

2006 No. 336

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 2006

Made - - - - - 13th February 2006

Laid before Parliament 16th February 2006

Coming into force - - - 6th April 2006



2006 No. 336

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 2006

Made - - - - *13th February 2006*

Laid before Parliament *16th February 2006*

Coming into force - - *6th April 2006*

ARRANGEMENT OF REGULATIONS

1. Citation, commencement and interpretation
2. Fees payable under the mines and quarries provisions
3. Fees for applications for approval under the Agriculture (Tractor Cabs) Regulations 1974
4. Fee for application for approval under the Freight Containers (Safety Convention) Regulations 1984
5. Fees for various applications under the Asbestos (Licensing) Regulations 1983
6. Fees for examination or surveillance by an employment medical adviser
7. Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 2002
8. Fees for various applications in connection with the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001
9. Fees payable under the Manufacture and Storage of Explosives Regulations 2005 and certain other provisions concerning explosives, including acetylene, and under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936
10. Date from which fees are payable under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936
11. Fees for application for or changes to an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987
12. Estimate of cost of work
13. Fees for notifications and applications under the Genetically Modified Organisms (Contained Use) Regulations 2000
14. Fees for notifications and applications under the Notification of New Substances Regulations 1993
15. Fees payable in respect of offshore installations
16. Fees payable in respect of railway safety functions
17. Fees payable in respect of gas safety functions
18. Provisions supplementary to regulations 15 to 17
19. Fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981
20. Fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989
21. Provisions supplementary to regulations 19 and 20

22. Revocation

- SCHEDULE 1 — FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS
- PART 1 — FEES FOR APPLICATIONS FOR APPROVAL OF SUBSTANCES UNDER THE MINES AND QUARRIES PROVISIONS
- PART 2 — FEES FOR TESTING EXPLOSIVES AND DETONATORS UNDER THE MINES AND QUARRIES PROVISIONS
- PART 3 — FEES FOR OTHER TESTING
- SCHEDULE 2 — FEES FOR APPLICATIONS FOR APPROVAL UNDER THE AGRICULTURE (TRACTOR CABS) REGULATIONS 1974
- SCHEDULE 3 — FEE FOR APPLICATION FOR APPROVAL UNDER THE FREIGHT CONTAINERS (SAFETY CONVENTION) REGULATIONS 1984
- SCHEDULE 4 — FEES FOR VARIOUS APPLICATIONS UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983
- SCHEDULE 5 — FEES FOR EXAMINATION OR SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER
- SCHEDULE 6 — FEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 2002
- SCHEDULE 7 — FEES FOR VARIOUS APPLICATIONS IN CONNECTION WITH THE IONISING RADIATIONS REGULATIONS 1999 AND THE RADIATION (EMERGENCY PREPAREDNESS AND PUBLIC INFORMATION) REGULATIONS 2001
- SCHEDULE 8 — FEES PAYABLE UNDER THE MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS 2005 AND CERTAIN OTHER PROVISIONS CONCERNING EXPLOSIVES, INCLUDING ACETYLENE, AND UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928 AND THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936
- PART 1 — APPLICATIONS FOR LICENCES, OR VARIATIONS OF LICENCES, TO MANUFACTURE OR STORE EXPLOSIVES MADE TO THE EXECUTIVE WHERE IT IS THE LICENSING AUTHORITY BY VIRTUE OF PARAGRAPHS 1(b) OR (c) OR 2 OF SCHEDULE 1 TO THE 2005 REGULATIONS
- PART 2 — APPLICATIONS FOR LICENCES TO STORE EXPLOSIVES AND FOR REGISTRATION IN RELATION TO THE STORAGE OF EXPLOSIVES MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING AUTHORITIES BY VIRTUE OF PARAGRAPH 1(a) OF SCHEDULE 1 TO THE 2005 REGULATIONS
- PART 3 — APPLICATION FOR AN ACETYLENE IMPORTATION LICENCE UNDER SECTION 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH A LICENCE
- PART 4 — FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE GRANTING AND TRANSFER OF PETROLEUM-SPIRIT LICENCES
- PART 5 — APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISO TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY 1937 FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

- PART 6 — APPLICATIONS FOR APPROVALS IN RESPECT OF CONDITION (8) IN THE ORDER OF THE SECRETARY OF STATE (NO. 9) OF 23RD JUNE 1919
- PART 7 — APPLICATION FOR APPROVAL OF A CLASSIFICATION OF AN EXPLOSIVE UNDER THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983
- PART 8 — FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE EXECUTIVE
- PART 9 — FEES FOR EXPLOSIVES CERTIFICATES UNDER THE CONTROL OF EXPLOSIVES REGULATIONS 1991
- SCHEDULE 9 — FEES FOR APPLICATION FOR OR CHANGES TO AN EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987
- SCHEDULE 10 — FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000
- SCHEDULE 11 — FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE NOTIFICATION OF NEW SUBSTANCES REGULATIONS 1993
- SCHEDULE 12 — FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS
- SCHEDULE 13 — FEES PAYABLE IN RESPECT OF RAILWAY SAFETY FUNCTIONS
- SCHEDULE 14 — FEES PAYABLE IN RESPECT OF GAS SAFETY FUNCTIONS
- SCHEDULE 15 — FEES FOR APPLICATIONS FOR APPROVALS UNDER THE HEALTH AND SAFETY (FIRST-AID) REGULATIONS 1981
- SCHEDULE 16 — FEES FOR APPLICATIONS FOR APPROVALS UNDER THE OFFSHORE INSTALLATIONS AND PIPELINES WORKS (FIRST-AID) REGULATIONS 1989

The Secretary of State, being the designated(a) Minister for the purpose of section 2(2) of the European Communities Act 1972(b) in relation to the notification and control of substances and the control and regulation of genetically modified organisms, in exercise of the powers conferred on him by the said section 2(2) and 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 for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) Regulations 2006 and shall come into force on 6th April 2006.

(2) In these Regulations—

“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) S.I. 1981/1536 for the designation in relation to the notification and control of substances and S.I. 1991/755 in relation to the control and regulation of genetically modified organisms.
 (b) 1972 c.68; the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (c.51).
 (c) 1974 c.37; sections 2, 3 and 7 were modified by S.I. 2000/2831; section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.

- (a) mines within the meaning of section 180 of the Mines and Quarries Act 1954(a);
 - (b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999(b); and
 - (c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969(c);
- 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(d) or are health and safety regulations);
- “original approval” does not include an amendment of an approval; and
- “working days” does not include weekends or public holidays.

(3) Any reference in these Regulations to the renewal of an approval, explosives certificate, licence or registration (each referred to in this paragraph as an “authorisation”) means the granting of the authorisation concerned to follow a previous authorisation of the same kind without any amendment or gap in time.

