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STATUTORY INSTRUMENTS

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**2010 No. 579**

**HEALTH AND SAFETY**

**The Health and Safety (Fees) Regulations 2010**

*Made* - - - - - *2nd March 2010*  
*Laid before Parliament* *8th March 2010*  
*Coming into force* - - *6th April 2010*

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972(1) in relation to the notification and control of substances, and the control and regulation of genetically modified organisms(2).

The Secretary of State makes these Regulations—

- (a) in exercise of the powers conferred by section 2(2) of that Act and sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(3) (“the 1974 Act”); and
- (b) for the purpose of giving effect without modifications to proposals submitted to the Secretary of State by the Health and Safety Executive (“the Executive”) under section 11(3) of the 1974 Act(4).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Health and Safety (Fees) Regulations 2010 and come into force on 6th April 2010.

(2) In these Regulations—

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

- (a) mines within the meaning of section 180 of the Mines and Quarries Act 1954(5);

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(1) 1972 c.68; the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (c.51) and section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51).  
(2) S.I. 1981/1536 for the designation in relation to the notification and control of substances and S.I. 1991/755 in relation to the control and regulation of genetically modified organisms.  
(3) 1974 c.37; section 43 was amended by the Employment Protection Act 1975 (c.71), Schedule 15, paragraph 12, S.I. 2002/794 and S.I. 2008/960.  
(4) Section 11 was amended by S.I. 2008/960.  
(5) 1954 c.70; section 180 was amended by S.I. 1974/2013, 1993/1897 and 1999/2024.

- (b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999<sup>(6)</sup>; and
- (c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969<sup>(7)</sup>; 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<sup>(8)</sup> or are health and safety regulations; “original approval” does not include an amendment of an approval; and “working days” does not include weekends or public holidays.

(3) Any reference in these Regulations to the renewal of an approval, explosives certificate, licence or registration (each referred to in this paragraph as an “authorisation”) means the granting of the authorisation concerned to follow a previous authorisation of the same kind without any amendment or gap in time.

### **Fees payable under the mines and quarries provisions**

2.—(1) A fee is 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 1 of Schedule 1 is respectively that specified in the corresponding entry in column 2, 3 or 4 of that Part.

(3) Where the Executive requires testing to be carried out to decide whether approval can be granted, a fee is 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 2 of Schedule 1, the fee is that specified in the corresponding entry in column 2 of that Part;
- (b) in any other case, the fee is as set out in Part 3 of Schedule 1 (that is to say, the reasonable cost to the Executive of having the testing carried out).

### **Fees for applications for approval under the Agriculture (Tractor Cabs) Regulations 1974**

3.—(1) A fee is payable by the applicant to the Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974<sup>(9)</sup>.

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

### **Fees for application for approval under the Freight Containers (Safety Convention) Regulations 1984**

4.—(1) A fee is 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<sup>(10)</sup>.

(2) The fee payable on each application for the approval described in column 1 of Schedule 3 is that specified in column 2 of that Schedule.

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<sup>(6)</sup> S.I. 1999/2024, to which there are amendments not relevant to these Regulations.

<sup>(7)</sup> 1969 c.10; section 2(1) was amended by S.I. 1999/2024.

<sup>(8)</sup> S.I. 1974/2013, modified by S.I. 1979/318.

<sup>(9)</sup> S.I. 1974/2034; relevant amending instruments are S.I. 1976/1247, 1981/1414 and 1990/1075.

<sup>(10)</sup> S.I. 1984/1890, amended by S.I. 1986/392.

### **Fees for various applications under the Control of Asbestos Regulations 2006**

5.—(1) A fee is payable by the applicant to the Executive on each application for a licence under the Control of Asbestos Regulations 2006<sup>(11)</sup> (“the 2006 Regulations”).

(2) The fee payable on application for a licence described in column 1 of Table 1 in Schedule 4 is that specified in column 2 of that Table.

(3) Where the Executive refuses to grant an applicant a licence under the 2006 Regulations and offers to reassess whether to grant the application if shortcomings leading to the refusal are remedied, a fee is payable by the applicant to the Executive in respect of any such reassessment.

(4) The fee payable for the reassessment referred to in paragraph (3) is that specified in column 1 of Table 2 in Schedule 4.

(5) Where the Executive amends a licence granted under the 2006 Regulations and the amendment relates to a condition or the duration of the licence, a fee is payable to the Executive by the licensee.

(6) The fee payable under paragraph (5) is that specified in column 2 of Table 2 in Schedule 4.

(7) Where the Executive replaces a lost licence granted under the 2006 Regulations or amends a licence granted under those Regulations for reasons other than those referred to in paragraph (5), a fee is payable to the Executive by the licensee.

(8) The fee payable under paragraph (7) is that specified in column 3 of Table 2 in Schedule 4.

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

6.—(1) A fee is payable to the Executive by an employer in respect of a medical examination or medical surveillance of each of that employer’s employees by an employment medical adviser for the purposes of any provision specified in column 1 of Schedule 5.

(2) The fee payable under paragraph (1) is 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 5—

- (a) the basic fee is the amount specified in column 3 of that Schedule for that provision;
- (b) the additional fee for X-rays is the amount specified in column 4 of that Schedule for that provision, and covers all X-rays taken in connection with any one examination;
- (c) the additional fee for laboratory tests is the amount specified in column 5 of that Schedule for that provision, and covers 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 Regulations 2006, that self-employed person must pay fees to the Executive ascertained in accordance with paragraph (2).

### **Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 2002**

7.—(1) A fee is payable to the Executive by an employer in respect of medical surveillance of any of that employer’s employees by an employment medical adviser for the purposes of the Control of Lead at Work Regulations 2002<sup>(12)</sup>.

(2) The fee payable for each item described in column 1 of Schedule 6 is that specified in the corresponding entry in column 2 of that Schedule.

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<sup>(11)</sup> [S.I. 2006/2739](#), to which there are amendments not relevant to these Regulations.

<sup>(12)</sup> [S.I. 2002/2676](#), to which there are amendments not relevant to these Regulations.

**Fees payable in connection with the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001**

- 8.—(1) A fee is payable by the applicant to the Executive on each application for—
- (a) an original approval of dosimetry services granted for the purposes of the 1999 Regulations;
  - (b) the reassessment of an original approval of dosimetry services previously granted for the purposes of the 1999 Regulations; or
  - (c) the amendment of an original approval granted for the purposes of the 1999 Regulations and amended pursuant to section 11(1) of the 1974 Act.
- (2) A fee is payable by the applicant to the Executive on each application for an original type approval of apparatus pursuant to sub-paragraphs 1(c)(i) and 1(d)(i) of Schedule 1 to the 1999 Regulations or for an amendment of an original type approval amended pursuant to section 11(1) of the 1974 Act.
- (3) The fee payable for an original approval, reassessment of an original approval or amendment of an original approval referred to in paragraph (1), and for an original type approval or amendment of an original type approval referred to in paragraph (2) in respect of each matter described in column 1 of Table 1 in Schedule 7, is that specified in the corresponding entry in column 2 and column 3 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 regulation 14 of the 2001 Regulations;
  - (b) the reassessment of an original approval of dosimetry services previously granted for the purposes of regulation 14 of the 2001 Regulations; or
  - (c) the amendment of an original approval granted for the purposes of regulation 14 of the 2001 Regulations and amended pursuant to section 11(1) of the 1974 Act.
- (5) The fee payable for an application referred to in paragraph (4) for each purpose specified in column 1 of Table 2 in Schedule 7 is that specified 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 its nuclear or other specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (1), (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 7 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 this regulation, 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 (6) or (7) is payable prior to notification of the result of the application.
- (9) 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 21(3)(e) of the 1999 Regulations, in the amount set out in column 2 of Table 3 in Schedule 7 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 purposes specified in column 3 of that Table.
- (10) For the purposes of this regulation and Schedule 7 only—

“the 1999 Regulations” means the Ionising Radiations Regulations 1999(13);

“the 2001 Regulations” means the Radiation (Emergency Preparedness and Public Information) Regulations 2001(14);

“amendment of an original approval” in Table 1 and Table 2 of Schedule 7 includes the issue of a new approval replacing the original and incorporating the amendments; and

“processing” in Table 3 in Schedule 7 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.

### **Fees payable under the Manufacture and Storage of Explosives Regulations 2005 and certain other provisions concerning explosives, including acetylene, and under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936**

9.—(1) Where any application in relation to a provision specified in column 1 of Part 1 of Schedule 8 is made to the Executive, where it is the licensing authority by virtue of paragraphs 1(b) or (c) or 2 of Schedule 1 to the 2005 Regulations, for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part is payable by the applicant to the Executive.

(2) In the case of an application referred to in column 2 of Part 1 of Schedule 8 for a licence to manufacture ammonium nitrate blasting intermediate(15) or to vary any such licence, the fee referred to in the corresponding entry in column 3 of that Part as an amount per hour worked—

- (a) is to be adjusted pro rata for a period worked of less than one hour; and
- (b) is payable prior to notification of the result of the application.

(3) Where any application in relation to a provision specified in column 1 of Part 2 of Schedule 8 is made to a licensing authority, which is the licensing authority by virtue of paragraph 1(a) of Schedule 1 to the 2005 Regulations, for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part is payable by the applicant to that licensing authority.

(4) Where an application in relation to the provision specified in column 1 of Part 3 of Schedule 8 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 is payable by the applicant to the Executive.

(5) The fee payable under each provision specified in column 1 of Part 4 of Schedule 8 for the purpose described in the corresponding entry in column 2 is that specified in the corresponding entry in column 3 of that Part.

(6) A fee is payable by the applicant 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) or (4) for any purpose specified in column 2 of each of Parts 1 and 3 of Schedule 8 for which there is a corresponding entry in column 4 of the respective Part, and the fee for work in connection with each such purpose is that specified in the corresponding entry

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(13) S.I. 1999/3232, amended by S.I. 2001/2975.

(14) S.I. 2001/2975, to which there are amendments not relevant to these Regulations. An approval of dosimetry services for the purposes of regulation 14 of the 2001 Regulations is made under regulation 35 of the Ionising Radiation Regulations 1999 (S.I. 1999/3232).

