
STATUTORY INSTRUMENTS

1997 No. 2505

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 1997

Made - - - - *20th October 1997*
Laid before Parliament *28th October 1997*
Coming into force - - *18th November 1997*

The Secretary of State, in exercise of the powers conferred on him by sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974⁽¹⁾ (“the 1974 Act”) and of all other powers enabling him in that behalf 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 1997 and shall come into force on 18th November 1997.

(2) In these Regulations, unless the context otherwise requires—

“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 Executive” means the Health and Safety Executive;

“the mines and quarries provisions” means such of the relevant statutory provisions as relate exclusively to—

(a) mines and quarries within the meaning of section 180 of the Mines and Quarries Act 1954⁽²⁾;

(b) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969⁽³⁾; 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⁽⁴⁾ or are health and safety regulations);

(1) 1974 c. 37; section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.
(2) 1954 c. 70.
(3) 1969 c. 10.
(4) S.I. 1974/2013.

“original approval” and “original authority” do not include an amendment of an approval or an amendment of an authority;

“renewal of approval” or “renewal of licence” means respectively the granting of an approval or licence to follow a previous approval or licence without any amendment or gap in time; and

“respiratory protective equipment” includes any respirator and any breathing apparatus.

- (3) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;
 - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.

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 I of Schedule 1 shall be respectively that specified in the corresponding entry in column 2, 3 or 4 of that Part and shall be payable on making the application for approval, or, where any such entry specifies a fee as the reasonable cost to the Executive of having the work carried out, the fee so costed shall be payable prior to the notification of the result of the application.

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

Fees for applications for approval of respiratory protective equipment

3.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of respiratory protective equipment—

- (a) under the Factories Act 1961⁽⁵⁾, or any regulations made or having effect as if made under that Act;
- (b) under the Control of Lead at Work Regulations 1980⁽⁶⁾;
- (c) under the Ionising Radiations Regulations 1985⁽⁷⁾;
- (d) under the Control of Asbestos at Work Regulations 1987⁽⁸⁾; and
- (e) under the Control of Substances Hazardous to Health Regulations 1994⁽⁹⁾.

(2) The fee payable on application for approval of respiratory protective equipment shall be that specified in column 2 of Schedule 2 (that is to say the reasonable cost to the Executive of having the work, including any testing, carried out).

(5) 1961 c. 34.

(6) S.I. 1980/1248.

(7) S.I. 1985/1333.

(8) S.I. 1987/2115.

(9) S.I. 1994/3246.

Fees payable under the Agriculture (Tractor Cabs) Regulations 1974

4.—(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(10).

(2) The fee payable on application for such an approval or revision of an approval as is described in column 1 of Schedule 3 shall be that specified in the corresponding entry in column 2 of that Schedule.

Fee payable under the Freight Containers (Safety Convention) Regulations 1984

5.—(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(11).

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

Fee for application for a licence under the Asbestos (Licensing) Regulations 1983

6.—(1) A fee shall be payable by the applicant to the Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983(12).

(2) The fee payable on application for a licence described in column 1 of Schedule 5 shall be that specified in column 2 of that Schedule.

Fees for examination or surveillance by an employment medical adviser

7.—(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 6.

(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 6—

- (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 1987, that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).

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

(11) S.I. 1984/1890.

(12) S.I. 1983/1649.

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 1980

8.—(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 1980⁽¹³⁾.

(2) The fee payable for each item described in column 1 of Schedule 7 shall be that specified in the corresponding entry in column 2 of that Schedule.

Fees for applications for approval or reassessment of approval of dosimetry services and for type approval of radiation generators or apparatus containing radioactive substances under the Ionising Radiations Regulations 1985

9.—(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 Ionising Radiations Regulations 1985⁽¹⁴⁾.

(2) A fee shall be payable by the applicant to the Executive on each application for the type approval of a radiation generator or an apparatus containing a radioactive substance.

