
STATUTORY INSTRUMENTS

2002 No. 655

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 2002

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| <i>Made</i> | - - - - | <i>12th March 2002</i> |
| <i>Laid before Parliament</i> | | <i>12th March 2002</i> |
| <i>Coming into force</i> | - - | <i>2nd April 2002</i> |

The Secretary of State, being the designated⁽¹⁾ Minister for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the notification and control of substances and the control and regulation of genetically modified organisms, in exercise of the powers conferred on him by the said section 2(2) 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 of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) Regulations 2002 and shall come into force on 2nd April 2002.

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

“approval” includes the amendment of an approval, and “amendment of an approval” includes the issue of a new approval replacing the original incorporating an amendment;

“employment medical adviser” means an employment medical adviser appointed under section 56(1) of the 1974 Act;

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

- (a) mines within the meaning of section 180 of the Mines and Quarries Act 1954⁽⁴⁾;
- (b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999⁽⁵⁾; and

(1) 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.
(2) 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).
(3) 1974 c. 37; sections 2, 3 and 7 were modified by S.I. 2000/2831; section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.
(4) 1954 c. 70.
(5) S.I. 1999/2024, amended by S.I. 1999/3242.

- (c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969⁽⁶⁾; 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⁽⁷⁾ or are health and safety regulations);
- “original approval” does not include an amendment of an approval;
- “renewal of approval” or “renewal of licence” means respectively the granting of an approval or licence to follow a previous approval or licence without any amendment or gap in time; and
- “respiratory protective equipment” includes any respirator and any breathing apparatus.
- (3) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered;
 - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation in which the reference appears.

Fees payable under the mines and quarries provisions

2.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval, an amendment of approval or a renewal of approval under any of the mines and quarries provisions.

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

(3) Where the Executive requires testing to be carried out to decide whether approval can be granted, a fee shall be payable to the Executive by the applicant prior to the notification of the result of the application for the approval as described below—

- (a) in the case of explosives and detonators, for each test specified in column 1 of Part II of Schedule 1, the fee shall be that specified in the corresponding entry in column 2 of that Part;
- (b) in any other case, the fee shall be as set out in Part III of Schedule 1 (that is to say the reasonable cost to the Executive of having the testing carried out).

Fee for applications for approval of respiratory protective equipment

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

- (a) under the Factories Act 1961⁽⁸⁾, or any regulations made or having effect as if made under that Act;
- (b) under the Control of Lead at Work Regulations 1998⁽⁹⁾;
- (c) under the Ionising Radiations Regulations 1999⁽¹⁰⁾;
- (d) under the Control of Asbestos at Work Regulations 1987⁽¹¹⁾; and

(6) 1969 c. 10.

(7) S.I. 1974/2013, modified by S.I. 1979/318.

(8) 1961 c. 34; sections 34 to 38 were repealed by S.I. 2000/128.

(9) S.I. 1998/543, amended by S.I. 1999/3242.

(10) S.I. 1999/3232.

(11) S.I. 1987/2115 to which there are amendments not relevant to these Regulations.

(e) under the Control of Substances Hazardous to Health Regulations 1999⁽¹²⁾.

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

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

4.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974⁽¹³⁾.

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

Fee for application for approval under the Freight Containers (Safety Convention) Regulations 1984

5.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of a scheme or programme for examination of freight containers under the Freight Containers (Safety Convention) Regulations 1984⁽¹⁴⁾.

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

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

6.—(1) A fee shall be payable by the applicant to the Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983⁽¹⁵⁾.

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

Fees for examination or surveillance by an employment medical adviser

7.—(1) A fee shall be payable to the Executive by an employer in respect of a medical examination or medical surveillance of each of his employees by an employment medical adviser for the purposes of any provision specified in column 1 of Schedule 6.

(2) The fee payable under paragraph (1) shall be a basic fee for each examination or on each occasion when surveillance is carried out together with additional fees for X-rays and laboratory tests where these are taken or carried out in connection with the examination; and for each provision specified in column 1 of Schedule 6—

- (a) the basic fee shall be the amount specified in column 3 of that Schedule for that provision;
- (b) the additional fee for X-rays shall be the amount specified in column 4 of that Schedule for that provision and shall cover all X-rays taken in connection with any one examination;
- (c) the additional fee for laboratory tests shall be the amount specified in column 5 of that Schedule for that provision and shall cover all such tests carried out in connection with any one examination.

⁽¹²⁾ S.I. 1999/437, amended by S.I. 2000/2831.

⁽¹³⁾ S.I. 1974/2034; relevant amending instruments are S.I. 1976/1247, 1980/1036, 1981/1414 and 1990/1075.

⁽¹⁴⁾ S.I. 1984/1890.

⁽¹⁵⁾ S.I. 1983/1649, amended by S.I. 1998/3233.

(3) Where an employment medical adviser carries out a medical examination of a self-employed person for the purposes of the Control of Asbestos at Work Regulations 1987, that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 1998

8.—(1) A fee shall be payable to the Executive by an employer in respect of medical surveillance of any of his employees by an employment medical adviser for the purposes of the Control of Lead at Work Regulations 1998⁽¹⁶⁾.

