

1979 No. 171

**HEALTH AND SAFETY****FACTORIES****Medical Examinations (Fees) Regulations (Northern Ireland) 1979**

*Made* . . . . . 11th May 1979

*Coming into operation* . . . . . 8th June 1979

The Department of Manpower Services, after consultation with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to it to be appropriate, in exercise of the powers conferred on it by Articles 17(1) and (3)(a), 40(2) and 49(1) of the Health and Safety at Work (Northern Ireland) Order 1978(a) ("the Order of 1978") and of every other power enabling it in that behalf, hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Medical Examinations (Fees) Regulations (Northern Ireland) 1979 and shall come into operation on 8th June 1979.

*Revocation*

2. The determination of fees of appointed factory doctors dated 14th July 1971 and made under section 152 of the Act of 1965 is hereby revoked.

*Interpretation*

3. For the purposes of these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"appointed doctor" means a fully registered medical practitioner appointed by written certificate (of an employment medical adviser who is authorised to act in that behalf by the Department of Manpower Services under Article 48(5) of the Order of 1978) for such of the purposes of regulations under the Act of 1965 as are specified in the certificate;

"employment medical adviser" means an employment medical adviser appointed under Article 48 of the Order of 1978;

"the Act of 1965" means the Factories Act (Northern Ireland) 1965(b);

"section" means a section of the Act of 1965.

*Amounts of Fees*

4.—(1) The fees for work done by a person in conducting medical examinations under the Act of 1965 or regulations thereunder and payable in accordance with paragraph (2) shall in the cases specified in paragraphs (3) to (5) be fees of the amounts respectively specified therein.

(2) The fees fixed by these regulations are the fees payable by the employer of the persons examined—

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(a) S.I. 1978/1039 (N.I. 9)

(b) 1965 c. 20 (N.I.)

- (a) to the Department of Manpower Services, where the person conducting the examination is an employment medical adviser; and
- (b) to an appointed doctor, where the examination is conducted by him and the fees in respect of it have not been agreed between him and the employer of the persons examined.
- (3) For examinations of persons for the purposes of the under-mentioned regulations the fees shall (wherever the examinations take place) be:—
- (a) in the case of the Diving Operations Special Regulations (Northern Ireland) 1963(c), £3.45 for the first examination of any person and £1.75 for any other examination of that person;
- (b) in the case of the Work in Compressed Air Special Regulations (Northern Ireland) 1963(d), £2.55 for the first examination of any person and 85p for any other examination of that person;
- (c) in the case of the Carcinogenic Substances Regulations (Northern Ireland) 1967(e), £1.60 for the first examination of any person and 80p for any other examination of that person; and
- (d) in the case of the Ionising Radiations (Sealed Sources) Regulations (Northern Ireland) 1969(f), £3.45 for the first examination of any person and £1.75 for any other examination of that person.
- (4) For examinations of employed persons for the purposes of section 74 or of any regulations under section 75 (other than the regulations specified in paragraph (3)), the fees shall be:—
- (a) when the examination is at the factory or other place of employment—£1.05 for the first and 35p for each other person examined on the occasion of any one visit to the factory or place; and
- (b) when the examination is not at the factory or other place of employment—35p for each person examined.
- (5) For work done by an employment medical adviser or an appointed doctor in connection with an examination or part of an examination consisting, in either case, of a haemoglobin estimation made in pursuance of the Lead Processes (Medical Examinations) Regulations (Northern Ireland) 1965(g) the fees shall be:—
- (a) in respect of the first or only person examined on any one occasion—55p;
- (b) in respect of the second to the tenth person examined on any one occasion—30p for each person; and
- (c) in respect of the eleventh and each subsequent person examined on any one occasion—20p for each person.

#### *Duties connected with examinations*

5. The fees specified in these regulations include payment for the making of entries in registers, the issuing of notices, the issuing or refusal of certificates and the carrying out of other duties as may be required in connection with the examinations.

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(c) S.R. & O. (N.I.) 1963 No. 84 (p. 294)  
(d) S.R. & O. (N.I.) 1963 No. 85 (p. 299)  
(e) S.R. & O. (N.I.) 1967 No. 266 (p. 943)  
(f) S.R. & O. (N.I.) 1969 No. 318 (p. 1465)  
(g) S.R. & O. (N.I.) 1965 No. 187 (p. 639)

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 11th May 1979.

(L.S.)

*D. J. Perham*

Senior Assistant Secretary

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to indicate their general purport.)*

These regulations fix the fees payable by employers to the Department of Manpower Services for work done by employment medical advisers appointed under the Health and Safety at Work (Northern Ireland) Order 1978 in conducting various medical examinations of employees under the Factories Act (Northern Ireland) 1965.

The regulations also fix the fees payable by employers to medical practitioners appointed for the purposes of regulations under that Act for such work done by them, in cases where the fees for the work have not been agreed between them and the employer.