(3) The fee payable for approval or reassessment or type approval in respect of each matter described in column 1 of Schedule 8 shall be that specified in the corresponding entry in column 2 of that Schedule.

(4) 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 by virtue of paragraph (1) and (2) and the fee for work in connection with each such matter described in column 1 of Schedule 8 shall be that specified in the corresponding entry in column 3 of that Schedule for each hour or part of an hour worked.

(5) 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.

(6) Any fee payable under paragraph (4) or (5) shall be payable prior to notification of the result of the application.

Fees payable under the Explosives Act 1875 and instruments made thereunder, under the Petroleum (Consolidation) Act 1928, the Petroleum (Transfer of Licences) Act 1936 and the Classification and Labelling of Explosives Regulations 1983

10.—(1) Where any application in relation to a provision specified in column 1 of Part I of Schedule 9 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.

(2) The fee or maximum fee payable under each provision specified in column 1 of Part II of Schedule 9 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.

(3) A fee shall be payable 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) for any purpose specified in column 2 of Part I of Schedule 9 for which there is a corresponding entry in column 4 of that 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

⁽¹³⁾ S.I. 1980/1248.

⁽¹⁴⁾ S.I. 1985/1333.

hour or part of an hour worked and such fee shall be payable prior to notification of the result of the application.

(4) A fee shall be payable by the applicant to the Executive on each application being made for each purpose specified in column 1 of each of Parts III, IV, and V of Schedule 9, and the fee for each such purpose shall be that specified in the corresponding entry in column 2 in the respective Part.

(5) A fee shall be payable 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 (4) for any purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 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 or part of an hour worked and such fee shall be payable prior to notification of the result of the application.

(6) 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 VI of Schedule 9, 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.

(7) Where the Executive requires an inspection of premises to be carried out in connection with an application for—

- (a) a factory or magazine licence, or any amendment to such a licence, or
- (b) the original approval of premises in which acetylene is to be manufactured or kept, or any amendment to such an approval, or
- (c) the original approval of premises in which acetylene is compressed, or any amendment to such an approval

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.

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

11. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928⁽¹⁵⁾ or section 1(4) of the Petroleum (Transfer of Licences) Act 1936⁽¹⁶⁾ 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 applications for explosives licences under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

12.—(1) A fee shall be payable by the applicant to the Executive on each application for an explosives licence or for any alteration in the terms of an existing licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987⁽¹⁷⁾.

(2) The fee on an application for each purpose specified in column 1 of Schedule 10 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour, the fee so calculated shall be payable prior to notification of the result of the application.

⁽¹⁵⁾ 1928 c. 32; relevant amending instruments are S.I. 1974/1942 and S.I. 1987/52.

⁽¹⁶⁾ 1936 c. 27; relevant amending instruments are S.I. 1974/1942 and S.I. 1987/52.

⁽¹⁷⁾ S.I. 1987/37.

Vocational training certificates under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

13.—(1) A driver may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996(18) where a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(2) The validity of a vocational training certificate may only be extended in accordance with paragraph (6) of regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(3) Nothing in this regulation shall be construed as making a fee payable by a person in any of the capacities specified in section 43(4) of the 1974 Act.

Estimate of cost of work

14. Where any fee is to be assessed on the reasonable cost to the Executive of carrying out any work or testing, under regulation 2(2), 2(3)(b), 3(2) or 10(6), the Executive shall on receipt of the application first prepare and send to the applicant an estimate of that cost and shall, before carrying out the work, obtain confirmation from the applicant that he wishes the work to be carried out.

Fees for notifications under the Genetically Modified Organisms (Contained Use) Regulations 1992

15.—(1) A fee shall be payable by a notifier to the Executive on each notification of the intention to use premises for activities involving genetic modification for the first time and of individual activities involving genetic modification under the Genetically Modified Organisms (Contained Use) Regulations 1992(19).

(2) The fee payable for each notification described in column 1 of Schedule 12 shall be that specified in the corresponding entry in column 2 of that Schedule.