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

Fees for application for approval or reassessment of approval of dosimetry services and for type approval of apparatus under the Ionising Radiations Regulations 1999

9.—(1) A fee shall be payable by the applicant to the Executive on each application for an approval of dosimetry services or for the reassessment of an approval of dosimetry services previously granted for the purposes of the 1999 Regulations.

(2) A fee shall be payable by the applicant to the Executive on each application for the type approval of apparatus pursuant to sub-paragraphs 1(c)(i) and 1(d)(i) of Schedule 1 to the 1999 Regulations.

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

(4) A fee shall be payable by the applicant to the Executive where the Executive requires any work to be carried out by its nuclear or other specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (1) or (2) and the fee for work in connection with each such matter described in column 1 of Schedule 8 shall be that specified in the corresponding entry in column 3 of that Schedule for each hour worked, adjusted pro rata for a period worked of less than one hour.

(5) Where the Executive requires an inspection to be carried out in connection with any application mentioned in this regulation, a fee shall be payable by the applicant to the Executive of an amount equal to the reasonable cost of travelling and subsistence of any member of the Executive's staff in connection with the provision.

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

(7) In this regulation "the 1999 Regulations" means the Ionising Radiations Regulations 1999⁽¹⁷⁾.

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

10.—(1) Where any application in relation to a provision specified in column 1 of Part I of Schedule 9 is made for a purpose specified in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part shall be payable by the applicant to the Executive.

⁽¹⁶⁾ S.I. 1998/543.

⁽¹⁷⁾ S.I. 1999/3232.

(2) The fee or maximum fee payable under each provision specified in column 1 of Part II of Schedule 9 for the purpose described in the corresponding entry in column 2 shall be that specified in the corresponding entry in column 3 of that Part.

(3) A fee shall be payable to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (1) for any purpose specified in column 2 of Part I of Schedule 9 for which there is a corresponding entry in column 4 of that Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 4 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(4) A fee shall be payable by the applicant to the Executive for each application made for each purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 and such fee shall be payable on making the application save that, in the case of an application for the purpose referred to in entry (a) in column 1 of Part V of that Schedule, the fee shall be payable prior to notification of the result of the application.

(5) The fee for an application for each purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 shall be that specified in the corresponding entry in column 2 in the respective Part and, where the fee is determined as an amount per hour, the fee shall be adjusted pro rata for a period worked of less than one hour.

(6) A fee shall be payable to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (4) for any purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 for which there is a corresponding entry in column 3 of the respective Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 3 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(7) A fee shall be payable to the Executive where the Executive requires any testing to be carried out in connection with any purpose specified in column 1 of Part VI of Schedule 9, and the fee for testing in connection with each such purpose shall be the reasonable cost to the Executive of having the work carried out and such fee shall be payable prior to notification of the result of the application.

(8) Part II of Schedule 9 shall have effect subject to the Notes to that Part.

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

11. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act 1928⁽¹⁸⁾ or section 1(4) of the Petroleum (Transfer of Licences) Act 1936⁽¹⁹⁾ the fees in respect of applications for petroleum licences prescribed by these Regulations shall be payable for any licence first having effect or any transfer or renewal of a licence first taking effect on or after the coming into force of these Regulations irrespective of the date of the application for that licence, transfer or renewal.

Fee for application for an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

12.—(1) A fee shall be payable by the applicant to the Executive on each application for an explosives licence or for any alteration in the terms of an existing licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987⁽²⁰⁾.

⁽¹⁸⁾ 1928 c. 32 relevant amending instruments are S.I. 1974/1942 and 1987/52.

⁽¹⁹⁾ 1936 c. 27 relevant amending instruments are S.I. 1974/1942 and 1987/52.

⁽²⁰⁾ S.I. 1987/37.

(2) The fee on an application for each purpose specified in column 1 of Schedule 10 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour, the fee, which shall be adjusted pro rata for a period worked of less than one hour, so calculated shall be payable prior to notification of the result of the application.

Fee for a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

13.—(1) A driver may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996⁽²¹⁾ where a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

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

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

Fees for applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

14.—(1) A fee shall be payable by the applicant to the Secretary of State on each application for an original approval or a renewal of any approval of—

- (a) training under regulation 4(3)(a); or
- (b) a refresher course under regulation 4(6)(a),

of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996.

(2) The fee payable under paragraph (1) on application for such approval as is mentioned in column 1 of Schedule 12 shall be respectively that specified in the corresponding entry in column 2 or 3 of that Schedule (that is to say the reasonable cost to the Secretary of State of having the work carried out).

Fee for a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999

15.—(1) An individual may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999⁽²²⁾ where a fee as specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(2) The validity of a vocational training certificate may only be extended in accordance with paragraph (5) of regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee as specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(21) S.I. 1996/2094, amended by S.I. 1999/303.

(22) S.I. 1999/257.

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

Estimate of cost of work

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

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

17.—(1) The fee specified in column 2 of Schedule 14 shall be 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 shall be returned to a notifier where the competent authority returns a notification pursuant to regulation 14(7) of the 2000 Regulations or a notifier withdraws his 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⁽²³⁾ and “competent authority” has the same meaning as in those Regulations.