(15) The manufacture of ammonium nitrate blasting intermediate is deemed to be the manufacture of an explosive by virtue of regulation 2(2) of the Manufacture and Storage of Explosives Regulations 2005.

in column 4 of that Part for each hour worked adjusted pro rata for a period worked of less than one hour, and such fee is payable prior to notification of the result of the application.

(7) A fee is payable by the applicant to the Executive for each application made for each purpose specified in column 1 of each of Parts 5, 6 and 7 of Schedule 8.

(8) The fee for an application for each purpose specified in column 1 of each of Parts 5, 6 and 7 of Schedule 8—

- (a) is that specified in the corresponding entry in column 2 in the respective Part; and
- (b) is payable on making the application, save that where in column 2 of Part 7 a part of the fee is determined as an amount per hour worked, that part is payable prior to notification of the result of the application and is to be adjusted pro rata for a period worked of less than one hour.

(9) A fee is payable by the applicant 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 (7) for any purpose specified in column 1 of each of Parts 5 and 6 of Schedule 8 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 is that specified in the corresponding entry in column 3 of that Part for each hour worked adjusted pro rata for a period worked of less than one hour, and such fee is payable prior to notification of the result of the application.

(10) A fee is 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 8 of Schedule 8, and the fee for testing in connection with each such purpose is the reasonable cost to the Executive of having the work carried out and such fee is payable prior to notification of the result of the application.

(11) Where any application in relation to the provision specified in column 1 in Table 1 in Part 9 of Schedule 8 is made for a purpose specified in column 2 of that Table, the fee specified in the corresponding entry in column 3 of that Table is payable by the applicant to the chief officer of police.

(12) Where, in relation to an application for an explosives certificate under the 1991 Regulations, a check is carried out for the purposes of regulation 4(6)(d) of those Regulations to ascertain whether the applicant is a prohibited person or not, a fee is payable by the applicant to the chief officer of police and the fee, which is payable prior to that check being carried out, is that specified in Table 2 in Part 9 of Schedule 8.

(13) Parts 2, 4 and 9 of Schedule 8 have effect subject to, respectively, the Notes to Parts 2, 4 and 9.

(14) For the purposes of this regulation and Schedule 8—

“the 1968 Act” means the Firearms Act 1968(16);

“the 1991 Regulations” means the Control of Explosives Regulations 1991(17);

“the 2005 Regulations” means the Manufacture and Storage of Explosives Regulations 2005(18);

“ammonium nitrate blasting intermediate”, “licence”, “licensing authority”, “manufacture”, “on-site mixing”, “registration”, “shooters’ powder” and “site” have the same meanings as in the 2005 Regulations;

“chief officer of police”, “explosives certificate” and “prohibited person” have the same meanings as in the 1991 Regulations;

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(16) 1968 c.27; section 33 was amended by the Firearms (Amendment) Act 1988 (c.45), section 13(1), and the Firearms (Amendment) Act 1997 (c.5), section 42(2), and the definition of “firearms dealer” in section 57(4) was amended by the Violent Crime Reduction Act 2006 (c.38), section 31(3); there are other amending instruments but none are relevant.

(17) S.I. 1991/1531, amended by S.I. 2009/693; there are other amending instruments but none is relevant.

(18) S.I. 2005/1082; relevant amending instruments are S.I. 2007/2598 and 2009/693; there is another amending instrument but it is not relevant.

“firearm certificate”, “firearms dealer” and “shot gun certificate” have the same meanings as in the 1968 Act;

“firearms dealer certificate” means a certificate granted or caused to be granted under section 33(4) of the 1968 Act to a person who is registered as a firearms dealer under that section;

“relevant application under the 1968 Act” means an application under the 1968 Act—

- (a) for a firearm certificate or a shot gun certificate or to be registered as a firearms dealer; or
- (b) for the renewal of a firearm certificate, a shot gun certificate or a firearms dealer certificate; and

“relevant certificate” means a firearm certificate, a shot gun certificate or a firearms dealer certificate.

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

**10.** Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928<sup>(19)</sup> or section 1(4) of the Petroleum (Transfer of Licences) Act 1936<sup>(20)</sup>, the fee prescribed by these Regulations in respect of any application for a petroleum licence is 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 application for or changes to an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987**

**11.—(1)** A fee is payable by the applicant to the Executive on each application for an explosives licence, or for any alteration in the terms of or other change to an existing explosives licence, under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987<sup>(21)</sup>.

(2) The fee on an application for each purpose specified in column 1 of Schedule 9 is that specified in column 2 of that Schedule and, where the fee is determined as an amount per hour worked, the fee, which is to be adjusted pro rata for a period worked of less than one hour, so calculated is payable prior to notification of the result of the application.

### **Estimate of cost of work**

**12.** Where any fee is to be assessed on the reasonable cost to the Executive of carrying out any work or testing under regulation 2(3)(b), 9(9), 17(1) or 17(2), or to the licensing authority of carrying out any work pursuant to regulation 9(2), the Executive or, as the case may be, the licensing authority must—

- (a) on receipt of the application or request, as the case may be, prepare and send to the person making the application or request an estimate of that cost; and
- (b) before carrying out the work, obtain confirmation from the person making the application or request that that person wishes the work to be carried out on the basis of that estimate of cost.

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<sup>(19)</sup> 1928 c.32; section 4 was amended by S.I. 1974/1942 and 1987/52.

<sup>(20)</sup> 1936 c.27; section 1(4) was amended by S.I. 1974/1942 and 1987/52.

<sup>(21)</sup> S.I. 1987/37, amended by S.I.1988/712; there are other amending instruments but none is relevant.

### **Fees for notifications and applications under the Genetically Modified Organisms (Contained Use) Regulations 2000**

**13.**—(1) The fee specified in column 2 of Schedule 10 is payable by a notifier to the competent authority on each such notification or application under the 2000 Regulations as is referred to in the corresponding entry in column 1 of that Schedule.

(2) No fee is to be returned to a notifier where the competent authority returns a notification pursuant to regulation 14(7) of the 2000 Regulations or the notifier withdraws a notification pursuant to regulation 15(6) of the 2000 Regulations.

(3) In this regulation, “the 2000 Regulations” means the Genetically Modified Organisms (Contained Use) Regulations 2000(22) and “competent authority” has the same meaning as in those Regulations.

### **Fees payable in respect of offshore installations**

**14.**—(1) A fee is payable to the Executive by the person referred to in column 2 of Schedule 11 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee is payable to the Executive by an operator or owner who has prepared a current safety case pursuant to the 2005 Regulations for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against one or more than one of the following—

- (a) that operator or owner in relation to the installation to which the current safety case relates; or
- (b) a contractor in relation to any work carried out by that contractor on or in connection with that installation.

(3) For the purposes of this regulation, regulation 17 and Schedule 11, “the 2005 Regulations” means the Offshore Installations (Safety Case) Regulations 2005(23) and “installation”, “current safety case”, “safety case”, “operator” and “owner” have the same meanings as in those Regulations.

### **Fees payable in respect of gas safety functions**

**15.**—(1) A fee is payable to the Executive by the person referred to in column 2 of Schedule 12 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee is payable to the Executive by a person conveying gas who has prepared a safety case pursuant to the 1996 Regulations or by a network emergency co-ordinator for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against one or other or both of the following—

- (a) that person in relation to the network, including a pipeline that it is intended will form part of the network, to which the safety case relates; or
- (b) a contractor in relation to work carried out by that contractor on or in connection with that network, including work on a pipeline that it is intended will form part of that network,

insofar as such enforcement is for the purpose of protecting persons from risks arising from the manner in which gas is or is to be conveyed or used.

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(22) S.I. 2000/2831, amended by S.I. 2005/2466; there are other amending instruments but none is relevant.

(23) S.I. 2005/3117, to which there are amendments not relevant to these Regulations.

(3) A fee is payable to the Executive by a person conveying gas who has prepared a safety case pursuant to the 1996 Regulations and a major accident prevention document pursuant to the Pipelines Safety Regulations 1996<sup>(24)</sup> for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against one or other or both of the following—

- (a) that person in relation to work relating to a major accident hazard pipeline, including the construction of a pipeline that it is intended will form part of the network, to which the major accident prevention document relates; or
- (b) a contractor in relation to work carried out by that contractor relating to a major accident hazard pipeline, including the construction of a pipeline that it is intended will form part of the network, to which the major accident prevention document relates.

(4) For the purposes of this regulation, regulation 17 and Schedule 12—

- (a) “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996<sup>(25)</sup>, and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in those Regulations; and
- (b) “major accident hazard pipeline” has the same meaning as in the Pipelines Safety Regulations 1996.

#### **Fees payable in relation to nuclear installations**

**16.**—(1) Where, by virtue of the provisions specified in entry (a) or (b) of column 1 of Table 1 in Schedule 13, the Executive carries out any work for a purpose specified in column 2 of that Table, a fee is payable to the Executive by the person referred to in column 3 of that Table.

(2) Where, by virtue of the provisions specified in column 1 of Table 2 in Schedule 13, the Executive carries out any work for the purpose specified in column 2 of that Table, a fee is payable to the Executive by the person referred to in column 3 of that Table.

(3) A fee is payable to the Executive by a licensee of a nuclear site for the performance by or on behalf of the Executive, or by an inspector appointed by it, of any function conferred on the Executive or the inspector by the 1974 Act which relates to the enforcement of any of the relevant statutory provisions against one or other or both of the following—

- (a) that licensee; or
- (b) a contractor in relation to any work carried out by that contractor on or in connection with that nuclear site.

(4) For the purposes of this regulation and Schedule 13—

“the 1965 Act” means the Nuclear Installations Act 1965<sup>(26)</sup>;

“assessment agreement” means an agreement between the Executive and the person requesting the assessment of a design proposal, which identifies the scope of the assessment to be made by the Executive of that design proposal;

“design proposal” means a proposal for any nuclear installation, including matters relating to the installation’s construction, commissioning, operation and decommissioning, which is to be assessed by the Executive prior to any application for a licence under section 1(1) of the 1965 Act which may be made, based upon that proposal;

“licensee” means a person who has been granted a nuclear site licence pursuant to section 1(1) of the 1965 Act; and

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<sup>(24)</sup> S.I. 1996/825, to which there are amendments not relevant to these Regulations.

