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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 225**

**HEALTH AND SAFETY**

**Health and Safety (Medical Fees)  
Regulations (Northern Ireland) 1997**

*Made* - - - - *28th April 1997*

*Coming into operation* *3rd June 1997*

The Department of Economic Development<sup>(1)</sup>, in exercise of the powers conferred on it by Articles 49 and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978<sup>(2)</sup> 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 Health and Safety (Medical Fees) Regulations (Northern Ireland) 1997 and shall come into operation on 3rd June 1997.

**Interpretation**

2. In these Regulations “employment medical adviser” means an employment medical adviser appointed under Article 48(3) of the Health and Safety at Work (Northern Ireland) Order 1978.

**Fees payable for medical examination or surveillance by an employment medical adviser**

3.—(1) A fee shall be payable to the Department 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 1.

(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 or surveillance.

(3) For the purposes of paragraph (2), in the case of an examination or surveillance carried out for the purposes of a provision specified in column 1 of Schedule 1—

- (a) the basic fee shall be the amount specified in column 3 of that Schedule opposite to that provision;

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(1) Formerly the Department of Manpower Services. See S.I. 1982/846 (N.I. 11), Article 3

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

- (b) the additional fee for X-rays shall be the amount specified in column 4 of that Schedule opposite to that provision and shall cover all X-rays taken in connection with any one examination or any one occasion when surveillance is carried out;
- (c) the additional fee for laboratory tests shall be the amount specified in column 5 of that Schedule opposite to that provision and shall cover all such tests carried out in connection with any one examination or any one occasion when surveillance is carried out.

(4) 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 (Northern Ireland) 1988(3), then paragraphs (1) to (3) shall apply in relation to that person as if he were an employer and the employee of that employer.

#### **Fees for medical surveillance by an employment medical adviser under the Ionising Radiations Regulations (Northern Ireland) 1985**

4.—(1) Fees shall be payable in accordance with paragraphs (2) and (3) by an employer to the Department in respect of medical surveillance of any of his employees by an employment medical adviser for the purposes of the Ionising Radiations Regulations (Northern Ireland) 1985(4).

(2) Subject to paragraph (3), where the medical surveillance includes an examination of, or interview with, the employee, the fees shall be a basic fee for each examination or interview or combination thereof of £40·60 together with an additional fee of £46·50 in respect of all X-rays taken, and £27·90 in respect of all laboratory tests carried out, in connection with any one such examination or interview or combination thereof.

(3) Where the medical surveillance is confined to an examination of, and making of entries in, records, the fee shall be £24·90.

#### **Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations (Northern Ireland) 1986**

5.—(1) Fees shall be payable in accordance with paragraph (2) by an employer to the Department 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 (Northern Ireland) 1986(5).

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

#### **Revocation and saving**

6.—(1) Subject to paragraph (2), the Health and Safety (Medical Fees) Regulations (Northern Ireland) 1996(6) are hereby revoked.

(2) The Regulations referred to in paragraph (1) shall continue to apply in relation to any medical examination or medical surveillance carried out before 3rd June 1997 as if these Regulations had not been made.

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(3) [S.R. 1988 No. 74](#), as amended by [S.R. 1993 No. 26](#)

(4) [S.R. 1985 No. 273](#)

(5) [S.R. 1986 No. 36](#), to which there are amendments not relevant to these Regulations

(6) [S.R. 1996 No. 14](#)

Sealed with the Official Seal of the Department of Economic Development on

L.S.

28th April 1997.

*Philip B. Strong*  
Assistant Secretary

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SCHEDULE 1

Regulation 3

Fees payable for medical examination or surveillance by an employment medical adviser

Provision Fee for X-Rays	Reference Fee for Laboratory Tests	Basic Fee	Additional Fees where appropriate	
1	2	3	4	5
(a) Regulation 14 of the Work in Compressed Air Special Regulations (Northern Ireland) 1963	S.R. & O. (N.I.) 1963 No. 85 relevant to amending Regulations are S.R. 1979 No. 187)	£43.65	£46.50	£27.90
(b) Regulation 16 of the Control of Asbestos at Work Regulations (Northern Ireland) 1988	S.R. 1988 No. 74 (relevant to amending Regulations are S.R. 1993 No. 26)	£45.65	£46.50	£27.90
(c) Regulation 11 of the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995	S.R. 1995 No. 51	£45.65	£46.50	£27.90

## SCHEDULE 2

Regulation 5

## Fees payable for medical examination or surveillance by an employment medical adviser under the Control of Lead at Work Regulations (Northern Ireland) 1986

Item	Fee
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment).	£47·00
On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£27·90
(ii) for a clinical medical examination where this is carried out	£28·00

**EXPLANATORY NOTE***(This note is not part of the Regulations.)*

1. These Regulations fix fees to be paid for work done by employment medical advisers in conducting medical examinations and surveillance under—

- (a) the Work in Compressed Air Special Regulations (Northern Ireland) 1963 (regulation 3 and Schedule 1);
- (b) the Ionising Radiations Regulations (Northern Ireland) 1985 (regulation 4);
- (c) the Control of Lead at Work Regulations (Northern Ireland) 1986 (regulation 5 and Schedule 2);
- (d) the Control of Asbestos at Work Regulations (Northern Ireland) 1988 (regulation 3 and Schedule 1);
- (e) the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1995 (regulation 3 and Schedule 1).

2. The effect of these Regulations is to increase the levels of all but one of the fees previously charged under the Health and Safety (Medical Fees) Regulations (Northern Ireland) 1996 ([S.R. 1996 No. 74](#)) (“the 1996 Regulations”) for examinations and surveillance for the purposes of the Regulations listed at paragraph 1(a) to (e). The fee not increased is specified in paragraph 5.

3. In the case of examinations for the purposes of the Regulations listed at paragraph 1(a), basic examination fees are increased from £42·13 to £43·65; fees for X-rays and laboratory tests are increased from £45·23 and £27·17 respectively to £46·50 and £27·90 respectively.

4. Fees for medical surveillance for the purposes of the Regulations listed at paragraph 1(b) are increased in the case of a basic examination fee from £39·00 to £40·60; X-ray fees are increased from

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£45·23 to £46·50 and laboratory test fees from £27·17 to £27·90. Where the medical surveillance is confined to an examination of, and making of entries in, records, the fee is increased from £19·90 to £24·90.

**5.** Fees for medical surveillance for the purposes of the Regulations listed at paragraph 1(c) are increased from £45·70 to £47·00 for a first assessment. For subsequent assessments, fees for laboratory tests are increased from £27·17 to £27·90. The fee for a clinical medical examination carried out on a subsequent assessment remains unchanged from the amount prescribed by the 1996 Regulations.

**6.** Basic examination fees for the purposes of the Regulations listed at paragraph 1(d) and (e) are increased from £43·00 and £40·00 respectively to £45·65 in each case. X-ray and laboratory test fees taken in connection with any one medical examination are increased from £45·23 to £46·50 for X-rays and from £27·17 to £27·90 for laboratory tests.

**7.** The 1996 Regulations are revoked except in relation to any medical examination or medical surveillance carried out before 3rd June 1997 (regulation 6).

**8.** An estimate of the increase in costs associated with these Regulations has been prepared by the Department of Economic Development and is held at that Department's offices at 83 Ladas Drive, Belfast, BT6 9FJ, from where a copy may be obtained on request.