Fees for notifications under the Notification of New Substances Regulations 1993

16.—(1) The fee fixed by column 2 of Schedule 13 shall be payable by a notifier to the Executive on each such notification or application under the Notification of New Substances Regulations 1993(20) as is referred to in the corresponding entry in column 1 of that Schedule.

(2) The Executive shall repay to the notifier the amount of any rebate due to the notifier in the circumstances described in Schedule 13.

Revocation

17. The Health and Safety (Fees) Regulations 1996(21) are hereby revoked.

Northern Ireland

18. These Regulations shall not apply to Northern Ireland.

(18) S.I. 1996/2094.

(19) S.I. 1992/3217 as amended by S.I. 1996/967.

(20) S.I. 1993/3050 as amended by S.I. 1997/654.

(21) S.I. 1996/2791.

Signed by authority of the Secretary of State

20th October 1997

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Environment, Transport and the
Regions

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART I

FEES FOR APPLICATIONS FOR APPROVAL OF PLANT, APPARATUS OR SUBSTANCE UNDER THE MINES AND QUARRIES PROVISIONS

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Subject matter of approval</i>	<i>Fee for an original approval</i>	<i>Fee for amendment of approval</i>	<i>Fee for renewal of approval</i>
(a) (a) approval of breathing apparatus	£1,298	£649	£56
(b) (b) approval of dust respirators	the reasonable cost to the Executive of having the work carried out		
(c) (c) approval of explosives	£199	£137	£56
(d) (d) approval of locomotive or other vehicle	£2,552	£647	£56
(e) (e) approval of electrical equipment for use in potentially gassy zones	£789	£506	£56
(f) (f) approval of methanometers	£364	£223	£56
(g) (g) approval of electric safety lamps	£364	£223	£56
(h) (h) approval of other types of apparatus	£187	£ 187	£56

PART II

FEES FOR TESTING EXPLOSIVES AND DETONATORS UNDER THE MINES AND QUARRIES PROVISIONS

<i>I</i> <i>Test</i>	<i>2</i> <i>Fee for test</i>
(a) (a) Ballistic pendulum shot	£93
(b) (b) Break test shot	£143
(c) (c) Deflagration shot	£110
(d) (d) Detonator test (per 100 shots)	£900
(e) (e) Detonator delay time test (per 100 shots)	£690
(f) (f) Gallery shot	£172
(g) (g) Mortar shot	£92
(h) (h) Velocity of detonation test (per 3 shots)	£274

PART III

FEES FOR OTHER TESTING

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

SCHEDULE 2

Regulation 3

FEES FOR APPLICATION FOR APPROVAL OF RESPIRATORY PROTECTIVE EQUIPMENT

<i>I</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee</i>
Approval of respiratory protective equipment	the reasonable cost to the Executive of having the work, including any testing, carried out

SCHEDULE 3

Regulation 4

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

<i>I</i> <i>Subject matter of approval</i>	<i>2</i> <i>Fee</i>
(a) (a) Original approval of tractor cab	£269

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<i>1</i>	<i>2</i>
<i>Subject matter of approval</i>	<i>Fee</i>
(b) (b) Revision of an existing approval of a tractor cab	£148

SCHEDULE 4

Regulation 5

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

<i>1</i>	<i>2</i>
<i>Subject matter of approval</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£75

SCHEDULE 5

Regulation 6

FEE FOR APPLICATION FOR A LICENCE UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

<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 renewal of original licence	£362

SCHEDULE 6

Regulation 7

FEE FOR EXAMINATION OR SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
<i>Provision</i>	<i>Reference</i>	<i>Basic Fee</i>	<i>Additional fees where appropriate Fee for X-Rays</i>	<i>Fee for Laboratory tests</i>
(a) (a) The Ionising Radiations Regulations 1985	S.I. 1985/1333	£26.00 where surveillance is confined to examination of, and making entries in, records £42.00 in other cases	£47	£28
(b) (b) The Control	S.I. 1987/2115	£46.50	£47	£28