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 1 of Schedule 1 shall be respectively that specified in the corresponding entry in column 2, 3 or 4 of that Part.

(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 2 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 3 of Schedule 1 (that is to say the reasonable cost to the Executive of having the testing carried out).

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

3.—(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(e).

(2) The fee payable on application for such an approval or revision of an approval as is described in column 1 of Schedule 2 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

4.—(1) 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(f).

(2) The fee payable on application for the approval described in column 1 of Schedule 3 shall be that specified in column 2 of that Schedule.

(a) 1954 c.70; section 180 was amended by S.I. 1974/2013, 1993/1897 and 1999/2024..

(b) S.I. 1999/2024, to which there are amendments not relevant to these Regulations.

(c) 1969 c.10; section 2(1) was amended by S.I. 1999/2024.

(d) S.I. 1974/2013, modified by S.I.1979/318.

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

(f) S.I. 1984/1890, amended by S.I. 1986/392.

Fees for various applications under the Asbestos (Licensing) Regulations 1983

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

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

(3) Where the Executive refuses to grant an applicant a licence under the 1983 Regulations and offers to reassess whether to grant the application if shortcomings leading to the refusal are remedied, a fee shall be payable by the applicant to the Executive in respect of any such reassessment.

(4) The fee payable for the reassessment referred to in paragraph (3) shall be that specified in column 1 of Table 2 in Schedule 4.

(5) Where the Executive amends a licence granted under the 1983 Regulations and the amendment relates to a condition or the duration of the licence, a fee shall be payable to the Executive by the licensee.

(6) The fee payable under paragraph (5) shall be that specified in column 2 of Table 2 in Schedule 4.

(7) Where the Executive replaces a lost licence granted under the 1983 Regulations or amends a licence granted under those Regulations for reasons other than those referred to in paragraph (5), a fee shall be payable to the Executive by the licensee.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 in Schedule 4.

Fees for examination or surveillance by an employment medical adviser

6.—(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 5.

(2) The fee payable under paragraph (1) shall be a basic fee for each examination or on each occasion when surveillance is carried out together with additional fees for X-rays and laboratory tests where these are taken or carried out in connection with the examination; and for each provision specified in column 1 of Schedule 5—

- (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 2002(b), that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).

(a) S.I. 1983/1649, amended by S.I. 1998/3233.

(b) S.I. 2002/2675, to which there are amendments not relevant to these Regulations.

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 2002

7.—(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 2002(a).

(2) The fee payable for each item described in column 1 of Schedule 6 shall be that specified in the corresponding entry in column 2 of that Schedule.

Fees for various applications in connection with the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001

8.—(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 Table 1 in Schedule 7 shall be that specified in the corresponding entry in column 2 of that Table.

(4) 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 regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001(b).

(5) The fee payable for an application for each purpose specified in column 1 of Table 2 in Schedule 7 shall be that specified in column 2 of that Table.

(6) 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 —

- (a) by virtue of paragraph (1) or (2), or
- (b) by virtue of paragraph (4)

and the fee for such work in connection with each matter described in column 1 of Tables 1 and 2 in Schedule 7 shall be that specified in the corresponding entry in column 3 of those Tables for each hour worked, adjusted pro rata for a period worked of less than one hour.

(7) 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.

(8) Any fee payable under paragraph (6) or (7) shall be payable prior to notification of the result of the application.

(9) In this regulation "the 1999 Regulations" means the Ionising Radiations Regulations 1999(c).

(a) S.I. 2002/2676, to which there are amendments not relevant to these Regulations.

(b) S.I. 2001/2975, to which there are amendments not relevant to these Regulations. An approval of dosimetry services for the purposes of regulation 14 of these Regulations is made under regulation 35 of the Ionising Radiation Regulations 1999 (S.I. 1999/3232).

(c) S.I. 1999/3232, amended by S.I. 2001/2975.

Fees payable under the Manufacture and Storage of Explosives Regulations 2005 and certain other provisions concerning explosives, including acetylene, and under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936

9.—(1) Where any application in relation to a provision specified in column 1 of Part 1 of Schedule 8 is made to the Executive, where it is the licensing authority by virtue of paragraphs 1(b) or (c) or 2 of Schedule 1 to the 2005 Regulations, 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, save that, in the case of an application referred to in column 2 of that Part for a licence to manufacture ammonium nitrate blasting intermediate, or to vary any such licence, the fee referred to in column 3 of that Part as an amount per hour worked —

- (a) shall be adjusted pro rata for a period worked of less than one hour; and
- (b) shall be payable prior to notification of the result of the application.

(2) Where any application in relation to a provision specified in column 1 of Part 2 of Schedule 8 is made to a licensing authority, which is the licensing authority by virtue of paragraph 1(a) of Schedule 1 to the 2005 Regulations, 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 that licensing authority.

(3) Where an application in relation to the provision specified in column 1 of Part 3 of Schedule 8 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.

(4) The fee payable under each provision specified in column 1 of Part 4 of Schedule 8 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.

(5) A fee shall be payable by the applicant 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) or (3) for any purpose specified in column 2 of each of Parts 1 and 3 of Schedule 8 for which there is a corresponding entry in column 4 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 4 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(6) A fee shall be payable by the applicant to the Executive for each application made for each purpose specified in column 1 of each of Parts 5, 6 and 7 of Schedule 8 and such fee shall be payable on making the application save that, in the case of an application for the purpose referred to in the entry in column 1 of Part 7 of that Schedule, the fee shall be payable prior to notification of the result of the application.

(7) The fee for an application for each purpose specified in column 1 of each of Parts 5, 6 and 7 of Schedule 8 shall be that specified in the corresponding entry in column 2 in the respective Part and, where the fee is determined as an amount per hour worked, the fee shall be adjusted pro rata for a period worked of less than one hour.

(8) A fee shall be payable by the applicant 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 (6) for any purpose specified in column 1 of each of Parts 5 and 6 of Schedule 8 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 worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(9) 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 8 of Schedule 8, 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.

(10) Where any application in relation to the provision specified in column 1 in Table 1 in Part 9 of Schedule 8 is made for a purpose specified in column 2 of that Table, the fee specified in the corresponding entry in column 3 of that Table shall be payable by the applicant to the chief officer of police.

(11) Where, in relation to an application for an explosives certificate under the Control of Explosives Regulations 1991(a), a check is carried out for the purposes of regulation 4(6)(d) of those Regulations to ascertain whether the applicant is a prohibited person or not, a fee shall be payable by the applicant to the chief officer of police and the fee, which shall be payable prior to that check being carried out, shall be that specified in Table 2 in Part 9 of Schedule 8.

(12) Parts 2 and 4 of Schedule 8 shall have effect subject to, respectively, the Notes to Parts 2 and 4.