Fees for notifications and applications under the Notification of New Substances Regulations 1993

18.—(1) The fee specified in column 2 of Part I of Schedule 15 shall be payable by a notifier to the competent authority, within the meaning of the Notification of New Substances Regulations 1993⁽²⁴⁾, on each such notification or application under those Regulations as is referred to in the corresponding entry in column 1 of that Part.

(2) In the circumstances described in column 1 of Part 2 of Schedule 15, the fee specified in the corresponding entry in column 2 of that Part shall be payable by the notifier to the Executive in addition to the fee payable under paragraph (1) in respect of the notification concerned.

(3) In Schedule 15—

“the 1982 Regulations” means the Notification of New Substances Regulations 1982⁽²⁵⁾;

“the 1993 Regulations” means the Notification of New Substances Regulations 1993;

“the predecessor Directive” has the same meaning as is given to “the Directive” in the first mentioned Regulations in this paragraph;

“RTP polymer” means a polymer, which word has the same meanings in the second mentioned Regulations in this paragraph, for which a reduced test package is acceptable pursuant to paragraph C.2 of Part D of Schedule 2 to those second mentioned Regulations; and,

references in that Schedule to “competent authority”, “the Directive”, “member State” and “process-orientated research and development” have the same meanings as in those second mentioned Regulations.

⁽²³⁾ S.I. 2000/2831.

⁽²⁴⁾ S.I. 1993/3050, amended by S.I. 1994/3247, 1997/654, 1997/2971, 1999/3232 and 2001/1055.

⁽²⁵⁾ S.I. 1982/1496, revoked by S.I. 1993/3050.

Fees payable in respect of offshore installations

19.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 16 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 shall be payable to the Executive by an operator or owner who has prepared a safety case pursuant to the 1992 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—

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

(3) In this regulation, regulation 22 and Schedule 16, “the 1992 Regulations” means the Offshore Installations (Safety Case) Regulations 1992⁽²⁶⁾, and “installation”, “safety case”, “operator” and “owner” have the same meanings as in those Regulations.

Fees payable in respect of railway safety functions

20.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 17 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 shall be payable to the Executive by a railway operator who has prepared a safety case which has been accepted by the Executive pursuant to the 2000 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—

- (a) that railway operator in relation to the railway infrastructure, station or train operation to which that safety case relates;
- (b) a contractor in relation to work carried out by him on or in connection with that railway infrastructure or station or in connection with that train operation.

(3) This regulation shall not apply to a function performed in relation to the tunnel system within the meaning of section 1(7) of the Channel Tunnel Act 1987⁽²⁷⁾.

(4) This regulation shall not apply to a function performed in relation to a railway, tramway or trolley vehicle system if on no part of that railway, tramway or trolley vehicle system there is a line speed exceeding 40 kilometres per hour and for the purposes of this paragraph “line speed” means the highest of the permitted speeds on the railway, tramway or trolley vehicle system concerned and “permitted speed” means the maximum speed permitted on the part of the railway, tramway or trolley vehicle system concerned.

(5) In this regulation, regulation 22 and Schedule 17 of the “2000 Regulations” means the Railways (Safety Case) Regulations 2000⁽²⁸⁾, the “Approval Regulations” means the Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994⁽²⁹⁾, “railway”, “railway infrastructure”, “railway operator”, “safety case”, “station” and “train” have the same meanings as in the 2000 Regulations and “tramway” and “trolley vehicle system” have the same meanings as in the Transport and Works Act 1992⁽³⁰⁾.

⁽²⁶⁾ S.I. 1992/2885, amended by S.I. 1995/738, 1995/743, 1996/913 and 1997/2776.

⁽²⁷⁾ 1987 c. 53; section 33 was amended by, and repealed in part by, Article 21 of S.I. 2000/311; section 41 was amended by Article 6 of S.I. 2000/1484.

⁽²⁸⁾ S.I. 2000/2688, amended by S.I. 2001/3291.

⁽²⁹⁾ S.I. 1994/157, amended by S.I. 1997/553. The Regulations are relevant statutory provisions within the meaning of section 53 of the Health and Safety at Work etc. Act 1974 (c. 37) by virtue of section 117(1) and (4) of the Railways Act 1993 (c. 43).

⁽³⁰⁾ 1992 c. 42.

Fees payable in respect of gas safety functions

21.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 18 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 shall be 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—

(a) that person in relation to the network to which the safety case relates; and

(b) a contractor in relation to work carried out by him on or in connection with that network, insofar as such enforcement is for the purpose of protecting persons from risks arising from the manner in which gas is conveyed or used.

(3) In this regulation, regulation 22 and Schedule 18 “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996(31), and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in the 1996 Regulations.

Provisions supplementary to regulations 19 to 21

22.—(1) The fees referred to in regulations 19 to 21 above shall—

(a) not exceed the sum of the costs reasonably incurred by the Executive for the performance of the function referred to in the respective regulation; and

(b) be payable within 30 days from the date of the invoice that the Executive has sent or given to the person who is required to pay the fees, such invoices to include a statement of the work done and the costs incurred including the period to which the statement relates.