<sup>(25)</sup> S.I. 1996/551, to which there are amendments not relevant to these Regulations.

<sup>(26)</sup> 1965 c.57.

“nuclear installation” means a nuclear reactor or an installation within the meaning of section 1(1)(b) of the 1965 Act.

### Provisions supplementary to regulations 14 to 16

- 17.—(1) Any fee referred to in regulations 14 to 16 above—
- (a) is not to exceed the sum of the costs reasonably incurred by the Executive for the performance of the function or, in the case of regulation 16(1) and (2), the carrying out of the work referred to in the respective regulation; and
  - (b) is payable within 30 days from the date of the invoice that the Executive has sent or given to the person who must pay that fee, and such invoices must include a statement of the work done and the costs incurred, including the period to which the statement relates.
- (2) No fee payable under regulations 14 to 16 is to include any costs connected with—
- (a) in England and Wales, any criminal investigation or prosecution incurred (in either case) from the date any summons is obtained from a Magistrates’ Court;
  - (b) in Scotland, criminal investigation or prosecution incurred (in either case) after such time as—
    - (i) the inspector undertaking the investigation submits a report to the Procurator Fiscal for a decision as to whether a prosecution should be brought; or
    - (ii) the Procurator Fiscal intervenes in the investigation,
 whichever is the sooner; or
  - (c) any appeal pursuant to section 24 of the 1974 Act (appeal against improvement or prohibition notice) and regulation 16(1) and (3)(b) of, and Schedules 1 and 4 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004<sup>(27)</sup>.
- (3) For the purposes of regulation 14 and paragraph (2)(a) and (b), an installation is treated as being in England and Wales if it is in the English area within the meaning of article 1 of the Civil Jurisdiction (Offshore Activities) Order 1987<sup>(28)</sup> and in Scotland if it is in the Scottish area within the meaning of that article.
- (4) Any reference in regulation 14 to a person who has prepared a current safety case includes a reference to—
- (a) a person who must prepare a safety case, and in that connection as if any reference in that regulation to the installation to which the current safety case relates were a reference to the installation to which the safety case would have related if it had been prepared in accordance with such requirement; and
  - (b) a person who is treated as having prepared a current safety case by virtue of regulation 2(9) of the 2005 Regulations.
- (5) Any reference in regulation 15 to a person who has prepared a safety case includes a reference to a person who must prepare a safety case, and in that connection as if any reference in that regulation to the network to which the safety case relates were a reference to the network to which the safety case would have related if it had been prepared in accordance with such requirement.
- (6) Any reference in regulations 14 to 16 to work carried out by a contractor is a reference to work carried out for the benefit of the person by whom the fees are payable under that regulation by a contractor or a contractor’s employees, whether pursuant to an agreement or an arrangement which the contractor has made with that person or with another person.

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(27) S.I. 2004/1861, amended by S.I. 2004/2351, 2005/435, 2005/1865, 2007/2142, 2007/2602, 2007/3224, 2008/2683 and 2008/3240; there are other amending instruments but none is relevant.

(28) S.I. 1987/2197.

(7) Any reference in regulations 14 to 16 to a function conferred on an inspector by the 1974 Act 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 Act which is exercised for the purpose of carrying into effect those provisions in relation to that person.

### **Fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981**

**18.**—(1) A fee is payable by the applicant to the Executive on each application for an original approval of training or a renewal of an approval of training under regulation 3(2)(a) of the Health and Safety (First-Aid) Regulations 1981**(29)**.

(2) The fee payable under paragraph (1) is—

- (a) in respect of an application for an original approval, that specified in column 1 of Table 1 in Schedule 14; or
- (b) in respect of an application for a renewal of an approval, that specified in column 3 of that Table.

(3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and the Executive requires an additional site-visit to be made for the purpose of reassessing an application for an original approval, a fee is payable by the applicant to the Executive.

(4) The fee payable under paragraph (3) is that specified in column 2 of Table 1 in Schedule 14, and is payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (7), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee is payable to the Executive by the provider of the approved training, except that no such fee is payable in respect of the first such site-visit made after the original approval has been given.

(6) The fee payable under paragraph (5) is that specified in column 1 of Table 2 in Schedule 14, except where the site-visit is carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, when the fee payable is that specified in column 2 of that Table.

(7) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee is payable to the Executive by the provider of the training where—

- (a) the result of the investigation is that the complaint is found to be justified; and
- (b) the complaint could not be fully investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(8) The fee payable under paragraph (7) is that specified in column 3 of Table 2 in Schedule 14.

(9) Where the date for any site-visit referred to in this regulation has been agreed between the training provider and the Executive and—

- (a) the training provider wishes to cancel the site-visit agreed for that date, and informs the Executive of this wish three working days or less before that date; and
- (b) there is as a result no site-visit on that date,

a fee is payable by the training provider to the Executive in respect of that cancelled site-visit.

(10) The fee payable under paragraph (9) is that specified in column 4 of Table 2 in Schedule 14.

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**(29)** [S.I. 1981/917](#), to which there are amendments not relevant to these Regulations.

(11) Any fee referred to in paragraphs (6), (8) and (10) is payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

### **Fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989**

**19.**—(1) A fee is payable by the applicant to the Executive on each application for an original approval or a renewal of an approval of training under regulation 5(2)(a) of the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989<sup>(30)</sup>.

(2) The fee payable under paragraph (1) is—

- (a) where the application for an original approval of training relates to, as the case may be—
  - (i) rendering first-aid to persons who are injured or become ill while at work (referred to in this regulation as “first-aid training”); or
  - (ii) rendering first-aid to, and treating in accordance with the directions of a registered medical practitioner (who may or may not be present) persons who are injured or become ill while at work, and giving simple advice in connection with the health of persons at work (together referred to in this regulation as “medical training”),
 that specified in, respectively, columns 1 and 2 of Table 1 in Schedule 15; or
- (b) in respect of an application for a renewal of approval of, as the case may be, first-aid training or medical training, that specified in, respectively, columns 3 and 4 of that Table.

(3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and the Executive requires an additional site-visit to be made for the purpose of reassessing an application for an original approval, a fee is payable by the applicant to the Executive.

(4) The fee payable under paragraph (3) is—

- (a) where the application for approval relates to first-aid training, that specified in column 1 of Table 2 in Schedule 15; or
- (b) where the application for approval relates to medical training, that specified in column 2 of that Table,

and is payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (8), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee is payable to the Executive by the provider of the approved training, except that no such fee is payable in respect of the first such site-visit made after the original approval has been given.

(6) Subject to paragraph (7), the fee payable under paragraph (5) is—

- (a) where the site-visit is in connection with an approval relating to first-aid training, that specified in column 1 of Table 3 in Schedule 15; or
- (b) where the site-visit is in connection with an approval relating to medical training, that specified in column 2 of that Table,

provided that, where the site-visit is in respect of both kinds of approval of training as are referred to in sub-paragraphs (a) and (b) above and takes only one day to complete, the sum of the payable fees specified in columns 1 and 2 of that Table is to be reduced by an amount of £150.

(7) The fee payable under paragraph (5) where the site-visit is carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit—

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<sup>(30)</sup> S.I. 1989/1671, amended by S.I. 1993/1823; there are other amending instruments but none is relevant.

- (a) where the site-visit is in connection with an approval relating to first-aid training, is that specified in column 3 of Table 3 in Schedule 15; or
  - (b) where the site-visit is in connection with an approval relating to medical training, is that specified in column 4 of that Table.
- (8) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee is payable to the Executive by the provider of the training where—
- (a) the result of the investigation is that the complaint is found to be justified; and
  - (b) the complaint could not be investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.
- (9) The fee payable under paragraph (8) is—
- (a) where the site-visit is made for the purpose of investigating a complaint relating to first-aid training provided pursuant to an approval, that specified in column 1 of Table 4 in Schedule 15; or
  - (b) where the site-visit is made for the purpose of investigating a complaint relating to medical training provided pursuant to an approval, that specified in column 2 of Table 4 in Schedule 15.
- (10) Where the date for any site-visit referred to in this regulation has been agreed between the training provider and the Executive and—
- (a) the training provider wishes to cancel the site-visit agreed for that date, and informs the Executive of this wish three working days or less before that date; and
  - (b) there is as a result no site-visit on that date,
- a fee is payable by the training provider to the Executive in respect of that cancelled site-visit.
- (11) The fee payable under paragraph (10) is—
- (a) where the site-visit was to have been in connection with an approval of first-aid training, that specified in column 3 of Table 4 in Schedule 15; or
  - (b) where the site-visit was to have been in connection with an approval of medical training, that specified in column 4 of that Table (that is to say, the reasonable cost to the Executive due to the cancellation).
- (12) The fee referred to in paragraphs (6), (7), (9) and (11) is payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

### **Provisions supplementary to regulations 18 and 19**

**20.**—(1) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter applies for an original approval of the one of those two kinds of training not earlier applied for or the applications are made together, the Executive must repay to the applicant the amount of £168 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of medical training, the Executive must repay to the applicant a further amount of £56 in respect of the fees paid for the original approvals of training applied for.

(2) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter or at the same time applies for an original approval of medical training, the Executive must repay to the applicant the amount of £56 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of the one of the two kinds of training first referred to in this paragraph not earlier applied for, the Executive must

repay to the applicant a further amount of £168 in respect of the fees paid for the original approvals of training applied for.

(3) Where an application for an original approval of medical training is made and the applicant thereafter or at the same time applies for an original approval of first-aid training, the Executive must repay to the applicant the amount of £56 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of training for the purposes of regulation 3(2)(a) of the 1981 Regulations, the Executive must repay to the applicant a further amount of £168 in respect of the fees paid for the original approvals of training applied for.