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<i>1</i> <i>Provision</i>	<i>2</i> <i>Reference</i>	<i>3</i> <i>Basic Fee</i>	<i>4</i> <i>Additional fees where appropriate Fee for X-Rays</i>	<i>5</i> <i>Fee for Laboratory tests</i>
of Asbestos at Work Regulations 1987				
(c)	(c) The S.I. 1994/3246	£46.50	£47	£28
Control of Substances Hazardous to Health Regulations 1994				
(d)	(d) The S.I. 1996/1656	£43.65	£47	£28
Work in Compressed Air Regulations 1996				

SCHEDULE 7

Regulation 8

FEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL
ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 1980

<i>1</i> <i>Item</i>	<i>2</i> <i>Fee</i>
(a) (a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£47
(b) (b) On each subsequent assessment of an employee—	£28
(i) for laboratory tests where these are carried out	
(ii) for a clinical medical examination where this is carried out	£29

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SCHEDULE 8

Regulation 9

FEEES FOR APPLICATIONS FOR APPROVAL OR REASSESSMENT OF
APPROVAL OF DOSIMETRY SERVICES AND FOR TYPE APPROVAL OF
RADIATION GENERATORS OR APPARATUS CONTAINING RADIOACTIVE
SUBSTANCES UNDER THE IONISING RADIATIONS REGULATIONS 1985

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
Approval or reassessment of approval of Dosimetry Services granted under regulation 15 of the Ionising Radiations Regulations 1985		
Group 1 Dose record keeping		
(a) (a) Where the application is solely in respect of Group 1 functions	£96	£46.21 per hour worked
(b) (b) Where the application for Group 1 functions is linked to an application in respect of functions in another group	£96	£46.21 per hour worked
Group II External dosimetry		
(a) (a) Whole body (beta, gamma, thermal neutrons) film	£96	£46.21 per hour worked
(b) (b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD)	£96	£46.21 per hour worked
(c) (c) Whole body (neutron), other than sub-groups (a) or (b)	£96	£46.21 per hour worked
(d) (d) Whole body, other than sub-groups (a), (b), or (c)	£96	£46.21 per hour worked
(e) (e) Extremity monitoring	£96	£46.21 per hour worked
(f) (f) Accident dosimetry, other than	£96	£46.21 per hour worked

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<i>I</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
in the previous sub-groups		
Group III Internal Dosimetry		
(a) (a) Bio-assay, in-vivo monitoring or air sampling	£96	£46.21 per hour worked
(b) (b) for each additional one of the above techniques	£96	£46.21 per hour worked
Type approval of a radiation generator or an apparatus containing a radioactive substance under subparagraph (f) or (g) respectively of Schedule 3 to the Ionising Radiations Regulations 1985 (which excepts such type approved radiation generators or apparatus containing radioactive substances from the notification requirements of regulation 5 of those Regulations)	£99	£46.21 per hour worked

SCHEDULE 9

Regulation 10

FEES PAYABLE UNDER THE EXPLOSIVES ACT 1875 AND INSTRUMENTS MADE THEREUNDER, UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928, THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936 AND THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

PART 1

APPLICATIONS FOR FACTORY LICENCES, MAGAZINE LICENCES, ACETYLENE IMPORTATION LICENCES AND

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

AMENDING LICENCES UNDER SECTIONS 6, 12 AND 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH LICENCES

<i>1</i> <i>Provision under which a licence is granted</i>	<i>2</i> <i>Purpose of Application</i>	<i>3</i> <i>Fee</i>	<i>4</i> <i>Fee for work by Specialist Inspector</i>
Explosives Act 1875			
c. 17			
Section 6 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory licence	£552	£40.05 per hour worked
	Magazine licence	£552	£40.05 per hour worked
	Replacement of one of the above licences if lost	£25	
Section 12 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory amending licence	£214	£40.05 per hour worked
	Magazine amending licence	£214	£40.05 per hour worked
	Replacement of one of the above licences if lost	£25	
Section 40(9)(22) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(23)	Licence for importation of compressed acetylene	£16.70	£40.05 per hour worked
	Replacement of the above licence if lost	£16.70	£40.05 per hour worked
	Amendment to an existing licence	£16.70	£40.05 per hour worked