(2) Any fees payable under regulations 19 to 21 shall be recoverable only as a civil debt.

(3) Any fees payable under regulations 19 to 21 shall not include any costs connected with any—

(a) in England and Wales, 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 a time as—

(i) the inspector undertaking the investigation refers the case to the Procurator Fiscal; or

(ii) the Procurator Fiscal intervenes in the investigation, whichever is the sooner; or

(c) appeal pursuant to section 24 of the 1974 Act (appeal against improvement or prohibition notice) and, in England and Wales, regulation 8(4)(b) of, and Schedule 4 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 1993(32) and, in Scotland, regulation 8(4)(b) of, and Schedule 4 to, the Employment Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993(33).

(4) For the purposes of regulation 19 and paragraphs (3)(a) and (b) an installation shall be treated as being in England and Wales if it is in the English area within the meaning of article 1 of the Civil

(31) S.I. 1996/551.

(32) S.I. 1993/2687, amended by S.I. 1994/538, 1996/1758 and 2000/1987. The title of these Regulations, formerly the “Industrial Tribunals (Constitution and Rules of Procedure) Regulations 1993” was amended by operation of section 1 of the Employment Rights (Dispute Resolution) Act 1998 c. 8.

(33) S.I. 1993/2688, amended by S.I. 1994/538, 1996/1758 and 2000/1988. The title of these Regulations, formerly the “Industrial Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993” was amended by operation of section 1 of the Employment Rights (Dispute Resolution) Act 1998 c. 8.

Jurisdiction (Offshore Activities) Order 1987⁽³⁴⁾ and in Scotland if it is in the Scottish area within the meaning of that article.

(5) Any reference in regulations 19 to 21 to a person who has prepared a safety case includes a reference to a person who is required to prepare a safety case, and in that connection as if—

- (a) any reference in those regulations to the installation, railway infrastructure, station, train operation or network to which the safety case relates were a reference to the installation, railway infrastructure, station, train operation or network to which the safety case would have related if it had been prepared in accordance with such requirement; and
- (b) the reference in regulation 20(2) to a safety case which has been accepted by the Executive were a reference to a safety case which is required to be accepted by the Executive.

(6) Any reference in regulations 19 and 20 to a person who has prepared a safety case includes a reference to a person who is treated as having prepared a safety case by virtue of (in the case of regulation 19) regulation 2(9) of the 1992 Regulations or (in the case of regulation 20) regulation 2(7) of the 2000 Regulations.

(7) Any reference in regulations 19 to 21 to work carried out by a contractor is a reference to work carried out by the contractor or his employees for the benefit of the person by whom the fees are payable under that regulation, whether pursuant to an agreement or an arrangement he has made with that person or with another person.

(8) Any reference in regulations 19 to 21 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

23.—(1) A fee shall be 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⁽³⁵⁾.

(2) The fee payable under paragraph (1) shall be—

- (a) in respect of an application for an original approval, that specified in column 1 of Part I of Schedule 19; and
- (b) in respect of an application for a renewal of an approval, that specified in column 3 of that Part.

(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 an additional site-visit for the purpose of reassessment is required, the fee payable shall be that specified in column 2 of Part I of Schedule 19.

(4) The fee referred to—

- (a) in paragraph (1) shall be payable on making the application for approval or renewal of an approval of training
- (b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit 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 shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first site-visit made after the original approval has been given.

⁽³⁴⁾ S.I. 1987/2197.

⁽³⁵⁾ S.I. 1981/917, amended by S.I. 1989/1671, 1993/1897, 1997/2776 and 1999/3242.

(6) The fee payable under paragraph (5) for such a site-visit shall be that specified in column 1 of Part II of Schedule 19 except where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, when the fee shall be that specified in column 2 of that Part.

(7) The fee referred to in paragraph (6) shall be 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

24.—(1) A fee shall be 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⁽³⁶⁾.

(2) The fee payable under paragraph (1) shall be—

(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 Part 1 of Schedule 20;

(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 Part.

(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 an additional site-visit for the purpose of reassessment is required, the fee payable shall—

(a) where the application for approval relates to first-aid training, be that specified in column 1 of Part II of Schedule 20, or

(b) where the application for approval relates to medical training, be that specified in column 2 of that Part.

(4) The fee referred to—

(a) in paragraph (1) shall be payable on making the application for approval or renewal of approval of training;

(b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit 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 shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first site-visit made after the original approval has been given.

(6) Except as provided for in the proviso at the end of this paragraph and in paragraph (7), the fee payable under paragraph (5) for such a site-visit shall—

(a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 1 of Part III of Schedule 20, or

(36) S.I. 1989/1671, amended by S.I. 1993/1823, 1995/738 and 1999/3242.

- (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 2 of that Part,

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 Part shall be reduced by an amount of £150.

(7) The fee payable under paragraph (5) for such a site-visit as is there referred to where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, shall—

- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 3 of Part III of Schedule 20, or
- (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 4 of that Part.