(4) Where an applicant applies for original approvals of first-aid training, medical training and training for the purposes of regulation 3(2)(a) of the 1981 Regulations at the same time, the Executive must repay to the applicant the amount of £224 in respect of the fees paid for those applications.

(5) In this regulation—

“the 1981 Regulations” means the Health and Safety (First-Aid) Regulations 1981; and

“first-aid training” and “medical training” have the same meanings as in regulation 19.

#### **Fees for notifications under the Notification of Conventional Tower Cranes Regulations 2010**

**21.**—(1) The fee specified in column 2 of Schedule 16 is payable by an employer to the Executive on each notification under the 2010 Regulations as is referred to in the corresponding entry in column 1 of that Schedule.

(2) In this regulation and Schedule 16, “the 2010 Regulations” means the Notification of Conventional Tower Cranes Regulations 2010<sup>(31)</sup> and “construction site”, “conventional tower crane” and “thorough examination” have the same meanings as in the 2010 Regulations.

#### **Revocation**

**22.** The Health and Safety (Fees) Regulations 2009<sup>(32)</sup> are revoked.

Signed by authority of the Secretary of State for Work and Pensions.

2nd March 2010

*William D. McKenzie*  
Parliamentary Under Secretary of State,  
Department for Work and Pensions

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<sup>(31)</sup> S.I. 2010/333.

<sup>(32)</sup> S.I. 2009/515.

## SCHEDULE 1

Regulation 2

## FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

## PART 1

FEES FOR APPLICATIONS FOR APPROVAL OF SUBSTANCES  
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>for Fee for renewal of approval</i>
Approval of explosives	£339	£235	£83

## PART 2

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

<i>1</i>	<i>2</i>
<i>Test</i>	<i>Fee for test</i>
(a) Break test shot	£261
(b) Deflagration shot	£209
(c) Detonator test (per 100 shots)	£1,596
(d) Detonator delay time test (per 100 shots)	£1,262
(e) Gallery shot	£297
(f) Velocity of detonation test (per 3 shots)	£516

## PART 3

## FEES FOR OTHER TESTING

The fee for any testing not fixed by Part 2 of this Schedule is the reasonable cost to the Executive of having the testing carried out.

## SCHEDULE 2

Regulation 3

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

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>

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Statutory Instruments are not carried in their revised form on this site.

(a) Original approval of tractor cab	£485
(b) Revision of an existing approval of a tractor cab	£266

## SCHEDULE 3

Regulation 4

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

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£94

## SCHEDULE 4

Regulation 5

FEEES FOR VARIOUS APPLICATIONS UNDER THE  
CONTROL OF ASBESTOS REGULATIONS 2006

Table 1

<i>1</i>	<i>2</i>
<i>Subject matter of licence</i>	<i>Fee</i>
Licence for work with asbestos or renewal of (original) licence	£3,236

Table 2

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for re-assessment of licence application</i>	<i>Fee for amendment of condition, or duration, of licence</i>	<i>Fee for other amendment, or replacement, of a licence</i>
£741	£741	£80

## SCHEDULE 5

Regulation 6

FEEES 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>Fee for X-Rays</i>	<i>Fee for Laboratory tests</i>
(a) The Ionising Radiations Regulations 1999	<a href="#">S.I.1999/3232</a>	£38 where surveillance is confined to	£73	£42

		examination of, and making entries in, records		
		£71 in other cases		
(b) The Control of Asbestos Regulations 2006	<a href="#">S.I.2006/2739</a>	£73	£73	£42
(c) The Control of Substances Hazardous to Health Regulations 2002	<a href="#">S.I.2002/2677</a>	£73	£73	£42
(d) The Work in Compressed Air Regulations 1996	<a href="#">S.I.1996/1656</a>	£73	£73	£42

## SCHEDULE 6

Regulation 7

FEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL  
ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 2002

<i>1</i> <i>Item</i>	<i>2</i> <i>Fee</i>
(a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£73
(b) On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£42
(ii) for a clinical medical examination where this is carried out	£42

## SCHEDULE 7

Regulation 8

FEES FOR VARIOUS APPLICATIONS IN CONNECTION WITH THE IONISING  
RADIATIONS REGULATIONS 1999 AND THE RADIATION (EMERGENCY  
PREPAREDNESS AND PUBLIC INFORMATION) REGULATIONS 2001

**Table 1**

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or other Specialist Inspector</i>
Original approval or reassessment of such approval of dosimetry services granted under		

regulation 35 of the 1999 Regulations for the purposes of those Regulations

Group I

Dose record keeping

(a) Where the application is solely in respect of Group I functions £806 £136 per hour worked

(b) Where the application for Group I functions is linked to an application in respect of functions in another group £806 £136 per hour worked

Group II

External dosimetry

(a) Whole body (beta, gamma, thermal neutrons) film £806 £136 per hour worked

(b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter £806 £136 per hour worked

(c) Whole body (neutron), other than sub-groups (a) or (b) £806 £136 per hour worked

(d) Whole body, other than sub-groups (a), (b), or (c) £806 £136 per hour worked

(e) Extremity monitoring £806 £136 per hour worked

(f) Accident dosimetry, other than in the previous sub-groups £806 £136 per hour worked

Group III

Internal dosimetry

(a) Bio-assay, in-vivo monitoring or air sampling £806 £136 per hour worked

(b) For each additional one of the above techniques £806 £136 per hour worked

Original type approval of apparatus under sub-paragraph 1(c)(i) or 1(d)(i) of Schedule 1 to the 1999 Regulations (which exempts such type approved apparatus from the notification requirements of regulation 6 of those Regulations) £136 £136 per hour worked

Amendment of an original approval of dosimetry services granted under regulation 35 of the 1999 Regulations for the purposes of those Regulations, or an original type approval of apparatus under sub-paragraph 1(c)(i) or 1(d)(i) of Schedule 1 to those Regulations £56 £136 per hour worked

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**Table 2**

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1

2

3

<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Nuclear or other Specialist Inspector</i>
Original approval or reassessment of such approval of dosimetry services granted under regulation 35 of the 1999 Regulations for the purposes of regulation 14 of the 2001 Regulations	£1,898	£136 per hour worked
Amendment of an original approval of dosimetry services granted under regulation 35 of the 1999 Regulations for the purposes of regulation 14 of the 2001 Regulations	£56	£136 per hour worked

Table 3

<i>1</i>	<i>2</i>	<i>3</i>
<i>Statutory provision</i>	<i>Fee</i>	<i>Purpose of the work</i>
Section 11(1) and 11(2)(a) and (b) of the 1974 Act	£3.50	Processing information contained in a record sent to the Executive pursuant to regulation 21(3)(e) of the 1999 Regulations

## SCHEDULE 8

Regulation 9

FEES PAYABLE UNDER THE MANUFACTURE AND STORAGE OF EXPLOSIVES REGULATIONS 2005 AND CERTAIN OTHER PROVISIONS CONCERNING EXPLOSIVES, INCLUDING ACETYLENE, AND UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928 AND THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936

## PART 1

APPLICATIONS FOR LICENCES, OR VARIATIONS OF LICENCES, TO MANUFACTURE OR STORE EXPLOSIVES MADE TO THE EXECUTIVE WHERE IT IS THE LICENSING AUTHORITY BY VIRTUE OF PARAGRAPHS 1(b) OR (c) OR 2 OF SCHEDULE 1 TO THE 2005 REGULATIONS

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Provision under which a licence is granted</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
<b>The 2005 Regulations</b>			

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Regulation 9, as extended by regulation 2(2) of those Regulations to the manufacture of ammonium nitrate blasting intermediate	Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£631	£127 per hour worked
	Licence to manufacture ammonium nitrate blasting intermediate	£156 per hour worked	
	Licence to manufacture explosives by means of on-site mixing	£234	£127 per hour worked
	Renewal of any of the above licences	£83	£127 per hour worked
Regulation 10	Licence to store explosives	£631	£127 per hour worked
	Renewal of licence	£83	£127 per hour worked
Regulation 16	Varying a licence— (a) to manufacture explosives not being ammonium nitrate blasting intermediate, or (b) to store explosives	£432	£127 per hour worked
	Varying a licence to manufacture ammonium nitrate blasting intermediate	£156 per hour worked	
Regulation 20	Transfer of licence	£52	
	Replacement of any of the licences referred to in this Part if lost	£52	

## PART 2

APPLICATIONS FOR LICENCES TO STORE EXPLOSIVES AND FOR REGISTRATION IN RELATION TO THE STORAGE OF EXPLOSIVES MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING AUTHORITIES BY VIRTUE OF PARAGRAPH 1(a) OF SCHEDULE 1 TO THE 2005 REGULATIONS

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which application made</i>	<i>Purpose of application</i>	<i>Fee</i>

**The 2005 Regulations**

Regulation 10 (see Note)	Licence to store explosives:	
	(a) one year's duration	£178
	(b) two years' duration	£234
	(c) three years' duration	£292
	(d) four years' duration	£360
	(e) five years' duration	£407
	Renewal of licence:	
	(a) one year's duration	£83
	(b) two years' duration	£141
	(c) three years' duration	£198
	(d) four years' duration	£256
	(e) five years' duration	£313
Regulation 11 (see Note)	Registration in relation to the storage of explosives:	
	(a) one year's duration	£105
	(b) two years' duration	£136
	(c) three years' duration	£166
	(d) four years' duration	£198
	(e) five years' duration	£229
	Renewal of registration:	
	(a) one year's duration	£52
	(b) two years' duration	£83
	(c) three years' duration	£115
	(d) four years' duration	£146
	(e) five years' duration	£178
Regulation 16	Varying a licence:	
	(a) varying name of licensee or address of site	£35
	(b) any other kind of variation	The reasonable cost to the licensing authority of having the work carried out
Regulation 20	Transfer of licence or registration	£35
	Replacement of licence or registration referred to above if lost	£35

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Note:

The fee payable for a licence, registration, or renewal of a licence or registration—

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- (a) of less than one year's duration is, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration, of one year's duration decreased proportionately according to the duration of the period for which the licence, registration or renewal of either is granted;
- (b) of more than one but less than two years' duration is, respectively, the fee set out above for a licence, registration or a renewal of a licence or registration of one year's duration increased proportionately according to the duration of the period for which the licence, registration or a renewal of either is granted;
- (c) of more than two but less than three years' duration is, respectively, the fee set above for a licence, registration or renewal of a licence or registration of two years increased proportionately according to the duration of the period for which the licence, registration, or renewal of either is granted;
- (d) of more than three but less than four years' duration is, respectively, the fee set above for a licence, registration or renewal of a licence or registration of three years increased proportionately according to the duration of the period for which the licence, registration, or renewal of either is granted;
- (e) of more than four but less than five years' duration is, respectively, the fee set above for a licence, registration or renewal of a licence or registration of four years increased proportionately according to the duration of the period for which the licence, registration, or renewal of either is granted.