(22) Section 40(9) was amended by [S.I. 1974/1885](#) and was applied to compressed acetylene by [S.I. 1978/1723](#); the effect of section 40(9) of the Explosives Act 1875 (c. 17) in so far as it applied to acetylene by virtue of Order in Council (No. 30) dated 2nd February 1937 (S.R. & O. 1937/54) was saved by regulation 12 of, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 ([S.I. 1993/2714](#)).

(23) [S.I. 1978/1723](#).

PART II

FEE OR MAXIMUM FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE GRANTING AND RENEWAL OF AN EXPLOSIVES STORE LICENCE, THE REGISTRATION OR RENEWAL OF REGISTRATION OF PREMISES USED FOR KEEPING EXPLOSIVES AND THE GRANTING AND TRANSFER OF PETROLEUM-SPIRIT LICENCES

<i>1</i> <i>Provision under which a fee or maximum fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee or maximum fee</i>
Explosives Act 1875 c. 17		
Section 15 (see note 1)	A store licence	£63.70
Section 18 (see note 1)	Renewal of a store licence	£63.70
Section 21 (see note 1)	Registration and renewal of registration of premises for the keeping of explosives with a local authority	£10.90
Petroleum (Consolidation) Act 1928 c. 32		
Section 4 (see notes 2 and 3)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£30.40 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£45 for each year of licence
	exceeding 50,000 litres	£88.40 for each year of licence
Petroleum (Transfer of Licences) Act 1936 c. 27		
Section 1(4)	Transfer of petroleum spirit licence	£7.20

Note:

1. Part 1 of the Explosives Act 1875 (which includes sections 15, 18 and 21) is applied to explosives other than gunpowder by sections 39 and 40 of that Act.
2. 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.
3. 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 III

APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISO TO ORDER IN COUNCIL (No. 30) OF 2ND FEBRUARY 1937(24)

(24) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885.

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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) (a) Original approval of premises in which acetylene is to be manufactured or kept	£16.70	£40.05 per hour worked
(b) (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£16.70	£40.05 per hour worked
(c) (c) Approval of apparatus in which acetylene is to be manufactured or kept	£16.70	£40.05 per hour worked

PART IV

APPLICATIONS FOR COMPARISONS AND APPROVALS IN
RESPECT OF CONDITIONS (1) AND (8) IN THE ORDER OF
THE SECRETARY OF STATE (No. 9) of 23RD JUNE 1919(25)

<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) (a) Comparison of a porous substance with a sample porous substance	£30	
(b) (b) Original approval of premises in which acetylene is compressed	£16.70	£40.05 per hour worked
(c) (c) Amendment of an approval of premises in which acetylene is compressed	£16.70	£40.05 per hour worked

PART V

MISCELLANEOUS APPLICATIONS

<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) (a) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(26) or authorisation of an explosive under section 40(9) of the Explosives Act 1875(27).	£133	
(b) (b) Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(28).	£162	£40.05 per hour worked

PART VI

FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE HEALTH AND SAFETY EXECUTIVE

<i>1</i>	<i>2</i>
<i>Purpose of application</i>	<i>Fee</i>
(a) (a) Application for a licence for the importation of compressed acetylene (Part I above)	the reasonable cost to the Executive of having the work carried out
(b) (b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above)	ditto
(c) (c) Comparison of a porous substance with a sample porous substance (Part IV above)	ditto
(d) (d) Classification of an explosive under the Classification and Labelling	ditto

(26) S.I. 1983/1140.

(27) 1875 c. 17; section 40(9) was modified by regulation 12, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714).

(28) S.I. 1967/1485.