(8) The fee referred to in paragraphs (6) and (7) shall be 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 23 and 24

25.—(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 shall repay to the applicant the amount of £150 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 shall repay to the applicant a further amount of £50 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 shall repay to the applicant the amount of £50 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 shall repay to the applicant a further amount of £150 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 shall repay to the applicant the amount of £50 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 shall repay to the applicant a further amount of £150 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 shall repay to the applicant the amount of £200 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⁽³⁷⁾ and
- “first-aid training” and “medical training” have the same meanings as in regulation 24.

(37) S.I. 1981/917, amended by S.I. 1989/1671, 1993/1897, 1997/2776 and 1999/3242.

Revocation

26. The Health and Safety (Fees) Regulations 2001(38) are hereby revoked.

Signed by authority of the Secretary of State

12th March 2002

Alan Whitehead
Parliamentary Under Secretary of State,
Department for Transport, Local Government
and the Regions

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

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART I

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

| <i>1</i> | <i>2</i> | <i>3</i> | <i>4</i> | |
|-----------------------------------|--|---|------------------------------------|-----|
| <i>Subject matter of approval</i> | <i>Fee for an original approval</i> | <i>Fee for amendment of approval</i> | <i>Fee for renewal of approval</i> | |
| (a) | Approval of breathing apparatus | £1,880 | £940 | £67 |
| (b) | Approval of dust respirators | the reasonable cost to the Executive of having the work carried out | | |
| (c) | Approval of explosives | £280 | £195 | £67 |
| (d) | Approval of locomotive or other vehicle | £3,670 | £930 | £67 |
| (e) | Approval of electrical equipment for use in potentially grassy zones | £1,140 | £730 | £67 |
| (f) | Approval of methanometers | £520 | £320 | £67 |
| (g) | Approval of electric safety lamps | £520 | £320 | £67 |
| (h) | Approval of other types of apparatus | £270 | £270 | £67 |

PART II

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) | Ballistic pendulum shot | £135 |
| (b) | Break test shot | £215 |

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

| <i>I</i> | | <i>2</i> |
|-------------|---|---------------------|
| <i>Test</i> | | <i>Fee for test</i> |
| (c) | Deflagration shot | £170 |
| (d) | Detonator test (per 100 shots) | £1,315 |
| (e) | Detonator delay time test (per 100 shots) | £1,040 |
| (f) | Gallery shot | £245 |
| (g) | Mortar shot | £135 |
| (h) | Velocity of detonation test (per 3 shots) | £425 |

PART III

FEEES FOR OTHER TESTING

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

SCHEDULE 2

Regulation 3

FEE FOR APPLICATION FOR APPROVAL OF RESPIRATORY PROTECTIVE EQUIPMENT

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

SCHEDULE 3

Regulation 4

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

| <i>I</i> | <i>2</i> |
|-----------------------------------|---|
| <i>Subject matter of approval</i> | <i>Fee</i> |
| (a) | Original approval of tractor cab £400 |
| (b) | Revision of an existing approval of a tractor cab £220 |

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

SCHEDULE 4**Regulation 5**

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

| <i>1</i> | <i>2</i> |
|---|------------|
| <i>Subject matter of approval</i> | <i>Fee</i> |
| Approval of scheme or programme for examination of freight containers | £77 |

SCHEDULE 5**Regulation 6**

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

| <i>1</i> | <i>2</i> |
|---|------------|
| <i>Subject matter of licence</i> | <i>Fee</i> |
| Licence for work with asbestos insulation or asbestos coating or asbestos insulating board or renewal of (original) licence | £738 |

SCHEDULE 6**Regulation 7**

**FEES FOR EXAMINATION OR SURVEILLANCE
BY AN EMPLOYMENT MEDICAL ADVISER**

| <i>1</i> | <i>2</i> | <i>3</i> | <i>4</i> | <i>5</i> |
|--|--------------------------------|---|--|---------------------------------|
| <i>Provision</i> | <i>Reference</i> | <i>Basic fee</i> | <i>Additional fees where appropriate</i> | <i>Fee for Laboratory tests</i> |
| | | | <i>Fee for X-Rays</i> | |
| (a) The Ionising Radiations Regulations 1999 | S.I. 1999/3232 | £30 where surveillance is confined to examination of, and making entries in, records £57 in other cases | £58 | £34 |
| (b) The Control of Asbestos at Work Regulations 1987 | S.I. 1987/2115 | £57 | £58 | £34 |

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

| <i>1</i> <i>Provision</i> | <i>2</i> <i>Reference</i> | <i>3</i> <i>Basic fee</i> | <i>4</i> <i>Additional fees where appropriate</i> <i>Fee for X-Rays</i> | <i>5</i> <i>Fee for Laboratory tests</i> |
|------------------------------|--|------------------------------------|---|---|
| (c) | The Control of Substances Hazardous to Health Regulations 1999 | S.I. 1999/437 £57 | £58 | £34 |
| (d) | The Work in Compressed Air Regulations 1996 | S.I. 1996/1656 £57 | £58 | £34 |

SCHEDULE 7

Regulation 8

FEEs FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 1998

| <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) £57 |
| (b) | On each subsequent assessment of an employee— |
| | (i) for laboratory tests where these are carried out £34 |
| | (ii) for a clinical medical examination where this is carried out £34 |