### PART 3

#### APPLICATION FOR AN ACETYLENE IMPORTATION LICENCE UNDER SECTION 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH A LICENCE

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Provisions under which a licence is granted</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
<b>Explosives Act 1875(33)</b>			
Section 40(9) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(34)	Licence for importation of compressed acetylene	of £39	£127 per hour worked
	Replacement of the above licence if lost	£39	

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(33) 1875 c.17. Section 40 was repealed by S.I. 2005/1082. By virtue of regulation 27(17) of that S.I., despite the repeal of section 40, paragraph (9) of that section (as it had effect before the commencement of Schedule 4 to S.I. 1993/2714) continues to apply to acetylene as it applied before the commencement of S.I. 2005/1082.

(34) S.I. 1978/1723, amended by S.I. 2004/568 and S.I. 2007/1573.

(33) 1875 c.17. Section 40 was repealed by S.I. 2005/1082. By virtue of regulation 27(17) of that S.I., despite the repeal of section 40, paragraph (9) of that section (as it had effect before the commencement of Schedule 4 to S.I. 1993/2714) continues to apply to acetylene as it applied before the commencement of S.I. 2005/1082.

(34) S.I. 1978/1723, amended by S.I. 2004/568 and S.I. 2007/1573.

## PART 4

FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE  
GRANTING AND TRANSFER OF PETROLEUM-SPIRIT LICENCES

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which a fee is payable</i>	<i>Purpose of application</i>	<i>Fee</i>
<b>Petroleum (Consolidation) Act 1928(35)</b>		
Section 4 (see Notes 1 and 2)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£42 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£58 for each year of licence
	exceeding 50,000 litres	£120 for each year of licence
<b>Petroleum (Transfer of Licences) Act 1936(36)</b>		
Section 1(4)	Transfer of petroleum spirit licence	£8

## Notes:

1. 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 is calculated as if one kilogram of the substance were equivalent to one litre.
2. The fee payable for a licence of more or less than one year's duration is 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 5

APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISO  
TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY  
1937(37) 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) Original approval of premises in which acetylene is to be manufactured or kept	£39	£127 per hour worked

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(35) 1928 c.32; section 4 was amended by S.I. 1974/1942 and 1987/52.

(36) 1936 c.27; section 1(4) was amended by S.I. 1974/1942 and 1987/52.

(35) 1928 c.32; section 4 was amended by S.I. 1974/1942 and 1987/52.

(36) 1936 c.27; section 1(4) was amended by S.I. 1974/1942 and 1987/52.

(37) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885, 1984/510 and 2005/1082.

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(b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£39	£127 per hour worked
(c) Approval of apparatus in which acetylene is to be manufactured or kept	£39	£127 per hour worked

## PART 6

### APPLICATIONS FOR APPROVALS IN RESPECT OF CONDITION (8) IN THE ORDER OF THE SECRETARY OF STATE (NO. 9) OF 23RD JUNE 1919(38)

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Specialist Inspector</i>
(a) Original approval of premises in which acetylene is compressed	£39	£127 per hour worked
(b) Amendment of an approval of premises in which acetylene is compressed	£39	£127 per hour worked

## PART 7

### APPLICATION FOR APPROVAL OF A CLASSIFICATION OF AN EXPLOSIVE UNDER THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

<i>1</i> <i>Purpose of the application</i>	<i>2</i> <i>Fee</i>
Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(39)	£68 plus £68 per hour worked after the first hour

## PART 8

### FURTHER FEES PAYABLE IN RESPECT OF CERTAIN TESTING REQUIRED BY THE EXECUTIVE

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>
(a) Application for a licence for the importation of compressed acetylene (Part 3 above)	The reasonable cost to the Executive of

(38) S.R. & O. 1919/809, amended by S.I. 1974/1885, 1984/510 and 2005/1732.

(39) S.I. 1983/1140, amended by S.I. 2004/568, 2005/1082 and 2007/1573; there are other amending instruments, but none is relevant.

(39) S.I. 1983/1140, amended by S.I. 2004/568, 2005/1082 and 2007/1573; there are other amending instruments, but none is relevant.

	having the work carried out
(b) Approval of apparatus in which acetylene is to be manufactured or kept (Part 5 above)	The reasonable cost to the Executive of having the work carried out
(c) Approval of the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 (Part 7 above)	The reasonable cost to the Executive of having the work carried out

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## PART 9

### FEEES FOR EXPLOSIVES CERTIFICATES UNDER THE CONTROL OF EXPLOSIVES REGULATIONS 1991

**Table 1**

<i>1</i> <i>Provision under which a fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>
Regulation 4 of the 1991 Regulations(40)  (see Note)	(a) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (g) or (i), at a site in relation to which a person holds a registration—	
	(i) one year's duration	£125
	(ii) two years' duration	£156
	(iii) three years' duration	£188
	(iv) four years' duration	£219
	(v) five years' duration.	£251
	(b) Renewal of the above explosive certificate—	
	(i) one year's duration	£110
	(ii) two years' duration	£130
	(iii) three years' duration	£151
	(iv) four years' duration	£173
	(v) five years' duration	£193
	(c) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (g) or (i), at a site in relation to which a person	

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(40) S.I. 1991/1531, amended by S.I. 2009/693; there are other amending instruments but none is relevant.

holds a licence for the storage of no more than 2000 kilograms of explosives—

(i) one year's duration £136

(ii) two years' duration £166

(iii) three years' duration £198

(iv) four years' duration £229

(v) five years' duration £261

(d) Renewal of the above explosive certificate—

(i) one year's duration £130

(ii) two years' duration £156

(iii) three years' duration £183

(iv) four years' duration £209

(v) five years' duration £234

(e) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (g) or (i), at a site in relation to which a person holds a licence for the storage of more than 2000 kilograms of explosives—

(i) one year's duration £183

(ii) two years' duration £219

(iii) three years' duration £256

(iv) four years' duration £292

(v) five years' duration £329

(f) Renewal of the above explosives certificate—

(i) one year's duration £161

(ii) two years' duration £193

(iii) three years' duration £224

(iv) four years' duration £256

(v) five years' duration £287

(g) Explosives certificate for acquiring and keeping only shooters' powder at a site in relation to which the applicant holds a licence or registration, where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the explosives certificate application which is to be determined at the same time £24

(h) Renewal of the above explosives certificate where the applicant also makes a relevant £15

application under the 1968 Act to the chief officer of police determining the renewal application which is to be determined at the same time

(i) Explosives certificate for acquiring and keeping only shooters' powder at a site in relation to which the applicant holds a licence or registration and the applicant also holds a relevant certificate, where no relevant application under the 1968 Act by the applicant is to be determined at the same time £44

(j) Renewal of the above explosives certificate where no relevant application under the 1968 Act by the applicant is to be determined at the same time £18

(k) Explosives certificate for acquiring more than 15 kilograms of explosives, not including an application for an explosives certificate referred to in entries (m) or (o)—

(i) one year's duration £125

(ii) two years' duration £156

(iii) three years' duration £188

(iv) four years' duration £219

(v) five years' duration £251

(l) Renewal of the above explosive certificate—

(i) one year's duration £110

(ii) two years' duration £130

(iii) three years' duration £151

(iv) four years' duration £173

(v) five years' duration £193

(m) Explosives certificate for acquiring more than 15 kilograms of shooters' powder only, where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the explosives certificate application which is to be determined at the same time £24

(n) Renewal of the above explosives certificate where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the renewal application which is to be determined at the same time £15

(o) Explosives certificate for acquiring more than 15 kilograms of shooters' powder only, where the applicant holds a relevant certificate and no

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relevant application under the 1968 Act by the applicant is to be determined at the same time

(p) Renewal of the above explosives certificate £18 where no relevant application under the 1968 Act by the applicant is to be determined at the same time

(q) Replacement of any explosive certificate £35 referred to in entries (a) to (f) and (k) and (l) if lost

(r) Replacement of any explosive certificate £10 referred to in entries (g) to (j) and (m) to (p) if lost

**Table 2**

The fee for a check carried out for the purposes of regulation 4(6)(d) of the 1991 Regulations is £5

Note:

The fee payable for an explosive certificate or a renewal of an explosive certificate (“renewal”)—

(a) of less than one year’s duration is, respectively, the fee set out above of one year’s duration for the kind of explosive certificate or renewal to which the application relates, decreased proportionately according to the duration of the period for which the explosive certificate or renewal is granted;

(b) of more than one but less than two years’ duration is, respectively, the fee set out above of one year’s duration for the kind of explosive certificate or a renewal to which the application relates increased proportionately according to the duration of the period for which the explosive certificate or renewal is granted;

(c) of more than two but less than three years’ duration is, respectively, the fee set out above of two years’ duration for the kind of explosive certificate or a renewal to which the application relates increased proportionately according to the duration of the period for which the explosive certificate or renewal is granted;

(d) of more than three but less than four years’ duration is, respectively, the fee set out above of three years’ duration for the kind of explosive certificate or a renewal to which the application relates increased proportionately according to the duration of the period for which the explosive certificate or renewal is granted;

(e) of more than four but less than five years’ duration is, respectively, the fee set out above of four years’ duration for the kind of explosive certificate or a renewal to which the application relates increased proportionately according to the duration of the period for which the explosive certificate or renewal is granted.