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<i>1</i>	<i>2</i>
<i>Purpose of application</i>	<i>Fee</i>
of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 (Part V above)	
(e) (e) Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above)	ditto

SCHEDULE 10

Regulation 12

FEE FOR APPLICATIONS FOR THE GRANT OR ALTERATION OF THE TERMS OF AN EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

<i>1</i>	<i>2</i>
<i>Purpose of application</i>	<i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£390 plus £40.05 per hour worked

SCHEDULE 11

Regulation 13

FEE FOR VOCATIONAL TRAINING CERTIFICATE UNDER THE CARRIAGE OF DANGEROUS GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
Issue or extension of vocational training certificate	£2.80

SCHEDULE 12

Regulation 15

FEE FOR NOTIFICATION UNDER THE GENETICALLY MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 1992

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
(a) (a) Notification of intention to use premises for activities involving genetic modification for the first time under regulation 8 other than a case	£111

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
where a consent is required under regulation 8(3).	
(b) (b) Notification of the intention to use premises for activities involving genetic modification for the first time, where a consent is required under regulation 8(3).	£111
(c) (c) Notification of individual activities involving genetic modification under regulation 9, other than a case where a consent is required under regulation 9(5).	£125
(d) (d) Notification of individual activities involving genetic modification where a consent is required under regulation 9(5).	£240

SCHEDULE 13

Regulation 16

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

<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”) (see note 1)	£6,090 (plus £350 VAT)
For the evaluation of a notification under regulation 5(1)(a) (>10 tonnes per year)	£2,000
For the evaluation of a notification under regulation 5(1)(b) (>100 tonnes per year)	£4,200
For the evaluation of a notification under regulation 5(1)(c) (>1000 tonnes per year)	£3,500
For a notification under regulation 6 (see note 2)—	£1,170 (plus £87.50 VAT)
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	
(b) (b) quantity of the new substance up to 100 kg (regulation 6(2))	£915 (plus £87.50 VAT)
For an application made by a notifier for an exemption relating to him under regulation 23	£2,000
Note 1. Rebate where an adequate draft risk assessment is included	£2,000 (plus £350 VAT)

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<i>I</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee payable</i>
Note 2. Rebate where an adequate draft risk assessment is included	£500 (plus £87.50 VAT)

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations update and replace the Health and Safety (Fees) Regulations 1996 ([S.I. 1996/2791](#)). They fix or determine the fees payable by an applicant to 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 certain respiratory protective equipment (*regulation 3 and Schedule 2*);
- (c) an approval of plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (*regulation 4 and Schedule 3*);
- (d) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations 1984 (*regulation 5 and Schedule 4*);
- (e) a licence under the Asbestos (Licensing) Regulations 1983 (*regulation 6 and Schedule 5*);
- (f) an approval of dosimetry services and type approval of radiation generators or apparatus containing radioactive substances under the Ionising Radiations Regulations 1985 (*regulation 9 and Schedule 8*);
- (g) an approval, authorisation or licence etc. under the Explosives Act 1875 and certain instruments thereunder, for a licence under the Petroleum (Consolidation) Act 1928 or for the classification of an article, substance, combination, or unit load under the Classification and Labelling of Explosives Regulations 1983 (*regulation 10 and Schedule 9*);
- (h) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 12 and Schedule 10*);

and in respect of—

- (i) a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 13 and Schedule 11*);
- (j) a notification under the Genetically Modified Organisms (Contained Use) Regulations 1992 (*regulation 15 and Schedule 12*);
- (k) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 16 and Schedule 13*).

2. The Regulations also update the 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 7 and 8 and Schedules 6 and 7*).

3. The Regulations update maximum fees which may be charged under the Explosives Act 1875, the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936 (Regulation 10(2) and Schedule 9, Part II).

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4. The Regulations do not apply to Northern Ireland.