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

SCHEDULE 8**Regulation 9**

**FEEES FOR APPLICATIONS FOR APPROVAL OR REASSESSMENT OF
APPROVAL OF DOSIMETRY SERVICES AND FOR TYPE APPROVAL OF
APPARATUS UNDER THE IONISING RADIATIONS REGULATIONS 1999**

| <i>1</i> | <i>2</i> | <i>3</i> |
|--|------------|--|
| <i>Description</i> | <i>Fee</i> | <i>Fee for work by Nuclear or Specialist Inspector</i> |
| Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 | | |
| Group I | | |
| Dose record keeping | | |
| (a) Where the application is solely in respect of Group 1 functions | £187 | £86 per hour worked |
| (b) Where the application for Group 1 functions is linked to an application in respect of functions in another group | £187 | £86 per hour worked |
| Group II | | |
| External dosimetry | | |
| (a) Whole body (beta, gamma, thermal neutrons) film | £187 | £86 per hour worked |
| (b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD) | £187 | £86 per hour worked |
| (c) Whole body (neutron), other than sub-groups (a) or (b) | £187 | £86 per hour worked |
| (d) Whole body, other than sub-groups (a), (b), or (c) | £187 | £86 per hour worked |
| (e) Extremity monitoring | £187 | £86 per hour worked |
| (f) Accident dosimetry, other than in the previous sub-groups | £187 | £86 per hour worked |
| Group III | | |
| Internal dosimetry | | |
| (a) Bio-assay, in-vivo monitoring or air sampling | £187 | £86 per hour worked |
| (b) For each additional one of the above techniques | £187 | £86 per hour worked |

| <i>1</i> <i>Description</i> | <i>2</i> <i>Fee</i> | <i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i> |
|---|------------------------|--|
| Type approval of apparatus under sub-paragraph 1(c) (i) or 1(d)(i) of Schedule 1 to the Ionising Radiations Regulations 1999 (which exempts such type approved apparatus from the notification requirements of regulation 6 of those Regulations) | £113 | £86 per hour worked |

SCHEDULE 9

Regulation 10

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

PART I

APPLICATIONS FOR FACTORY LICENCES, MAGAZINE LICENCES, ACETYLENE IMPORTATION LICENCES AND AMENDING LICENCES UNDER SECTIONS 6, 12 AND 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH LICENCES

| <i>1</i> <i>Provision under which a licence is granted</i> | <i>2</i> <i>Purpose of Application</i> | <i>3</i> <i>Fee</i> | <i>4</i> <i>Fee for work by Specialist Inspector</i> |
|--|--|------------------------|---|
| Explosives Act 1875 | | | |
| c. 17 | | | |
| Section 6 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory licence | £516 | £79 per hour worked |
| | Magazine licence | £516 | £79 per hour worked |
| | Replacement of one of the above licences if lost | £46 | |
| Section 12 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory amending licence | £372 | £79 per hour worked |

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

| <i>1</i> <i>Provision under which a licence is granted</i> | <i>2</i> <i>Purpose of Application</i> | <i>3</i> <i>Fee</i> | <i>4</i> <i>Fee for work by Specialist Inspector</i> |
|---|--|------------------------|---|
| | Magazine amending licence | £372 | £79 per hour worked |
| | Replacement of one of the above licences if lost | £46 | |
| Section 40(9)(39) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(40) | Licence for importation of compressed acetylene | £31 | £79 per hour worked |
| | Replacement of the above licence if lost | £31 | |
| | Amendment to an existing licence | £31 | £79 per hour worked |

PART II

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

| <i>1</i> <i>Provision under which a fee or maximum fee is payable</i> | <i>2</i> <i>Purpose of Application</i> | <i>3</i> <i>Fee or maximum fee</i> |
|--|---|---------------------------------------|
| Explosives Act 1875 c.17(41) | | |
| Section 15 | A store licence | £71 |

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 shall be 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 shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

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

(40) S.I. 1978/1723.

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

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

| <i>1</i> <i>Provision under which a fee or maximum fee is payable</i> | <i>2</i> <i>Purpose of Application</i> | <i>3</i> <i>Fee or maximum fee</i> |
|--|---|---------------------------------------|
| Section 18 | Renewal of a store licence | £71 |
| Section 21 | Registration and renewal of registration of premises for the keeping of explosives with a local authority | £13 |
| Petroleum (Consolidation) Act 1928 c. 32 | | |
| Section 4 (see notes 1 and 2) | Licence to keep petroleum spirit of a quantity— | |
| | not exceeding 2,500 litres | £34 for each year of licence |
| | exceeding 2,500 litres but not exceeding 50,000 litres | £49 each year of licence |
| | exceeding 50,000 litres | £97 for each year of licence |
| Petroleum (Transfer of Licences) Act 1936 c. 27 | | |
| 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 shall be 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 shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

PART III

APPLICATIONS UNDER PARAGRAPH (1) OF THE PROVISIO TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY 1937(42) FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

| <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 to be manufactured or kept | £31 | £79 per hour worked |
| (b) Amendment of an approval of premises | £31 | £79 per hour worked |

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

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

| <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> |
| (c) | in which acetylene is to be manufactured or kept Approval of apparatus in which acetylene is to be manufactured or kept | £31 £79 per hour worked |