SCHEDULE 9

Regulation 11

FEEs FOR APPLICATION FOR OR CHANGES TO AN  
EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS  
SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

<i>1</i> <i>Purpose of the application</i>	<i>2</i> <i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£688 plus £127 per hour worked
Change of licence name or address	£54

(40) S.I. 1991/1531, amended by S.I. 2009/693; there are other amending instruments but none is relevant.

## SCHEDULE 10

Regulation 13

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY  
MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>
(a) Notification of intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£472
(b) Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£943
(c) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 2 under regulation 10(1)	£943
(d) Notification of an activity involving genetic modification in class 3 under regulation 11(1)	£1,022
(e) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)	£1,022
(f) Notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,178
(g) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as the notification of an activity involving genetic modification in class 4 under regulation 11(1)	£1,178
(h) Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£943
(i) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£943
(j) Notification of additional information under regulation 15(3)	£706
(k) Application for the written agreement of the competent authority under regulation 18(2) where the application is made after a notification has been submitted pursuant to regulation 9(1), 10(1), 11(1) or 12(1)	£706

## SCHEDULE 11

Regulation 14

## FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
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Assessing a design notification (sent to the Executive pursuant to regulation 6(1) or 9(1) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator or owner who sent the design notification to the Executive pursuant to that provision
Assessing a relocation notification (sent to the Executive pursuant to regulation 6(2) of the 2005 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the relocation notification to the Executive pursuant to that provision
Assessing a safety case or a revision to a current safety case (sent to the Executive pursuant to any provision of the 2005 Regulations) for the purpose of deciding whether to accept that safety case or revision and accepting any such safety case or revision	The operator or owner who sent the safety case or revision to the Executive pursuant to that provision
Providing advice with respect to the preparation of a safety case or a revision to a current safety case which is proposed to be sent to the Executive pursuant to any provision of the 2005 Regulations	The operator or owner who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 23 of the 2005 Regulations and granting any such exemption	The operator or owner who has requested the exemption

## SCHEDULE 12

Regulation 15

## FEES PAYABLE IN RESPECT OF GAS SAFETY FUNCTIONS

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
Assessing a safety case or a revision of a safety case (sent to the Executive pursuant to any provision of the 1996 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision	The person conveying gas, the person intending to convey gas or the network emergency co-ordinator who has prepared the safety case or revision pursuant to that provision
Providing advice with respect to the preparation of a safety case or revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 1996 Regulations	The person conveying gas, the person intending to convey gas or the network co-ordinator who has requested that advice

Assessing whether to grant an exemption pursuant to regulation 11 of the 1996 Regulations      The operator or owner who has requested the exemption

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## SCHEDULE 13

Regulation 16

FEES PAYABLE IN RELATION TO NUCLEAR ASSESSMENTS,  
DESIGN PROPOSALS AND POTENTIAL NUCLEAR SITE  
APPLICATIONS UNDER SECTION 1(1) OF THE 1965 ACT

**Table 1**

<i>1</i> <i>Statutory provision</i>	<i>2</i> <i>Purpose of the work</i>	<i>3</i> <i>Person by whom the fee is payable</i>
(a) Section 11(1) of the 1974 Act	Preparing an assessment agreement	The person who has requested the assessment of the design proposal
(b) Section 11(1) of the 1974 Act and sections 1(1) and 3 of the 1965 Act	Assessing a design proposal	

**Table 2**

<i>1</i> <i>Statutory Provision</i>	<i>2</i> <i>Purpose of the work</i>	<i>3</i> <i>Person by whom the fee is payable</i>
Section 11(1) of the 1974 Act and sections 1(1) and 3 of the 1965 Act	Providing advice to a potential applicant for a licence under section 1(1) of the 1965 Act on any matter relating to a potential application for a licence	The person who has requested the advice

## SCHEDULE 14

Regulation 18

FEES FOR APPLICATIONS FOR APPROVALS UNDER THE  
HEALTH AND SAFETY (FIRST-AID) REGULATIONS 1981

**Table 1**

<i>1</i> <i>Fee for an original approval</i>	<i>2</i> <i>Fee for an additional site-visit</i>	<i>3</i> <i>Fee for renewal of approval</i>
£1,693	£565	£117

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**Table 2**

<i>1</i> <i>Fee for an initial site-visit</i>	<i>2</i> <i>Fee for any additional site-visit</i>	<i>3</i> <i>Fee for a site-visit to investigate a complaint</i>	<i>4</i> <i>Fee for a cancelled site-visit</i>
£576	£565	£576	£576

## SCHEDULE 15

Regulation 19

FEEES FOR APPLICATIONS FOR APPROVALS UNDER THE OFFSHORE  
INSTALLATIONS AND PIPELINES WORKS (FIRST-AID) REGULATIONS 1989

**Table 1**

<i>1</i> <i>Fee for an original approval of first-aid training</i>	<i>2</i> <i>Fee for an original approval of medical training</i>	<i>3</i> <i>Fee for renewal of approval of first-aid training</i>	<i>4</i> <i>Fee for renewal of approval of medical training</i>
£1,693	£2,333	£117	£117

**Table 2**

<i>1</i> <i>Fee for an additional site-visit relating to first-aid training</i>	<i>2</i> <i>Fee for an additional site-visit relating to medical training</i>
£565	£1,335

**Table 3**

<i>1</i> <i>Fee for an initial site-visit relating to first-aid training</i>	<i>2</i> <i>Fee for an initial site-visit relating to medical training</i>	<i>3</i> <i>Fee for any additional site-visit relating to first-aid training</i>	<i>4</i> <i>Fee for any additional site-visit relating to medical training</i>
£576	£1,335	£565	£1,335

**Table 4**

<i>1</i> <i>Fee for a site-visit to investigate a complaint relating to first-aid training</i>	<i>2</i> <i>Fee for a site-visit to investigate a complaint relating to medical training</i>	<i>3</i> <i>Fee for a cancelled site-visit relating to first-aid training</i>	<i>4</i> <i>Fee for a cancelled site-visit relating to medical training</i>
£576	£1,335	£576	The reasonable cost to the Executive due to the cancellation

## SCHEDULE 16

Regulation 21

FEES FOR NOTIFICATIONS UNDER THE NOTIFICATION  
OF CONVENTIONAL TOWER CRANES REGULATIONS 2010

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
Notification of the information required by regulation 4(1) of the 2010 Regulations in respect of a conventional tower crane installed on a construction site, including information concerning the thorough examination pursuant to regulation 9(2) of the Lifting Operations and Lifting Equipment Regulations 1998 <sup>(41)</sup> of that crane prior to it being put into service	£20
Notification of the information required by regulation 4(2) of the 2010 Regulations in respect of a conventional tower crane installed on a construction site, including information concerning any thorough examination pursuant to regulation 9(3) of the Lifting Operations and Lifting Equipment Regulations 1998 of that crane	£20

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

1. These Regulations revoke and replace the Health and Safety (Fees) Regulations 2009 ([S.I. 2009/515](#)), and also update fees to be charged.
2. These Regulations fix or determine the fees payable by an applicant to, in most cases, the Health and Safety Executive (“the 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 plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (*regulation 3 and Schedule 2*);
  - (c) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations 1984 (*regulation 4 and Schedule 3*);
  - (d) a licence under the Control of Asbestos Regulations 2006 and the reassessment of an application to grant, amendment to, and replacement of, such a licence (*regulation 5 and Schedule 4*);
  - (e) an approval of dosimetry services for the purposes of the Ionising Radiations Regulations 1999 or the Radiation (Emergency Preparedness and Public Information) Regulations 2001, and an amendment to such an approval (*regulation 8 and Schedule 7*);
  - (f) a licence to manufacture or store explosives or for registration for storing explosives under the Manufacture and Storage of Explosives Regulations 2005; an acetylene importation licence under section 40(9) of the Explosives Act 1875; an approval under

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<sup>(41)</sup> [S.I. 1998/2307](#), to which there are amendments not relevant to these Regulations.

<sup>(41)</sup> [S.I. 1998/2307](#), to which there are amendments not relevant to these Regulations.

certain instruments made under that Act in relation to acetylene; a licence under the Petroleum (Consolidation) Act 1928; the transfer of a licence under the Petroleum (Transfer of Licences) Act 1936; the approval of a classification of an explosive under the Classification and Labelling of Explosives Regulations 1983, or for an explosives certificate under the Control of Explosives Regulations 1991 (*regulation 9 and Schedule 8*). These Regulations include lower fees in respect of applications for explosives certificates to acquire and keep shooters' powder in certain circumstances (*entries (g) to (j) in Table 1 of Part 9 of Schedule 8*);

- (g) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 11 and Schedule 9*),

and in respect of—

- (h) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 13 and Schedule 10*);
- (i) an “assessment agreement” and a “design proposal” as defined in regulation 16 for nuclear installations (*regulation 16 and Schedule 13*);
- (j) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulations 18 and 20 and Schedule 14*); and
- (k) an approval under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulations 19 and 20 and Schedule 15*).

**3.** These Regulations fix 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 6 and 7 and Schedules 5 and 6*).

**4.** These Regulations fix a fee, payable by employers, to cover the cost to the Executive of processing information sent on behalf of those employers pursuant to the Ionising Radiations Regulations 1999 (*regulation 8 and Schedule 7*).

**5.** These Regulations determine fees payable by specified persons in respect of the performance by the Executive of certain functions specified in the Offshore Installations (Safety Case) Regulations 2005 (*regulation 14 and Schedule 11*).

**6.** These Regulations determine fees payable by specified persons in respect of the performance by the Executive of the following functions specified in the Gas Safety (Management) Regulations 1996—

- (a) assessing a safety case or a revision of a safety case;
- (b) providing advice with respect to the preparation of a safety case; and
- (c) assessing whether to grant an exemption (*regulation 15 and Schedule 12*).

**7.** These Regulations determine fees for advice given to nuclear licensees or potential licensees for the performance by the Executive of the following functions—

- (a) preparing an assessment agreement and assessing a design proposal for a nuclear site; and
- (b) advice given to potential applicants for a nuclear site licence in relation to their potential application (*regulation 16 and Schedule 13*).