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

<i>Provision of these Regulations which fixes or determines the fees</i> <i>Schedule 1</i>	<i>Previous Fee</i>			<i>New Fee</i>		
	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval
Part I						
Approval of breathing apparatus	£1,077	£538	£56	£1,298	£649	£56
Approval of dust respirators	Reasonable cost to the Executive of having the work carried out					
Approval of explosives	£199	£137	£56	£199	£137	£56
Approval of locomotive or other vehicle	£2,131	£558	£56	£2,552	£647	£56
Approval of electrical equipment for use in potentially gassy zones	£660	£431	£56	£789	£506	£56
Approval of methanometers	£317	£203	£56	£364	£223	£56
Approval of electric safety lamps	£317	£203	£56	£364	£223	£56
Approval of other types of apparatus essential for safety	£161	£161	£56	£187	£187	£56
Part II						
Ballistic pendulum shot		£70			£93	

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Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee		
	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval
Schedule 1						
Break test shot		£100			£143	
Deflagration		£75			£110	
Detonator test (per 100 shots)		£670			£900	
Detonator delay time test (per 100 shots)		£485			£690	
Gallery shot		£133			£172	
Mortar shot		£69			£92	
Velocity of detonation test (per 3 shots)		£182			£274	
Part III						
Other testing not fixed in Parts I and II		Reasonable cost to the Executive of having the work carried out				
Schedule 2						
Approval of respiratory protective equipment		Reasonable cost to the Executive of having the work carried out				
Schedule 3						
Original approval of tractor cab		£248			£269	
Revision of an existing approval of a tractor cab		£140			£148	

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>		
	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval
<i>Schedule 1</i>						
Schedule 4						
Approval of scheme or programme for examination of freight containers		£75			£75	
Schedule 5						
Licence for work with asbestos insulation or asbestos coating or renewal of licence		£362			£362	
	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests
Schedule 6						
The Ionising Radiations Regulations 1985	£24.90	46.50	£27.90	£26	£47	£28
(a) where surveillance is confined to examination of, and making entries in, records						

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	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests
(b) in other cases	£40.60	£46.50	£27.90	£42	£47	£28
Control of Asbestos at Work Regulations 1987	£45.65	£46.50	£27.90	£46.50	£47	£28
Control of Substances Hazardous to Health Regulations 1994	£45.65	£46.50	£27.90	£46.50	£47	£28
The Work in Compressed Air Regulations 1996	£43.65	£46.50	£27.90	£43.65	£47	£28
Schedule 7						
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment).	£47			£47		
On each subsequent assessment of an employee—	(i) for	£27.90			£28	
	laboratory tests where these are carried out					
(ii) for a clinical medical examination where	£28			£29		

	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests
this is carried out						
<i>Provision of these Regulations which fixes or determines the fees</i>		<i>Previous Fee</i>		<i>New Fee</i>		
Schedule 8						
Group I						
Dose record keeping where the application is solely in respect of Group I function	£60 plus £39.45 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
Dose record keeping where the application for Group I functions is linked to an application for approval in another group	£60 plus £39.45 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
Group II						
External dosimetry	£60 plus £39.45 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
Group III						
Internal dosimetry	£60 plus £39.45 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
(a) Bio-assay or in-vivo monitoring or air sampling	£60 plus £39.45 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
(b) for each additional technique	£60 plus £38.17 per hour worked by Nuclear or Specialist Inspector		£96 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
Type approval of a radiation generator or an apparatus containing a radioactive substance under subparagraph (f) or (g) respectively of Schedule 3 to the Ionising Radiations Regulations 1985	£97 plus £38.17 per hour worked by Nuclear or Specialist Inspector		£99 plus £46.21 per hour worked by Nuclear or Specialist Inspector			
Schedule 9 Part I						
Factory licence	£455.25 plus £38.17 per hour worked by Specialist Inspector		£522 plus £40.05 per hour worked by Specialist Inspector			
Magazine licence	£455.25 plus £38.17 per hour worked by Specialist Inspector		£552 plus £40.05 per hour worked by Specialist Inspector			

