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STATUTORY INSTRUMENTS

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**2021 No. 33**

**The Health and Safety and Nuclear (Fees) Regulations 2021**

**Fees payable in connection with the Ionising Radiations Regulations 2017 and the Radiation (Emergency Preparedness and Public Information) Regulations 2019**

8.—(1) A fee is payable to the Executive by the applicant on each application for an original type approval of apparatus pursuant to paragraphs 1(d)(i) or 1(e)(i) of Schedule 1 to the 2017 Regulations or for an amendment, pursuant to section 11(1) of the 1974 Act, of an original type approval granted either under the 2017 Regulations or the 1999 Regulations.

(2) A fee is payable to the appropriate authority (within the meaning given in the 2017 Regulations) by the applicant on each application for registration or for a consent to carry out specified practices for the purposes of the 2017 Regulations.

(3) The fee payable by the applicant for an application referred to in paragraph (1) or (2) in respect of each matter specified in column 1 of Table 1 in Schedule 6 is that specified in the corresponding entry in column 2 of that Table.

(4) A fee is payable by the applicant to the Executive on each application for—

- (a) an original approval of dosimetry services for the purposes of the 2017 Regulations or the 2019 Regulations;
- (b) the reassessment of an original approval of dosimetry services previously granted for the purposes of the 1999 Regulations, the 2017 Regulations or the 2019 Regulations; or
- (c) the amendment of an original approval granted for the purposes of the 1999 Regulations, the 2017 Regulations or the 2019 Regulations and amended pursuant to section 11(1) of the 1974 Act.

(5) The fee payable by the applicant for an application referred to in paragraph (4) for each purpose specified in column 1 of Table 2 in Schedule 6 is that specified in the corresponding entry in column 2 of that Table.

(6) A fee is payable by the applicant to the Executive where the Executive requires any work to be carried out by—

- (a) its inspectors; or
- (b) a person appointed to advise the Executive,

in connection with any application in respect of which a fee is payable by virtue of paragraph (2) or (4), and the fee for such work in connection with each matter described in column 1 of Tables 1 and 2 in Schedule 6 is 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 paragraph (2) or (4), a fee is 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 (1), (6) or (7) is payable prior to notification of the result of the application.

(9) Subject to paragraph (10), a fee is payable by an employer to the Executive for each dose record sent by or on behalf of that employer pursuant to regulation 22(3)(e) of the 2017 Regulations in the amount set out in column 2 of Table 3 in Schedule 6 for the work carried out by or on behalf of the Executive by virtue of the provisions set out in column 1 of that Table and for the purpose specified in column 3 of that Table.

(10) The employer is not required to pay a fee under paragraph (9) unless the total amount payable in respect of all dose records relating to a calendar year sent by, or on behalf of, that employer is at least £26.

(11) For the purposes of this regulation and Schedule 6—

“the 1999 Regulations” means the Ionising Radiations Regulations 1999<sup>(1)</sup>;

“the 2019 Regulations” means the Radiation (Emergency Preparedness and Public Information) Regulations 2019<sup>(2)</sup>;

“processing” means obtaining, recording or holding the information or carrying out any operation or set of operations on that information, including—

- (a) organisation, adaptation or alteration of the information;
- (b) retrieval or consultation of the information; and
- (c) disclosure by transmission, dissemination or otherwise making available the information, in whatever format.

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(1) S.I. 1999/3232. Amending instruments are S.I. 2001/2626, 2001/2975, 2008/960, 2010/675, 2011/1043, 2014/469, 2014/3248 and 2016/1154. Subject to savings, these Regulations were revoked by S.I. 2017/1075.

(2) S.I. 2019/703.