
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 510

Health and Safety (Fees) Regulations (Northern Ireland) 2003

Provisions supplementary to regulations 14 and 15

16.—(1) The fees referred to in regulations 14 and 15 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, such invoices to 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 14 and 15 shall not include any costs connected with any –

- (a) criminal investigation or prosecution incurred (in either case) from the date any summons is obtained from a Magistrates' Court; or
- (b) appeal pursuant to Article 26 of the 1978 Order (appeal against improvement or prohibition notice) and regulation 6(5) of, and Schedule 4 to, the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 1996⁽¹⁾.

(3) For the purposes of regulation 14 and paragraph (2)(a), an installation shall be treated as being in Northern Ireland if it is in the Northern Irish area within the meaning of Article 1 of the Civil Jurisdiction (Offshore Activities) Order 1987⁽²⁾.

(4) Any reference in regulations 14 and 15 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 any reference in those regulations to the installation or network to which the safety case relates were a reference to the installation or network to which the safety case would have related if it had been prepared in accordance with such requirement.

(5) Any reference in regulation 14 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(9) of the 1993 Regulations.

(6) Any reference in regulations 14 and 15 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.

(7) Any reference in regulations 14 and 15 to a function conferred on an inspector by the 1978 Order 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 Order which is exercised for the purpose of carrying into effect those provisions in relation to that person.

(1) S.R. 1996 No. 173
(2) S.I. 1987 No. 2197