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
Factory amending licence	£178.50 plus £38.17 per hour worked by Specialist Inspector	£214 plus £40.05 per hour worked by Specialist Inspector
Magazine amending licence	£178.50 plus £38.17 per hour worked by Specialist Inspector	£214 plus £40.05 per hour worked by Specialist Inspector
Replacement of one of the above licences if lost	£24	£25
Licence for importation of compressed acetylene	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Replacement of the above licence if lost	£24	£25
Amendment to an existing licence	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Part II		
A store licence	£62	£63.70
Renewal of a store licence	£62	£63.70
Registration and renewal of registration of premises for the keeping of explosives with a local authority	£10.60	£10.90
Licence to keep petroleum spirit of a quantity—		
not exceeding 2,500 litres	£29.60 for each year of licence	£30.40 for each year of licence
exceeding 2,500 litres but not exceeding 50,000 litres	£43.75 for each year of licence	£45 for each year of licence
exceeding 50,000 litres	£86.05 for each year of licence	£88.40 for each year of licence
Transfer of petroleum spirit licence	£7.05	£7.20
Part III		
Original approval of premises in which acetylene is to be manufactured or kept	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Amendment of an approval of premises in which acetylene is to be manufactured or kept	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Approval of apparatus in which acetylene is to be manufactured or kept	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Part IV		

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
Comparison of a porous substance with a sample porous substance	£28.65	£30
Original approval of premises in which acetylene is compressed	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Amendment of an approval of premises in which acetylene is compressed	£16.20 plus £38.17 per hour worked by Specialist Inspector	£16.70 plus £40.05 per hour worked by Specialist Inspector
Part V		
Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875	£70.30 plus £38.17 per hour worked by Specialist Inspector	£133
Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967	£151.75 plus £38.17 per hour worked by Specialist Inspector	£162 plus £40.05 per hour worked by Specialist Inspector
Part VI		
Testing in connection with specified applications in Parts I, III, IV or V	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out
Schedule 10		
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£320 plus £38.17 per hour worked	£390 plus £38.17 per hour worked
Schedule 11		
Vocational training certificates under regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996	£2.80	£2.80
Schedule 12		
Genetically Modified Organisms (Contained Use) Regulations 1992		
Notification of intention to use premises for activities	£54.50	£111

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
involving genetic modification for the first time under regulation 8 other than a case where a consent is required under regulation 8(3)		
Notification of intention to use premises for activities involving genetic modification for the first time, where a consent is required under regulation 8(3)	£58.90	£111
Notification of individual activities involving genetic modification under regulation 9, other than in a case where a consent is required under regulation 9(5)	£62.40	£125
Notification of individual activities involving genetic modification where a consent is required under regulation 9(5)	£120.20	£240
Schedule 13		
Notification of New Substances Regulations 1993		
For the evaluation of a notification under regulation 4 (“base set”) (see note 1)	£6,090 plus £350 VAT	£6,090 plus £350 VAT
For the evaluation of a notification under regulation 5(1)(a) (>10 tonnes per year)	£2,000	£2,000
For the evaluation of a notification under regulation 5(1)(b) (>100 tonnes per year)	£4,200	£4,200
For the evaluation of a notification under regulation 5(1)(c) (>1000 tonnes per year)	£3,500	£3,500
For a notification under regulation 6 (see note 2)— (a) quantity of the new substance equal to	£1,170 plus £87.50 VAT	£1,170 plus £87.50 VAT

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
or more than 100kg (regulation 6(1))		
(b) quantity of the new substance up to 100kg (regulation 6(2))	£915 plus £87.50 VAT	£915 plus £87.50 VAT
For an application made by a notifier for an exemption relating to him under regulation 23	£2,000	£2,000
Note 1. Rebate where an adequate draft risk assessment is included	£2,000 plus £350 VAT	£2,000 plus £350 VAT
Note 2. Rebate where an adequate draft risk assessment is included	£500 plus £87.50 VAT	£500 plus £87.50 VAT