original approval	Fee for an additional site-visit	Fee for a renewal of approval			
	£936	£336	£64	£960	£344	£66	2.56	2.38	3.13

Table 2	Fee for initial site-visit	Fee for any additional site-visit	Fee for a site-visit to investigate a complaint	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit	Fee for a cancelled site-visit				
	£373	£336	£373	£373	£382	£344	£382	£382	2.41	2.38	2.41	2.41	

Schedule 19

Table 1	Fee for original approval	Fee for original approval	Fee for a medical first-aid approval	Fee for a medical first-aid approval	Fee for original approval	Fee for original approval	Fee for a medical first-aid approval	Fee for a medical first-aid approval				
	£936	£1,373	£64	£64	£960	£1,408	£66	£66	2.56	2.55	3.13	3.13

Table 2	Fee for additional site-visit: first-aid	Fee for additional site-visit: medical										
	£336	£890			£344		£912		2.38		2.47	

Table 3	Fee for initial site-visit	Fee for initial site-visit	Fee for additional site-visit	Fee for additional site-visit	Fee for initial site-visit	Fee for initial site-visit	Fee for additional site-visit	Fee for additional site-visit				
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Changes to legislation: There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005. (See end of Document for details)

	visit: first-aid	visit: medical	visit: first-aid	visit: medical	visit: first-aid	visit: medical	visit: first-aid	visit: medical				
	£373	£890	£336	£890	£382	£912	£344	£912	2.41	2.47	2.38	2.47
Table 4	Fee for a site-visit to investigate a complaint	Fee for a cancelled site-visit	Fee for a cancelled site-visit relating to training		Fee for a site-visit to investigate a complaint	Fee for a cancelled site-visit	Fee for a cancelled site-visit relating to training					
	£373	£373	Reasonable cost to the Executive due to the cancellation		£382	£382	Reasonable cost to the Executive due to the cancellation			2.41	2.41	

Changes to legislation:

There are currently no known outstanding effects for the The Health and Safety (Fees) Regulations 2005.