(13) For the purposes of this regulation and Schedule 8 —

- (a) “the 2005 Regulations” means the Manufacture and Storage of Explosives Regulations 2005(b);
- (b) “ammonium nitrate blasting intermediate”(c), “licence”, “licensing authority”, “on-site mixing”, “registered” and “registration” have the same meanings as in the 2005 Regulations; and
- (c) “chief officer of police”, “explosives certificate” and “prohibited person” have the same meanings respectively as in the Control of Explosives Regulations 1991.

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

10. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928(d) or section 1(4) of the Petroleum (Transfer of Licences) Act 1936(e) 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.

Fees for application for or changes to an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

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

(2) The fee on an application for each purpose specified in column 1 of Schedule 9 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour worked, the fee, which shall be adjusted pro rata for a period worked of less than one hour, so calculated shall be payable prior to notification of the result of the application.

Estimate of cost of work

12. Where any fee is to be assessed on the reasonable cost to the Executive of carrying out any work or testing under regulation 2(3)(b) or 9(9) or to the licensing authority of carrying out any work pursuant to regulation 9(2), the Executive or, as the case may be, the licensing authority shall on receipt of the application first prepare and send to the applicant an estimate of that cost and

(a) S.I. 1991/1531, to which there are amendments not relevant to these Regulations.

(b) S.I. 2005/1082.

(c) The manufacture of ammonium nitrate blasting intermediate is deemed to be the manufacture of an explosive by virtue of regulation 2(2) of the Manufacture and Storage of Explosives Regulations 2005.

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

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

(f) S.I. 1987/37, amended by S.I.1988/712.

shall, before carrying out the work, obtain confirmation from the applicant that he wishes the work to be carried out on the basis of that estimate of cost.

Fees for notifications and applications under the Genetically Modified Organisms (Contained Use) Regulations 2000

13.—(1) The fee specified in column 2 of Schedule 10 shall be payable by a notifier to the competent authority on each such notification or application under the 2000 Regulations as is referred to in the corresponding entry in column 1 of that Schedule.

(2) No fee shall be returned to a notifier where the competent authority returns a notification pursuant to regulation 14(7) of the 2000 Regulations or a notifier withdraws his notification pursuant to regulation 15(6) of the 2000 Regulations.

(3) In this regulation, “the 2000 Regulations” means the Genetically Modified Organisms (Contained Use) Regulations 2000(a) and “competent authority” has the same meaning as in those Regulations.

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

14.—(1) The fee specified in column 2 of Table 1 in Schedule 11 shall be payable by a notifier to the competent authority, within the meaning of the Notification of New Substances Regulations 1993(b), on each such notification or application under those Regulations as is referred to in the corresponding entry in column 1 of that Table.

(2) In the circumstances described in column 1 of Table 2 in Schedule 11, the fee specified in the corresponding entry in column 2 of that Table shall be payable by the notifier to the Executive in addition to the fee payable under paragraph (1) in respect of the notification concerned.

(3) In Schedule 11—

“the 1982 Regulations” means the Notification of New Substances Regulations 1982(c);

“the 1993 Regulations” means the Notification of New Substances Regulations 1993;

“the predecessor Directive” has the same meaning as is given to “the Directive” in the first mentioned Regulations in this paragraph;

“RTP polymer” means a polymer, which word has the same meaning as in the second mentioned Regulations in this paragraph, for which a reduced test package is acceptable pursuant to paragraph C.2 of Part D of Schedule 2 to those second mentioned Regulations; and,

references in that Schedule to “competent authority”, “the Directive”, “member State” and “process-orientated research and development” have the same meanings as in those second mentioned Regulations.

Fees payable in respect of offshore installations

15.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 12 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 current safety case pursuant to the 2005 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 one or more than one of the following —

(a) S.I. 2000/2831, amended by S.I. 2005/2466; there are other amending instruments but none is relevant.

(b) S.I. 1993/3050, to which there are amendments not relevant to these Regulations.

(c) S.I. 1982/1496, revoked by S.I. 1993/3050.

- (a) that operator or owner in relation to the installation to which the current safety case relates; or
- (b) a contractor in relation to any work carried out by him on or in connection with that installation.

(3) For the purposes of this regulation, regulation 18 and Schedule 12, “the 1992 Regulations” means the Offshore Installations (Safety Case) Regulations 1992(a), “the 2005 Regulations” means the Offshore Installations (Safety Case) Regulations 2005(b) and “installation”, “current safety case”, “safety case”, “operator” and “owner” have the same meanings as in the 2005 Regulations.

Fees payable in respect of railway safety functions

16.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 13 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 2000 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 one or other or both of the following —

- (a) that railway operator in relation to the railway infrastructure, station or train operation to which that safety case relates; or
- (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(c).

(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 18 and Schedule 13, “the 2000 Regulations” means the Railways (Safety Case) Regulations 2000(d), the “Approval Regulations” means the Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994(e), “railway”, “railway infrastructure”, “railway operator”, “safety case”, “station” and “train” have the same meanings as in the 2000 Regulations and “tramway” and “trolley vehicle system” have the same meanings as in the Transport and Works Act 1992(f).

Fees payable in respect of gas safety functions

17.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 14 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

(a) S.I. 1992/2885, revoked by S.I. 2005/3117.

(b) S.I. 2005/3117.

(c) 1987 c.53.

(d) S.I. 2000/2688, to which there are amendments not relevant to these Regulations.

(e) S.I. 1994/157, amended by S.I. 1997/553 and 2002/1166. 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).

(f) 1992 c.42.

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 one or other or both of the following —

- (a) that person in relation to the network to which the safety case relates; or
- (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 18 and Schedule 14, “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996(a), and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in the 1996 Regulations.

Provisions supplementary to regulations 15 to 17

18.—(1) The fees referred to in regulations 15 to 17 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, and such invoices shall 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 15 to 17 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;
- (b) in Scotland, criminal investigation or prosecution incurred (in either case) after such a time as—
 - (i) the inspector undertaking the investigation submits a report to the Procurator Fiscal for his decision as to whether a prosecution should be brought; 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 regulation 16(1) and (3)(b) of, and Schedules 1 and 4 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(b).

(3) For the purposes of regulation 15 and paragraph (2)(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.

(4) Any reference in regulation 15 to a person who has prepared a current safety case includes a reference to a person who is required to prepare a safety case, and in that connection as if any reference in that regulation to the installation to which the current safety case relates were a reference to the installation to which the safety case would have related if it had been prepared in accordance with such requirement.

(5) Any reference in regulations 16 and 17 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 railway infrastructure, station, train operation or network to which the safety case relates were a reference to the railway infrastructure,

(a) S.I. 1996/551.

(b) S.I. 2004/1861, amended by S.I. 2004/2351; there are other amending instruments but none is relevant.

(c) S.I. 1987/2197.

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 16(2) to a safety case which has been accepted by the Executive were a reference to a safety case which is required to be accepted by the Executive.