PART IV

APPLICATIONS FOR COMPARISONS AND APPROVALS IN RESPECT OF CONDITIONS (1) AND (8) IN THE ORDER OF THE SECRETARY OF STATE (NO. 9) OF 23RD JUNE 1919(43)

| <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) | Comparison of a porous substance with a sample porous substance | £57 |
| (b) | Original approval of premises in which acetylene is compressed | £31 £79 per hour worked |
| (c) | Amendment of an approval of premises in which acetylene is compressed | £31 £79 per hour worked |

PART V

MISCELLANEOUS APPLICATIONS

| <i>1</i> | <i>2</i> | <i>3</i> |
|-------------------------------|---|---|
| <i>Purpose of application</i> | <i>Fee</i> | <i>Fee for work by Specialist Inspector</i> |
| (a) | Classification of an explosive under the Classification and Labelling of Explosives | £55 per hour worked |

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

| <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> |
| | Regulations 1983(44) or authorisation of an explosive under section 40(9) of the Explosives Act 1875(45) | |
| (b) | Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(46) | £195 |
| | | £79 per hour worked |

PART VI

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

| <i>1</i> | <i>2</i> | <i>3</i> |
|-------------------------------|---|---|
| <i>Purpose of application</i> | <i>Fee</i> | |
| (a) | Application for a licence for the importation of compressed acetylene (Part I above) | the reasonable cost to the Executive of having the work carried out |
| (b) | Approval of apparatus in which acetylene is to be manufactured or kept (Part III above) | ditto |
| (c) | Comparison of a porous substance with a sample porous substance (Part IV above) | ditto |
| (d) | Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 (Part V above) | ditto |

(44) S.I. 1983/1140.

(45) 1875 c. 17; section 40(9) was modified by regulation 12, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714).

(46) S.I. 1967/1485.

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

| <i>1</i> | <i>2</i> |
|-------------------------------|---|
| <i>Purpose of application</i> | <i>Fee</i> |
| (e) | ditto |
| | Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above) |

SCHEDULE 10

Regulation 12

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

| <i>1</i> | <i>2</i> |
|---|-------------------------------|
| <i>Purpose of application</i> | <i>Fee</i> |
| Grant of an explosives licence or alteration of the terms of an existing explosives licence | £565 plus £79 per hour worked |

SCHEDULE 11

Regulation 13

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

| <i>1</i> | <i>2</i> |
|---|------------|
| <i>Description</i> | <i>Fee</i> |
| Issue or extension of vocational training certificate | £3 |

SCHEDULE 12

Regulation 14

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

| <i>1</i> | <i>2</i> | <i>3</i> |
|-------------------------------|-------------------------------------|--|
| <i>Purpose of application</i> | <i>Fee for an original approval</i> | <i>Fee for renewal of approval</i> |
| (a) | For approval of training | the reasonable cost to the Secretary of State of having the work carried out |
| (b) | For approval of a refresher course | the reasonable cost to the Secretary of State of having the work carried out |

SCHEDULE 13**Regulation 15****VOCATIONAL TRAINING CERTIFICATES UNDER THE TRANSPORT OF DANGEROUS GOODS (SAFETY ADVISERS) REGULATIONS 1999**

| <i>1</i> | <i>2</i> |
|---|---|
| <i>Description</i> | <i>Fee</i> |
| Issue or extension of vocational training certificate | the reasonable cost to the Secretary of State or the person designated by him for the purpose of issuing vocational certificates of having the work carried out |

SCHEDULE 14**Regulation 17****FEEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000**

| <i>1</i> | <i>2</i> |
|--|------------|
| <i>Description</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) | £240 |
| (b) Notification of an activity involving genetic modification in class 2 under regulation 10(1), except a notification to which paragraph 4(1) or paragraph 5(1) of Schedule 10 applies | £480 |
| (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) | £480 |
| (d) Notification of an activity involving genetic modification in class 3 under regulation 11(1), except a notification to which paragraph | £520 |

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

| <i>1</i> | | <i>2</i> |
|--------------------|---|------------|
| <i>Description</i> | | <i>Fee</i> |
| | 4(2) or paragraph 5(2) of Schedule 10 applies | |
| (e) | Notification of the intention to use premises for the first time for the purposes 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) | £520 |
| (f) | Notification of an activity involving genetic modification in class 4 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies | £600 |
| (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) | £600 |
| (h) | Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1) | £480 |
| (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) | £480 |

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

| <i>I</i> | | <i>2</i> |
|--------------------|--|------------|
| <i>Description</i> | | <i>Fee</i> |
| (j) | Notification of additional information under regulation 15(3) | £360 |
| (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) | £360 |