**8.** These Regulations determine fees payable, in respect of the performance by or on behalf of the Executive or by an inspector appointed by it of any function conferred on the Executive or the inspector by the Health and Safety at Work etc. Act 1974 which relates to the enforcement of any of the relevant statutory provisions—

- (a) in relation to an offshore installation, by the operator or owner who has prepared a current safety case pursuant to the Offshore Installations (Safety Case) Regulations 2005 (*regulation 14*);

- (b) by—
- (i) a person conveying gas who has prepared a safety case pursuant to the Gas Safety (Management) Regulations 1996 or by a network emergency co-ordinator, in relation to a network (including a pipeline that it is intended will form part of the network) to which the safety case relates; and
  - (ii) a person conveying gas who has prepared a safety case pursuant to the Gas Safety (Management) Regulations 1996 and a major accident prevention document pursuant to the Pipelines Safety Regulations 1996, in relation to work relating to a major accident hazard pipeline (including the construction of a pipeline that it is intended will form part of the network) to which the major accident prevention document relates (*regulation 15*); and
- (c) in relation to a nuclear site, by the licensee (*regulation 16*).

**9.** These Regulations introduce a fee payable in respect of each notification made under the Notification of Conventional Tower Cranes Regulations 2010, due to come into force on 6th April 2010 (*regulation 21 and Schedule 16*).

**10.** The following impact assessments are available from the Health and Safety Executive, Financial Management Team, Redgrave Court, Merton Road, Bootle Merseyside L20 7HS—

- (a) A partial impact assessment of the effect that the increases in the level of fees described in regulation 5 will have on the costs of business and the voluntary sector; and
- (b) A full impact assessment of the effect that the fee introduced by regulation 21 will have on the costs of business and the voluntary sector.

**11.** A comparison of the new fees against 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>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
<b>Schedule 1</b>									
Fees under Mines and Quarries provisions									
Part 1	<i>Original approval</i>	<i>Amendment of approval</i>	<i>Renewal of approval</i>	<i>Original approval</i>	<i>Amendment of approval</i>	<i>Renewal of approval</i>	<i>Original approval</i>	<i>Amendment of approval</i>	<i>of Renewal of approval</i>
Approval of explosives	£34	£231	£82	£339	£235	£83	1.50	1.73	1.22

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Part 2	<i>Fee</i>	<i>Fee</i>	<i>Fee</i>
Break test shot	£257	£261	1.56
Deflagration	£206	£209	1.46
Detonator test (per 100 shots)	£1,572	£1,596	1.53
Detonator delay time test (per 100 shots)	£1,243	£1,262	1.53
Gallery shot	£293	£297	1.37
Velocity of detonation test (per 3 shots)	£509	£516	1.38
Part 3			
Other testing not fixed in Part 2	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	-
<b>Schedule 2</b>			
Approvals under the Agriculture (Tractor Cabs) Regulations 1974			
Original approval of tractor cab	£478	£485	1.46

Revision of an existing approval of a tractor cab	£262	£266	1.53
<b>Schedule 3</b>			
Approval under the Freight Containers (Safety Convention) Regulations 1984			
Approval of scheme or programme for examination of freight containers	£92	£94	2.17
<b>Schedule 4</b>			
Applications under the Control of Asbestos Regulations 2006			
Table 1			
Licence for work with asbestos or renewal of licence	£1,160	£3,236	178.97

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Table 2									
Re-assessment of licence application	£300			£741				147.00	
Amendment of condition, or duration, of licence	£300			£741				147.00	
Amendment or replacement, of a licence	£80			£80				0.00	
	<b>Basic</b>	<b>X-Rays</b>	<b>Laboratory tests</b>	<b>Basic</b>	<b>X-Rays</b>	<b>Laboratory tests</b>	<b>Basic</b>	<b>X-Rays</b>	<b>Laboratory tests</b>
<b>Schedule 5</b>									
Examination or surveillance by an employment medical adviser									
(a) Ionising Radiations Regulations 1999:									
(i) where surveillance is confined to examination of, and making entries in, records	£37	£72	£41	£38	£73	£42	2.70	1.39	2.44

(ii) in other cases	£70	£72	£41	£71	£73	£42	1.43	1.39	2.44
(b) Control of Asbestos Regulations 2006	£72	£72	£41	£73	£73	£42	1.39	1.39	2.44
(c) Control of Substances Hazardous to Health Regulations 2002	£72	£72	£41	£73	£73	£42	1.39	1.39	2.44
(d) Work in Compressed Air Regulations 1996	£72	£72	£41	£73	£73	£42	1.39	1.39	2.44
	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
<b>Schedule 6</b>									
Medical surveillance under the Control of Lead at Work Regulations 2002									
On the first assessment of an employee (including any clinical	£72			£73				1.39	

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<p>medical examination and laboratory tests in connection with the assessment)</p> <p>On each subsequent assessment of an employee —</p> <p>(i) for £41 laboratory tests where these are carried out</p> <p>(ii) £41 for a clinical medical examination where this is carried out</p> <p><b>Schedule 7</b></p> <p>Applications under the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information)</p>	<p>£42</p> <p>£42</p>	<p>2.44</p> <p>2.44</p>
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Regulations 2001			<i>Fee</i>	<i>Hourly rate</i>
Table 1				
Group I				
Dose per record keeping where the application is solely in respect of Group I function	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
Dose per record keeping where the application for Group I functions is linked to an application for approval in another group	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
Group II				
External dosimetry				
(a) Whole body (beta, gamma, thermal	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49

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neutrons) film				
(b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
(c) Whole body (neutrons) other than sub-groups (a) or (b)	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
(d) Whole body, other than sub-groups (a), (b), or (c)	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
(e) Extremely high monitoring	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
(f) Accident dosimetry other than in the previous sub-groups	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
Group III Internal dosimetry				

(a)	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
	Bio-assay or in-vivo monitoring or air sampling			
(b)	£672 plus £134 per hour worked by Nuclear or other Specialist Inspector	£806 plus £136 per hour worked by Nuclear or other Specialist Inspector	19.94	1.49
	For each additional technique			
	Type 1	£134 plus £134 per hour worked by Nuclear or other Specialist Inspector	1.49	1.49
	approved of apparatus under sub-paragraph 1(c)	£136 plus £136 per hour worked by Nuclear or other Specialist Inspector		
	(i) or 1(d)			
	(i) respectively of Schedule to the Ionising Radiations Regulations 1999			
	Amendment 1655	£56 plus £136 per hour worked by Nuclear or other Specialist Inspector	1.82	1.49
	of an original approval of dosimetry services granted under regulation 15 of the Ionising Radiations Regulations 1999 for the purposes of	£56 plus £136 per hour worked by Nuclear or other Specialist Inspector		

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those Regulations or an original type approval of apparatus under sub-paragraph 1(c) (i) or 1(d) (i) of Schedule to the Ionising Radiations Regulations 1999				
Table 2				
Approval of Dosimetry Services granted under regulation of the Ionising Radiations Regulations 1999 for the purposes of regulation of the Radiation (Emergency Preparedness and Public Information)	£1,870 plus £134 per hour worked by Nuclear or other Specialist Inspector	£1,898 plus £136 per hour worked by Nuclear or other Specialist Inspector	1.50	1.49

Regulations 2001				
Amendment of above	£55 plus £134 per hour worked by Nuclear or other Specialist Inspector	£56 plus £136 per hour worked by Nuclear or other Specialist Inspector	1.82	1.49
Table 3				
Processing of information contained in a record sent to the Executive pursuant to regulation (e) of the Ionising Radiations Regulations 1999	£3.50	£3.50	0.00	
<b>Schedule 8</b>				
Applications etc concerning explosives and petroleum- spirit				
Part 1				
Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-	£622 plus £125 per hour worked by Specialist Inspector	£631 plus £127 per hour worked by Specialist Inspector	1.45	1.60

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site mixing				
Licence to manufacture ammonium nitrate blasting intermediate	£154 per hour worked	£156 per hour worked	1.30	
Licence to manufacture explosives by means of on-site mixing	£231 plus £125 per hour worked by Specialist Inspector	£234 plus £127 per hour worked by Specialist Inspector	1.30	1.60
Renewal of any of the above licences	£82 plus £125 per hour worked by Specialist Inspector	£83 plus £127 per hour worked by Specialist Inspector	1.22	1.60
Licence to store explosives	£622 plus £125 per hour worked by Specialist Inspector	£631 plus £127 per hour worked by Specialist Inspector	1.45	1.60
Renewal of a licence	£82 plus £125 per hour worked by Specialist Inspector	£83 plus £127 per hour worked by Specialist Inspector	1.22	1.60
Varying a licence to manufacture explosives not being ammonium nitrate blasting intermediate or to store explosives	£426 plus £125 per hour worked by Specialist Inspector	£432 plus £127 per hour worked by Specialist Inspector	1.41	1.60
Varying a licence to	£154 per hour worked	£156 per hour worked	1.30	

manufacture ammonium nitrate blasting intermediate			
Transfer of a licence	£51	£52	1.96
Replacement of any licence referred to in Part 1 Part 2	£51	£52	1.96
Licence to store explosives:			
(a) one year's duration	£175	£178	1.71
(b) two years' duration	£231	£234	1.30
(c) three years' duration	£288	£292	1.39
(d) four years' duration	£355	£360	1.41
(e) five years' duration	£401	£407	1.50
Renewal of a licence:			
(a) one year's duration	£82	£83	1.22

(b) two years' duration	£139	£141	1.44
(c) three years' duration	£195	£198	1.54
(d) four years' duration	£252	£256	1.59
(e) five years' duration	£308	£313	1.62
Registration in relation to the storage of explosives:			
(a) one year's duration	£103	£105	1.94
(b) two years' duration	£134	£136	1.49
(c) three years' duration	£164	£166	1.22
(d) four years' duration	£195	£198	1.54
(e) five years' duration	£226	£229	1.33
Renewal of registration:			