(6) Any reference in regulation 15 to a person who has prepared a current safety case includes a reference to a person who is treated as having prepared a current safety case by virtue of regulation 2(9) of the 2005 Regulations.

(7) Any reference in regulation 16 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 regulation 2(7) of the 2000 Regulations.

(8) Any reference in regulations 15 to 17 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.

(9) Any reference in regulations 15 to 17 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

19.—(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) Regulations 1981(a).

(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 Table 1 in Schedule 15; and
- (b) in respect of an application for a renewal of an approval, that specified in column 3 of that Table.

(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 Table 1 in Schedule 15.

(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, not including one for the purpose referred to in paragraph (7), 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 such site-visit made after the original approval has been given.

(6) The fee payable under paragraph (5) shall be that specified in column 1 of Table 2 in Schedule 15 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 Table.

(a) S.I. 1981/917, to which there are amendments not relevant to these Regulations.

(7) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where —

- (a) the result of the investigation is that the complaint is found to be justified, and
- (b) the complaint could not be fully investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 in Schedule 15.

(9) Where the date for any site visit referred to in this regulation has been agreed between the training provider and the Executive and —

- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
- (b) there is as a result no site-visit on that date,

a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.

(10) The fee payable under paragraph (9) shall be that specified in column 4 of Table 2 in Schedule 15.

(11) The fee referred to in paragraphs (6), (8) and (10) 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.

Fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989

20.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval or a renewal of an approval of training under regulation 5(2)(a) of the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989(a).

(2) The fee payable under paragraph (1) shall be—

- (a) where the application for an original approval of training relates to, as the case may be—
 - (i) rendering first-aid to persons who are injured or become ill while at work (referred to in this regulation as “first-aid training”), or
 - (ii) rendering first-aid to, and treating in accordance with the directions of a registered medical practitioner (who may or may not be present) persons who are injured or become ill while at work, and giving simple advice in connection with the health of persons at work (together referred to in this regulation as “medical training”),

that specified in, respectively, columns 1 and 2 of Table 1 in Schedule 16;

- (b) in respect of an application for a renewal of approval of, as the case may be, first-aid training or medical training, that specified in, respectively, columns 3 and 4 of that Table.

(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—

- (a) where the application for approval relates to first-aid training, be that specified in column 1 of Table 2 in Schedule 16, or
- (b) where the application for approval relates to medical training, be that specified in column 2 of that Table.

(4) The fee referred to—

- (a) in paragraph (1) shall be payable on making the application for approval or renewal of approval of training;

(a) S.I. 1989/1671, amended by S.I. 1993/1823; there are other amending instruments, but none is relevant.

(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, not including one for the purpose referred to in paragraph (8), 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 such site-visit made after the original approval has been given.

(6) Subject to paragraph (7), the fee payable under paragraph (5) shall—

- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 1 of Table 3 in Schedule 16, or
- (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 2 of that Table,

provided that, where the site-visit is in respect of both kinds of approval of training as are referred to in sub-paragraphs (a) and (b) above and takes only one day to complete, the sum of the payable fees specified in columns 1 and 2 of that Table shall be reduced by an amount of £150.

(7) The fee payable under paragraph (5) 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, shall—

- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 3 of Table 3 in Schedule 16, or
- (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 4 of that Table.

(8) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where—

- (a) the result of the investigation is that the complaint is found to be justified, and
- (b) the complaint could not be investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(9) The fee payable under paragraph (8) for such a site-visit as is there referred to, whether in connection with first-aid training or medical training provided, shall be that specified in column 1 of Table 4 in Schedule 16.

(10) Where the date for any site-visit referred to in this regulation has been agreed between the training provider and the Executive and —

- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
- (b) there is as a result no site-visit on that date,

a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.

(11) The fee payable under paragraph (10) shall —

- (a) where the site-visit was to have been in connection with an approval of first-aid training, be that specified in column 2 of Table 4 in Schedule 16, or
- (b) where the site-visit was to have been in connection with an approval of medical training, be that specified in column 3 of that Table, (that is to say the reasonable cost to the Executive due to the cancellation).

(12) The fee referred to in paragraphs (6), (7), (9) and (11) 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.

Provisions supplementary to regulations 19 and 20

21.—(1) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter applies for an original approval of the one of those two kinds of training not earlier applied for or the applications are made together, the Executive shall repay to the applicant the amount of £150 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of medical training, the Executive shall repay to the applicant a further amount of £50 in respect of the fees paid for the original approvals of training applied for.

(2) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter or at the same time applies for an original approval of medical training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of the one of the two kinds of training first referred to in this paragraph not earlier applied for, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(3) Where an application for an original approval of medical training is made and the applicant thereafter or at the same time applies for an original approval of first-aid training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of training for the purposes of regulation 3(2)(a) of the 1981 Regulations, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(4) Where an applicant applies for original approvals of first-aid training, medical training and training for the purposes of regulation 3(2)(a) of the 1981 Regulations at the same time, the Executive shall repay to the applicant the amount of £200 in respect of the fees paid for those applications.

(5) In this regulation—

“the 1981 Regulations” means the Health and Safety (First-Aid) Regulations 1981; and

“first-aid training” and “medical training” have the same meanings as in regulation 20.

Revocation

22.—(1) The Health and Safety (Fees) Regulations 2005(a) are revoked.

(2) Regulation 3 of the Genetically Modified Organisms (Contained Use) (Amendment) Regulations 2005(b) and paragraph 7 of Schedule 9 to the Offshore Installations (Safety Case) Regulations 2005(c) are revoked.

Signed by authority of the Secretary of State for Work and Pensions.

13th February 2006

Philip Hunt
Parliamentary Under Secretary of State,
Department for Work and Pensions

(a) S.I. 2005/676.
(b) S.I. 2005/2466.
(c) S.I. 2005/3117.

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART 1

FEES FOR APPLICATIONS FOR APPROVAL OF SUBSTANCES 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>
Approval of explosives	£309	£215	£75

PART 2

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) Break test shot	£238
(b) Deflagration shot	£189
(c) Detonator test (per 100 shots)	£1,453
(d) Detonator delay time test (per 100 shots)	£1,150
(e) Gallery shot	£272
(f) Velocity of detonation test (per 3 shots)	£469

PART 3

FEES FOR OTHER TESTING

The fee for any testing not fixed by Part 2 of this Schedule shall be the reasonable cost to the Executive of having the testing carried out.

SCHEDULE 2

Regulation 3

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

<i>1</i> <i>Subject matter</i>	<i>2</i> <i>Fee</i>
(a) Original approval of tractor cab	£443
(b) Revision of an existing approval of a tractor cab	£244

SCHEDULE 3

Regulation 4

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

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£85

SCHEDULE 4

Regulation 5

FEE FOR VARIOUS APPLICATIONS UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

Table 1

<i>1</i>	<i>2</i>
<i>Subject matter of licence</i>	<i>Fee</i>
Licence for work with asbestos insulation or asbestos coating or asbestos insulating board or renewal of (original) licence	£1,023

Table 2

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for re-assessment of licence application</i>	<i>Fee for amendment of condition, or duration, of licence</i>	<i>Fee for other amendment, or replacement, of a licence</i>
£276	£276	£74

SCHEDULE 5

Regulation 6

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>Fee for X-Rays</i>	<i>5</i> <i>Fee for Laboratory tests</i>
(a) The Ionising Radiations Regulations 1999	S.I.1999/3232	£34 where surveillance is confined to examination of, and making entries in, records £64 in other cases	£65	£38
(b) The Control of Asbestos at Work Regulations 2002	S.I.2002/2675	£64	£65	£38
(c) The Control of Substances Hazardous to Health 2002	S.I.2002/2677	£64	£65	£38
(d) The Work in Compressed Air Regulations 1996	S.I.1996/1656	£64	£65	£38

SCHEDULE 6

Regulation 7

FEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 2002

<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)	£64
(b) On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£38
(ii) for a clinical medical examination where this is carried out	£38

**FEEES FOR VARIOUS APPLICATIONS IN CONNECTION WITH
THE IONISING RADIATIONS REGULATIONS 1999 AND THE
RADIATION (EMERGENCY PREPAREDNESS AND PUBLIC
INFORMATION) REGULATIONS 2001**

Table 1

<i>1</i>	<i>2</i>	<i>3</i>
<i>Description</i>	<i>Fee</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 for the purposes of those Regulations		
Group I		
Dose record keeping		
(a) Where the application is solely in respect of Group I functions	£388	£123 per hour worked
(b) Where the application for Group I functions is linked to an application in respect of functions in another group	£388	£123 per hour worked
Group II		
External dosimetry		
(a) Whole body (beta, gamma, thermal neutrons) film	£388	£123 per hour worked
(b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD)	£388	£123 per hour worked
(c) Whole body (neutron), other than sub- groups (a) or (b)	£388	£123 per hour worked
(d) Whole body, other than sub-groups (a), (b), or (c)	£388	£123 per hour worked
(e) Extremity monitoring	£388	£123 per hour worked
(f) Accident dosimetry, other than in the previous sub-groups	£388	£123 per hour worked
Group III		
Internal dosimetry		
(a) Bio-assay, in-vivo monitoring or air sampling	£388	£123 per hour worked
(b) For each additional one of the above techniques	£388	£123 per hour worked
Type approval of apparatus under sub- paragraph 1(c)(i) or 1(d)(i) of Schedule 1 to the Ionising Radiations Regulations 1999 (which excepts such type approved apparatus from the notification requirements of regulation 6 of those Regulations)	£125	£123 per hour worked

Table 2

<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of application</i>	<i>Fee</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 for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001	£1,724	£123 per hour worked

SCHEDULE 8

Regulation 9

FEEs PAYABLE UNDER THE MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS 2005 AND CERTAIN OTHER PROVISIONS CONCERNING EXPLOSIVES, INCLUDING ACETYLENE, AND UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928 AND THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936

PART 1

APPLICATIONS FOR LICENCES, OR VARIATIONS OF LICENCES, TO MANUFACTURE OR STORE EXPLOSIVES MADE TO THE EXECUTIVE WHERE IT IS THE LICENSING AUTHORITY BY VIRTUE OF PARAGRAPHS 1(b) OR (c) OR 2 OF SCHEDULE 1 TO THE 2005 REGULATIONS

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Provision under which a licence is granted</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
The 2005 Regulations			
Regulation 9, as extended by regulation 2(2) of those Regulations to the manufacture of ammonium nitrate blasting intermediate	Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£571	£ 115 per hour worked
	Licence to manufacture ammonium nitrate blasting intermediate	£140 per hour worked	
	Licence to manufacture explosives by means of on-site mixing	£210	£115 per hour worked
Regulation 10	Renewal of any of the above licences	£75	£115 per hour worked
	Licence to store explosives	£571	£115 per hour worked
Regulation 16	Renewal of licence	£75	£115 per hour worked
	Varying a licence — (a) to manufacture explosives not being ammonium nitrate blasting intermediate, or (b) to store explosives	£391	£115 per hour worked
	Varying a licence to manufacture ammonium nitrate blasting intermediate	£140 per hour worked	
Regulation 20	Transfer of licence	£48	
	Replacement of any of the licences referred to in this Part if lost	£48	

PART 2

APPLICATIONS FOR LICENCES TO STORE EXPLOSIVES AND FOR REGISTRATION IN RELATION TO THE STORAGE OF EXPLOSIVES MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING AUTHORITIES BY VIRTUE OF PARAGRAPH 1(a) OF SCHEDULE 1 TO THE 2005 REGULATIONS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which application made</i>	<i>Purpose of application</i>	<i>Fee</i>
The 2005 Regulations		
Regulation 10 (see Notes 1 to 3)	Licence to store explosives:	
	(a) one year's duration	£120
	(b) two years' duration	£180
	(c) three years' duration	£225
	Renewal of licence:	
	(a) one year's duration	£77
	(b) two years' duration	£128
	(c) three years' duration	£179
	Regulation 11 (see Notes 1 to 3)	Registration in relation to the storage of explosives:
(a) one year's duration		£72
(b) two years' duration		£108
(c) three years' duration		£145
Renewal of registration:		
(a) one year's duration		£36
(b) two years' duration		£72
(c) three years' duration		£105
Regulation 16		Varying a licence:
	(a) varying name of licensee or address of site	£31
	(b) any other kind of variation	the reasonable cost to the licensing authority of having the work carried out
Regulation 20	Transfer of licence or registration	£31
	Replacement of licence or registration referred to above if lost	£31

Notes:

1 The fee payable for —

- (a) a licence,
- (b) registration, or
- (c) renewal of a licence or registration,

of less than one year's duration shall be, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration, of one year's duration decreased proportionately according to the duration of the period for which the licence, registration or renewal of either is granted.

2 The fee payable for—

- (a) a licence,
- (b) registration, or
- (c) renewal of a licence or registration,

of more than one but less than two years' duration shall be, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration of one year's duration increased

proportionately according to the duration of the period for which the licence, registration or a renewal of either is granted.

3 The fee payable for —

- (a) a licence,
- (b) registration, or
- (c) renewal of a licence or registration,

of more than two but less than three years' duration shall be, respectively, the fee set above for a licence, registration or renewal of a licence or registration of two years increased proportionately according to the duration of the period for which the licence, registration, or renewal of either is granted.