(a)	£51	£52	1.96
one year's duration			
(b)	£82	£83	1.22
two years' duration			
(c)	£113	£115	1.77
three years' duration			
(d)	£144	£146	1.39
four years' duration			
(e)	£175	£178	1.71
five years' duration			
Varying a licence:			
(a)	£34	£35	2.94
varying name of licensee or name of site			
(b)	Reasonable cost to any other kind of variation	Reasonable cost to the licensing authority of having the work carried out	-
Transfer of licence or registration	£34	£35	2.94
Replacement of licence or registration referred	£34	£35	2.94

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to above if lost				
Part 3				
Licence for importation of compressed acetylene	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60
Replacement of the above licence if lost	£38	£39	2.63	
Part 4				
Licence to keep petroleum spirit of a quantity —				
- not exceeding 2,500 litres	£41 for each year of licence	£42 for each year of licence	2.44	
- exceeding 2,500 litres but not exceeding 50,000 litres	£57 for each year of licence	£58 for each year of licence	1.75	
- exceeding 50,000 litres	£118 for each year of licence	£120 for each year of licence	1.69	
Transfer of petroleum spirit licence	£8	£8	0.00	
Part 5				

Original approval of premises in which acetylene is to be manufactured or kept	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60
Amendment of an approval of premises in which acetylene is to be manufactured or kept	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60
Approval of apparatus in which acetylene is to be manufactured or kept	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60
Part 6 Original approval of premises in which acetylene is compressed	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60
Amendment of an approval of premises in which acetylene is compressed	£38 plus £125 per hour worked by Specialist Inspector	£39 plus £127 per hour worked by Specialist Inspector	2.63	1.60

premises in which acetylene is compressed				
Part 7				
Approval of classification of an explosive	£67 plus £67 per hour worked after the first hour	£68 plus £68 per hour worked after the first hour	1.49	1.49
Part 8				
Testing in connection with specified applications in Parts 3, 5 and 7	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out	-	-
Part 9				
Table 1				
Explosives certificate for acquiring and keeping explosives:				
(a) one year's duration	£123	£125	1.63	
(b) two years' duration	£154	£156	1.30	
(c) three years' duration	£185	£188	1.62	
(d) four	£216	£219	1.39	

years' duration			
(e) five years' duration	£247	£251	1.62
Renewal of the above explosives certificate:			
(a) one year's duration	£108	£110	1.85
(b) two years' duration	£128	£130	1.56
(c) three years' duration	£149	£151	1.34
(d) four years' duration	£170	£173	1.76
(e) five years' duration	£190	£193	1.58
Explosives certificate for acquiring and keeping explosives for storage of no more than 2000 kg of explosives:			
(a) one	£134	£136	1.49

year's duration			
(b) two years' duration	£164	£166	1.22
(c) three years' duration	£195	£198	1.54
(d) four years' duration	£226	£229	1.33
(e) five years' duration	£257	£261	1.56
Renewal of the above explosives certificate:			
(a) one year's duration	£128	£130	1.56
(b) two years' duration	£154	£156	1.30
(c) three years' duration	£180	£183	1.67
(d) four years' duration	£206	£209	1.46
(e) five years' duration	£231	£234	1.30
Explosives certificate for acquiring			

and keeping explosives at site for storage of more than 2000 kg of explosives:			
(a) one year's duration	£180	£183	1.67
(b) two years' duration	£216	£219	1.39
(c) three years' duration	£252	£256	1.59
(d) four years' duration	£288	£292	1.39
(e) five years' duration	£324	£329	1.54
Renewal of the above explosives certificate:			
(a) one year's duration	£159	£161	1.26
(b) two years' duration	£190	£193	1.58
(c) three	£221	£224	1.36

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years' duration			
(d) £252	£256		1.59
four years' duration			
(e) £283	£287		1.41
five years' duration			
Certificate for acquiring and keeping only shooters powder at a site in respect of which the applicant also makes an explosives certificate application to the Chief of Police at the same time	£24		0.00
Renewal of the above explosives certificate	£15		0.00
Certificate for acquiring and keeping only shooters	£44		2.33

powder at a site in respect of which no relevant explosives certificate application is to be determined at the same time			
Renewal of the above explosives certificate	£18	£18	0.00
Explosives certificate for acquiring more than 15 kg of explosives, not including an application for an explosives certificate referred to in entries (m) or (o):			
(a) one year's duration	£123	£125	1.63
(b) two years' duration	£154	£156	1.30

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(c)	£185	£188	1.62
three years' duration			
(d)	£216	£219	1.39
four years' duration			
(e)	£247	£251	1.62
five years' duration			
Renewal of the above explosives certificate:			
(a)	£108	£110	1.85
one year's duration			
(b)	£128	£130	1.56
two years' duration			
(c)	£149	£151	1.34
three years' duration			
(d)	£170	£173	1.76
four years' duration			
(e)	£190	£193	1.58
five years' duration			
Explosives certificate for acquiring more than 15 kg of explosives, where the	£24	£24	0.00

applicant also makes an explosives certificate application to the Chief of Police at the same time			
Renewal of the above explosives certificate	£15		0.00
Certificate for acquiring more than 15 kg of shooters powder at a site where no relevant explosive certificate application is to be determined at the same time	£44		2.33
Renewal of the above explosives certificate	£18		0.00
Replacement of any explosive certificate	£35		2.94

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referred to in entries (a) to (f) and (k) and (l) if lost				
Replacement of any explosive certificate referred to in entries (g) to (j) and (m) to (p) if lost	£10		0.00	
Table 2				
Regulation 4(6) (d) check	£5		0.00	
<b>Schedule 9</b>				
Applications under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987				
Grant of an explosives licence or alteration of the	£678 plus £125 per hour worked	£688 plus £127 per hour worked	1.47	1.60

terms of an existing explosives licence			
Change of licence name or address	£53	£54	1.89
<b>Schedule 10</b>			
Genetically Modified Organisms (Contained Use) Regulations 2000			
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£465	£472	1.51
Notification of an activity involving genetic modification in class 2 under regulation 10(1)	£929	£943	1.51

<p>Notification  of the  intention  to use  premises  for  the  first  time  for  the  purpose  of  undertaking  activities  involving  genetic  modification  under  regulation  at the  same  time  as  notification  of an  activity  involving  genetic  modification  in  class  2  under  regulation 10(1)</p>	<p>1029  £943</p>		<p>1.51</p>
<p>Notification  of an  activity  involving  genetic  modification  in  class  3  under  regulation 11(1)</p>	<p>1007  £1,022</p>		<p>1.49</p>
<p>Notification  of the  intention  to use  premises  for</p>	<p>1007  £1,022</p>		<p>1.49</p>

the first time for the purpose of undertaking activities involving genetic modification under regulation at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)			
Notification 161 of an activity involving genetic modification in class 4 under regulation 11(1)	£1,178		1.46
Notification 161 of the intention to use premises for the first time for the purpose	£1,178		1.46

of undertaking activities involving genetic modification under regulation at the same time as notification of an activity involving genetic modification in class 4 under regulation 11(1)	Notification of an activity involving genetic modification or organisms other than micro-organisms under regulation 12(1)	£943	1.51
Notification of the intention to use premises for the first time for the purpose of undertaking genetic		£943	1.51

modification under regulation at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)		
Notification of an additional information under regulation 15(3)	£706	1.44
Application for the written agreement of the competent authority under regulation 18(2) where the application is made after a notification has been submitted pursuant to regulation 9(1), 10(1),	£706	1.44

11(1) or 12(1)			
<b>Schedule 11</b>			
Offshore installations	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed	-
<b>Schedule 12</b>			
Gas safety functions	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed	-
<b>Schedule 13</b>			
Nuclear Installations	Sum of the costs reasonably incurred by the Executive for the function performed	Sum of the costs reasonably incurred by the Executive for the function performed	-

**Schedule 14**

Approvals under the Health and Safety (First-Aid) Regulations 1981

Table 1

- (a) The fee for an original approval rises from £1,512 to £1,693, an increase of 11.97%.
- (b) The fee for an additional site-visit rises from £543 to £565, an increase of 4.05%.
- (c) The fee for renewal of approval rises from £106 to £117, an increase of 10.38%.

Table 2

- (d) The fee for an initial site-visit rises from £567 to £576, an increase of 1.59%.
- (e) The fee for any additional site-visit rises from £543 to £565, an increase of 4.05%.
- (f) The fee for a site-visit to investigate a complaint rises from £567 to £576, an increase of 1.59%.
- (g) The fee for a cancelled site-visit rises from £567 to £576, an increase of 1.59%.

**Schedule 15**

Approvals under the Offshore Installations and Pipelines Works (First-Aid) Regulations 1989

Table 1

- (h) The fee for an original approval of first-aid training rises from £1,512 to £1,693, an increase of 11.97%.
- (i) The fee for an original approval of medical training rises from £2,218 to £2,333, an increase of 5.18%.
- (j) The fee for renewal of approval of first-aid training rises from £106 to £117, an increase of 10.38%.
- (k) The fee for renewal of approval of medical training rises from £106 to £117, an increase of 10.38%.

Table 2

- (l) The fee for an additional site-visit relating to first-aid training rises from £543 to £565, an increase of 4.05%.
- (m) The fee for an additional site-visit relating to medical training rises from £1,315 to £1,335, an increase of 1.52%.

Table 3

- (n) The fee for an initial site-visit relating to first-aid training rises from £567 to £576, an increase of 1.59%.
- (o) The fee for an initial site-visit relating to medical training rises from £1,315 to £1,335, an increase of 1.52%.
- (p) The fee for any additional site-visit relating to first-aid training rises from £543 to £565, an increase of 4.05%.
- (q) The fee for any additional site-visit relating to medical training rises from £1,315 to £1,335, an increase of 1.52%.

Table 4

- (r) The fee for a site-visit to investigate a complaint relating to first-aid training rises from £567 to £576, an increase of 1.59%.
- (s) The fee for a site-visit to investigate a complaint relating to medical training rises from £567 to £1,335, an increase of 135.45%.
- (t) The fee for a cancelled site-visit relating to first-aid training rises from £567 to £576, an increase of 1.59%.
- (u) The fee for a cancelled site-visit relating to medical training is the reasonable cost to the Executive due to the cancellation.