PART 3

APPLICATION FOR AN ACETYLENE IMPORTATION LICENCE UNDER SECTION 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH A LICENCE

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Provisions under which a licence is granted</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
Explosives Act 1875(a)			
Section 40(9) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(b)	Licence for importation of compressed acetylene	£35	£115 per hour worked
	Replacement of the above licence if lost	£35	

(a) 1875 c.17. Section 40 was repealed by S.I. 2005/1082. By virtue of regulation 27(17) of that S.I., despite the repeal of section 40, paragraph (9) of that section (as it had effect before the commencement of Schedule 4 to S.I. 1993/2714) continues to apply to acetylene as it applied before the commencement of S.I. 2005/1082.

(b) S.I. 1978/1723, to which there are amendments not relevant to these Regulations.

PART 4

FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE GRANTING AND TRANSFER OF PETROLEUM-SPIRIT LICENCES

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which a fee is payable</i>	<i>Purpose of application</i>	<i>Fee</i>
Petroleum (Consolidation) Act 1928(a)		
Section 4 (see Notes 1 and 2)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£38 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£53 for each year of licence
	exceeding 50,000 litres	£108 for each year of licence
Petroleum (Transfer of Licences) Act 1936(b)		
Section 1(4)	Transfer of petroleum spirit licence	£8

Notes:

1. 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.

2. 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 5

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

<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
(a) Original approval of premises in which acetylene is to be manufactured or kept	£35	£115 per hour worked
(b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£35	£115 per hour worked
(c) Approval of apparatus in which acetylene is to be manufactured or kept	£35	£115 per hour worked

(a) 1928 c.32.

(b) 1936 c.37.

(c) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885, 1984/510 and 2005/1082.

PART 6

APPLICATIONS FOR APPROVALS IN RESPECT OF CONDITION (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) Original approval of premises in which acetylene is compressed	£35	£115 per hour worked
(b) Amendment of an approval of premises in which acetylene is compressed	£35	£115 per hour worked

PART 7

APPLICATION FOR APPROVAL OF A CLASSIFICATION OF AN EXPLOSIVE UNDER THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

<i>1</i> <i>Purpose of the application</i>	<i>2</i> <i>Fee</i>
Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(b)	£60 per hour worked

PART 8

FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE 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 3 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 5 above)	Ditto
(c) Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 (Part 7 above)	Ditto

(a) S.R. & O. 1919/809, amended by S.I. 1974/1885, 1984/510 and 2005/1732.

(b) S.I. 1983/1140, amended by S.I. 2004/568 and 2005/1082; there are other amending instruments, but none is relevant.

PART 9

FEES FOR EXPLOSIVES CERTIFICATES UNDER THE CONTROL OF EXPLOSIVES REGULATIONS 1991

Table 1

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which a fee is payable</i>	<i>Purpose of application</i>	<i>Fee</i>
Regulation 4 of the Control of Explosives Regulations 1991(a)	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a registration	£169
	Renewal of the above explosive certificate	£138
	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a licence for the storage of no more than 2000 kilograms of explosives	£179
	Renewal of the above explosive certificate	£164
	Explosives certificate for acquiring and keeping explosives at a site in relation to which a person holds a licence for the storage of more than 2000 kilograms of explosives	£231
	Renewal of the above explosives certificate	£205
	Replacement of any explosive certificate if lost	£31

Table 2

The fee for a check carried out for the purposes of regulation 4(6)(d) of the Control of Explosives Regulations 1991 shall be £5

(a) S.I. 1991/1531, to which there are amendments not relevant to these Regulations.

SCHEDULE 9

Regulation 11

FEES FOR APPLICATION FOR OR CHANGES TO AN EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

<i>1</i>	<i>2</i>
<i>Purpose of the application</i>	<i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£624 plus £115 per hour worked
Change of licence name or address	£50

SCHEDULE 10

Regulation 13

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
(a) Notification of intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£465
(b) Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£929
(c) 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)	£929
(d) Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£1,007
(e) 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)	£1,007
(f) Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,161
(g) 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 the notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,161
(h) Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£929
(i) 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 of organisms other than micro-organisms under regulation 12(1)	£929
(j) Notification of additional information under regulation 15(3)	£696

(k) Application 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 12(1) £696

SCHEDULE 11

Regulation 14

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

Table 1

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee payable</i>
For the evaluation of a notification under regulation 4 (“base set”) of a substance not already notified under the 1993 Regulations or to a competent authority of a Member State for the purposes of the Directive	£4,987
For the evaluation of a notification under regulation 4 of a substance already notified—	£2,374
(i) under that regulation,	
(ii) regulation 4(1) of the 1982 Regulations, or	
(iii) to a competent authority of a member state, other than the competent authority for Great Britain, for the purposes of either Article 6(1) of the predecessor Directive or Article 7 of the Directive,	
and either regulation 11 of the 1993 Regulations applies or the agreement of the competent authority for Great Britain has been obtained pursuant to regulation 13(1) of the 1993 Regulations	
For the evaluation of information provided for the purposes of regulation 5(1)(a) (> 10 tonnes per year)	£2,619
For the evaluation of information provided for the purposes of regulation 5(1)(b) (> 100 tonnes per year)	£5,154
For the evaluation of information provided for the purposes of regulation 5(1)(c) (> 1000 tonnes per year)	£3,613
For the evaluation of a notification under regulation 6, subject to the entry below relating to an evaluation of a notification in respect of an RTP polymer—	
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£1,614
(b) quantity of the new substance equal to or more than 10kg but less than 100 kg (regulation 6(2))	£1,014
For the 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 10 kg per annum but less than one tonne per annum or the total amount is equal to or more than 500 kg but less than 5 tonnes	£1,614
For the 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
For an application made by a notifier for an exemption relating to him under regulation 23	£2,619

Table 2

<i>1</i> <i>Circumstances described</i>	<i>2</i> <i>Fee payable</i>
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 4 (“base set”)	£2,393 (plus VAT)
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 6—	
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£578 (plus VAT)
(b) quantity of the new substance equal to or more than 10 kg but less than 100 kg (regulation 6(2))	£578 (plus VAT)

SCHEDULE 12

Regulation 15

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 design notification (sent to the Executive pursuant to regulation 6(1) or 9(1) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator or owner who sent the design notification to the Executive pursuant to that provision
Assessing a relocation notification (sent to the Executive pursuant to regulation 6(2) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the relocation notification to the Executive pursuant to that provision
Assessing a safety case or a revision to a current safety case (sent to the Executive pursuant to any provision of the 2005 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 a revision to a current safety case which is proposed to be sent to the Executive pursuant to any provision of the 2005 Regulations	The operator or owner who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 23 of the 2005 Regulations and granting any such exemption	The operator or owner who has requested the exemption
Assessing whether to grant an exemption pursuant to regulation 17 of the 1992 Regulations in so far as that regulation is continued in force by regulation 26(1) of the 2005 Regulations and granting any such exemption	The operator or owner who has requested the exemption

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 to a safety case (sent to the Executive pursuant to any provision of the 2000 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 or person intending to become the railway operator who has prepared that safety case pursuant to that provision
Assessing whether to grant an exemption pursuant to regulation 17 of the 2000 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 2000 Regulations	The railway operator or person intending to become 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, which was amended by the level Crossings Regulations 1997 (S.I. 1997/487), is one of the 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).

(b) S.I. 1999/2244, to which there are amendments not relevant to these Regulations.

SCHEDULE 14

Regulation 17

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, the person intending to convey 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, the person intending to convey 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 15

Regulation 19

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

Table 1

<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>
£1,075	£385	£74

Table 2

<i>1</i> <i>Fee for an initial site-visit</i>	<i>2</i> <i>Fee for any additional site-visit</i>	<i>3</i> <i>Fee for a site-visit to investigate a complaint</i>	<i>4</i> <i>Fee for a cancelled site-visit</i>
£428	£385	£428	£428

SCHEDULE 16

Regulation 20

FEEES FOR APPLICATIONS FOR APPROVALS UNDER THE OFFSHORE INSTALLATIONS AND PIPELINES WORKS (FIRST-AID) REGULATIONS 1989

Table 1

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an original approval of first-aid training</i>	<i>Fee for an original approval of medical training</i>	<i>Fee for renewal of approval of first-aid training</i>	<i>Fee for renewal of approval of medical training</i>
£1,075	£1,577	£74	£74

Table 2

<i>1</i>	<i>2</i>
<i>Fee for an additional site-visit relating to first-aid training</i>	<i>Fee for an additional site-visit relating to medical training</i>
£385	£1,021

Table 3

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an initial site-visit relating to first-aid training</i>	<i>Fee for an initial site-visit relating to medical training</i>	<i>Fee for any additional site-visit relating to first-aid training</i>	<i>Fee for any additional site-visit relating to medical training</i>
£428	£1,021	£385	£1,021

Table 4

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for a site-visit to investigate a complaint</i>	<i>Fee for a cancelled site-visit relating to first-aid training</i>	<i>Fee for a cancelled site-visit relating to medical training</i>
£428	£428	The reasonable cost to the Executive due to the cancellation

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations revoke and replace the Health and Safety (Fees) Regulations 2005 (S.I. 2005/676). They consolidate amendments made to those Regulations and also update fees to be charged. 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) a licence to manufacture or store explosives or for registration for storing explosives, under the Manufacture and Storage of Explosives Regulations 2005, for an acetylene importation licence under section 40(9) of the Explosives Act 1875, for an approval under certain instruments made under that Act in relation to acetylene, for a licence under the Petroleum (Consolidation) Act 1928, for the transfer of a licence under the Petroleum (Transfer of Licences) Act 1936, for the approval of a classification of an explosive under the Classification and Labelling of Explosives Regulations 1983, or for an explosive certificate under the Control of Explosives regulations 1991 (*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) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulations 19 and 21 and Schedule 15*);
- (i) an approval under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulations 20 and 21 and Schedule 16*);

and in respect of—

- (j) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 13 and Schedule 10*);
- (k) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 14 and Schedule 11*).

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 15 to 18 and Schedules 12 to 14*).

4. The new fees compared with those fixed by or determined under the previous fee-charging provisions are as follows:

Approval under the Freight Containers (Safety Convention) Regulations 1984	£83	£85	2.41
Approval of scheme or programme for examination of freight containers			
Schedule 4 Applications under the Asbestos (Licensing) Regulations 1983			
Table 1 Licence for work with asbestos insulation, asbestos coating or asbestos insulating board or renewal of licence	£98	£1,023	2.51
Table 2 Re-assessment of licence application	£276	£276	0.00
Amendment of condition, or duration, of licence	£276	£276	0.00
Amendment or replacement, of a licence	£74	£74	0.00
Schedule 5 Examination or surveillance by an employment medical adviser			
The Ionising Radiations Regulations 1999			
	Basic	Basic	Basic
	X-Rays	X-Rays	X-Rays
	Laboratory tests	Laboratory tests	Laboratory tests

(a) where surveillance is confined to examination of, and making entries in, records	£33	£63	£37	£34	£65	£38	3.03	3.17	2.70
(b) in other cases	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Control of Asbestos at Work Regulations 2002	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Control of Substances Hazardous to Health Regulations 2002	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
The Work in Compressed Air Regulations 1996	£62	£63	£37	£64	£65	£38	3.23	3.17	2.70
Schedule 6									
Medical surveillance under the Control of Lead at Work Regulations 2002	£62			£64				3.23	
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)									
On each subsequent assessment of an employee —	£37			£38				2.70	
(i) for laboratory tests where these are carried out									
(ii) for a clinical medical examination where this is carried out	£37			£38				2.70	

			<i>Fee</i>	<i>Hourly rate</i>
Schedule 7 Applications under the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001	Table 1			
	Group 1			
	Dose record keeping where the application is solely in respect of Group I function	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	2.50
	Dose record keeping where the application for Group I functions is linked to an application for approval in another group	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	2.50
Group II External dosimetry (a) Whole body (beta, gamma, thermal neutrons) film (b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD) (c) Whole body (neutron), other than sub-groups (a) or (b) (d) Whole body, other than sub-groups (a), (b), or (c)				

(e) Extremity monitoring	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	20.12	2.50
(f) Accident dosimetry, other than in the previous sub-groups	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	20.12	2.50
Group III				
Internal dosimetry				
(a) Bio-assay or in-vivo monitoring or air sampling	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	20.12	2.50
(b) For each additional technique	£323 plus £120 per hour worked by Nuclear or Specialist Inspector	£388 plus £123 per hour worked by Nuclear or Specialist Inspector	20.12	2.50
Type approval of apparatus under sub-paragraph 1(c)(i) or 1(d)(i) respectively of Schedule 1 to the Ionising Radiations Regulations 1999	£122 plus £120 per hour worked by Nuclear or Specialist Inspector	£125 plus £123 per hour worked by Nuclear or Specialist Inspector	2.46	2.50
Table 2				
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	£1,682 plus £120 per hour worked by Nuclear or Specialist Inspector	£1,724 plus £123 per hour worked by Nuclear or Specialist Inspector	2.50	2.50
Schedule 8				
Applications etc concerning explosives and petroleum-spirit				
Part 1				

Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£557 plus £115 per hour worked by Specialist Inspector	£571 plus £115 per hour worked by Specialist Inspector	2.51	-
Licence to manufacture ammonium nitrate blasting intermediate	£137 per hour worked	£140 per hour worked	2.19	-
Licence to manufacture explosives by means of on-site mixing	£205 plus £115 per hour worked by Specialist Inspector	£210 plus £115 per hour worked by Specialist Inspector	0.98	-
Renewal of any of the above licences	£73 plus £115 per hour worked by Specialist Inspector	£75 plus £115 per hour worked by Specialist Inspector	2.74	-
Licence to store explosives	£557 plus £115 per hour worked by Specialist Inspector	£571 plus £115 per hour worked by Specialist Inspector	2.51	-
Renewal of a licence	£73	£75	2.74	
Varying a licence to manufacture explosives not being ammonium nitrate blasting intermediate or to store explosives	£381	£391	2.62	
Varying a licence to manufacture ammonium nitrate blasting intermediate	£137 per hour worked	£140 per hour worked	2.19	
Transfer of a licence	£47	£48	2.13	
Replacement of any licence referred to in Part 1 Part 2	£47	£48	2.13	
Licence to store explosives:				
(a) one year's duration	£100	£120	20.00	
(b) two years' duration	£150	£180	20.00	
(c) three years' duration	£200	£225	12.50	
Renewal of a licence:				

(a) one year's duration	£75	£77	2.68
(b) two years' duration	£125	£128	2.40
(c) three years' duration	£175	£179	2.29
Registration in relation to the storage of explosives:			
(a) one year's duration	£60	£72	20.00
(b) two years' duration	£90	£108	20.00
(c) three years' duration	£120	£145	20.83
Renewal of registration:			
(a) one year's duration	£30	£36	20.00
(b) two years' duration	£60	£72	20.00
(c) three years' duration	£90	£105	16.67
Varying a licence:			
(a) varying name of licensee or name of site	£30	£31	3.33
(b) any other kind variation	Reasonable cost to the licensing authority of having the work carried out	Reasonable cost to the licensing authority of having the work carried out	-
Transfer of licence or registration	£30	£31	3.33
Replacement of licence or registration referred to above if lost	£30	£31	3.33
Part 3			
Licence for importation of compressed acetylene	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Replacement of the above licence if lost	£34	£35	2.96
Part 4			
Licence to keep petroleum spirit of a quantity —			
- not exceeding 2,500 litres	£37 for each year of licence	£38 for each year of licence	2.70

- exceeding 2,500 litres but not exceeding 50,000 litres	£52 for each year of licence	£53 for each year of licence	1.92
- exceeding 50,000 litres	£105 for each year of licence	£108 for each year of licence	2.86
Transfer of petroleum spirit licence	£8	£8	-
Part 5			
Original approval of premises in which acetylene is to be manufactured or kept	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Amendment of an approval of premises in which acetylene is to be manufactured or kept	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Approval of apparatus in which acetylene is to be manufactured or kept	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Part 6			
Original approval of premises in which acetylene is compressed	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Amendment of an approval of premises in which acetylene is compressed	£34 plus £115 per hour worked by Specialist Inspector	£35 plus £115 per hour worked by Specialist Inspector	2.96
Part 7			
Approval of classification of an explosive	£58 per hour worked	£60 per hour worked	3.5
Part 8			
Testing in connection with specified applications in Parts 3, 5 and 7	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out	-
Part 9			
Table 1			

Explosives certificate for acquiring and keeping explosives	£165	£169	2.42
Renewal of the above certificate	£135	£138	2.22
Explosives certificate for acquiring and keeping explosives for storage of no more than 2000 kg of explosives	£175	£179	2.29
Renewal of the above certificate	£160	£164	2.50
Explosives certificate for acquiring and keeping explosives at site for storage of more than 2000 kg of explosives	£225	£231	2.67
Renewal of the above certificate	£200	£205	2.50
Replacement of any of the above certificates if lost	£30	£31	3.33
Table 2			
Regulation 4(6)(d) check	£5	£5	-
Schedule 9 Applications under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987			
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£609 plus £115 per hour worked	£624 plus £115 per hour worked	2.46
Change of licence name or address	£49	£50	2.03
			0.00

Schedule 10 Genetically Modified Organisms (Contained Use) Regulations 2000	£415	£465	12.05
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)			
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£829	£929	12.06
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	£929	12.06
Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£899	£1,007	12.01

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	£1,007	12.01
Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,037	£1,161	11.96
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)	£1,037	£1,161	11.96
Notification of an activity involving genetic modification or organisms other than micro-organisms under regulation 12(1)	£829	£929	12.06

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)	£829	£929	12.06
Notification of an additional information under regulation 15(3)	£622	£696	11.09
Application 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 12(1)	£622	£696	11.09
Schedule 11 Notification of New Substances Regulations 1993 Table 1			
For the evaluation of a notification under regulation 4 ("base set")	£4,987	£4,987	0.00
For the evaluation of a notification of a substance already notified	£2,374	£2,374	0.00

For the evaluation of a notification under regulation 5(1)(a) (>10 tonnes per year)	£2,619	£2,619	0.00
For the evaluation of a notification under regulation 5(1)(b) (>100 tonnes per year)	£5,154	£5,154	0.00
For the evaluation of a notification under regulation 5(1)(c) (> 1,000 tonnes per year)	£3,613	£3,613	0.00
For a notification under regulation 6 — (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£1,614	£1,614	0.00
(b) quantity of the new substance up to 100 kg (regulation 6(2))	£1,014	£1,014	0.00
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 500kg but less than 5 tonnes	£1,614	£1,614	0.00

For 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	£646	0.00
For an application made by a notifier for an exemption relating to him under regulation 23	£2,619	£2,619	0.00
Table 2 Additional fee to the fee above for the evaluation of a notification under regulation 4 where there is no adequate risk assessment	£2,393 plus VAT	£2,393 plus VAT	0.00
Additional fee to the fee above for the evaluation of a notification under regulation 6 where there is no adequate risk assessment	£578 plus VAT	£578 plus VAT	0.00
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£578 plus VAT	£578 plus VAT	0.00
(b) quantity of the new substance up to 100 kg (regulation 6(2))	£578 plus VAT	£578 plus VAT	0.00
Schedule 12 Offshore installations	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed	-

Table 2	Fee for additional site-visit: first-aid £344	Fee for additional site-visit: medical £912	Fee for additional site-visit: first-aid £385	Fee for additional site-visit: medical £1,021	11.92	11.95
Table 3	Fee for initial site-visit: first-aid £382	Fee for additional site-visit: first-aid £344	Fee for initial site-visit: first-aid £428	Fee for initial site-visit: medical £1,021	11.92	11.95
Table 4	Fee for a site-visit to investigate a complaint £382	Fee for a cancelled site-visit relating to training Reasonable cost to the Executive due to the cancellation	Fee for a site-visit to investigate a complaint £428	Fee for a cancelled site-visit relating to training Reasonable cost to the Executive due to the cancellation	12.04	12.04
						-

© Crown copyright 2006

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0162 2/2006 160162T 19585