SCHEDULE 15

Regulation 18

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

PART I

| <i>I</i> | <i>2</i> |
|---|--------------------|
| <i>Subject matter</i> | <i>Fee payable</i> |
| For the evaluation of a notification under regulation 4 (“base set”) of a substance not already notified under the 1993 Regulations or to a competent authority of a member State for the purposes of the Directive | £4,630 |
| For the evaluation of a notification under regulation 4 of a substance already notified— | £2,200 |
| <ul style="list-style-type: none"> (i) under that regulation, (ii) regulation 4(1) of the 1982 Regulations, or (iii) to a competent authority of a member state, other than the competent authority for Great Britain, for the purposes of either Article 6(1) of the predecessor Directive or Article 7 of the Directive, | |
| and either regulation 11 of the 1993 Regulations applies or the agreement of the competent authority for Great Britain has been obtained pursuant to regulation 13(1) of the 1993 Regulations | |

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

| <i>1</i> | <i>2</i> |
|---|--------------------|
| <i>Subject matter</i> | <i>Fee payable</i> |
| For the evaluation of information provided for the purposes of regulation 5(1)(a) (>10 tonnes per year) | £2,430 |
| For the evaluation of information provided for the purposes of regulation 5(1)(b) (>100 tonnes per year) | £4,780 |
| For the evaluation of information provided for the purposes of regulation 5(1)(c) (>1,000 tonnes per year) | £3,350 |
| For the evaluation of a notification under regulation 6, subject to the entry below relating to an evaluation of a notification in respect of an RTP polymer— | |
| (a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1)) | £935 |
| (b) (b) quantity of the new substance equal to or more than 10 kg but less than 100 kg (regulation 6(2)) | £590 |
| For the evaluation of a notification (whether made under regulation 6(1) or 6(2), as the case may be,) in respect of an RTP polymer of an amount equal to or more than 10 kg per annum but less than one tonne per annum or the total amount is equal to or more than 500 kg but less than 5 tonnes | £935 |
| For the evaluation of information provided under regulation 6(4)(d)(i) in respect of a substance for the purposes of process-orientated research and development | £600 |
| For an application made by a notifier for an exemption relating to him under regulation 23 | £2,430 |

PART II

| <i>1</i> | <i>2</i> |
|---|---------------------------|
| <i>Circumstances described</i> | <i>Fee payable</i> |
| Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 4 (“base set”) | £2,220 (plus £388.50 VAT) |

| <i>1</i> | <i>2</i> |
|---|------------------------|
| <i>Circumstances described</i> | <i>Fee payable</i> |
| Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 6— | |
| (a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1)) | £540 (plus £94.50 VAT) |
| (b) (b) quantity of the new substance equal to or more than 10 kg but less than 100 kg (regulation 6(2)) | £540 (plus £94.50 VAT) |

SCHEDULE 16

Regulation 19

FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS

| <i>1</i> | <i>2</i> |
|--|--|
| <i>Function</i> | <i>Person by whom fee is payable</i> |
| Assessing a safety case (sent to the Executive pursuant to regulation 4(1) of the 1992 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters | The operator who sent the safety case to the Executive pursuant to that provision |
| Assessing a safety case or a revision to a safety case (sent to the Executive pursuant to any other provision of the 1992 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 revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 1992 Regulations | The operator or owner who has requested that advice |
| Assessing whether to grant an exemption pursuant to regulation 17 of the 1992 Regulations and granting any such exemption | The operator or owner who has requested the exemption |

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

SCHEDULE 17

Regulation 20

FEES PAYABLE IN RESPECT OF RAILWAY 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 to a safety case (sent to the Executive pursuant to any provision of the 2000 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision | The railway operator who has prepared that safety case pursuant to that provision |
| Assessing whether to grant an exemption pursuant to regulation 11 of the 2000 Regulations and granting any such exemption | The railway operator who has requested the exemption |
| 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 2000 Regulations | The railway operator who has requested that advice |
| Assessing whether to grant an approval pursuant to any provision of the Approval Regulations and granting any such approval | The operator or manufacturer (within the meaning of the Approval Regulations) who has made the application for the approval, or on whose behalf the application has been made |
| Providing advice with respect to a proposed application for the grant of an approval pursuant to the Approval Regulations | The operator or manufacturer (within the meaning of the Approval Regulations) who has requested that advice |
| Assessing whether to make and making an order in relation to a level crossing pursuant to the Level Crossings Act 1983(47) and to an agreement made pursuant to section 13(1)(b) of the 1974 Act | The operator within the meaning of the Level Crossings Act 1983 |
| Assessing whether to grant an exemption pursuant to regulation 6 of the Railway Safety Regulations 1999(48) and granting any such exemption | The railway operator who has requested the exemption |

(47) 1983 c. 16; the Act, which was amended by the Level Crossings Regulations 1997 (S.I. 1997/487), is one of the relevant statutory provisions within the meaning of section 53 of the Health and Safety at Work etc. Act 1974 (c. 37) by virtue of section 117(1) and (4) of the Railways Act 1993 (c. 43).

(48) S.I. 1999/2244.

SCHEDULE 18

Regulation 21

FEE 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 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 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 |

SCHEDULE 19

Regulation 23

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

PART I

| <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>for renewal of approval</i> |
|---|---|--|
| £890 | £320 | £62 |

PART II

| <i>1</i> <i>Fee for an initial site-visit</i> | <i>2</i> <i>Fee for any additional site-visit</i> |
|--|--|
| £355 | £320 |

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

SCHEDULE 20

Regulation 24

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

PART I

| 1 | 2 | 3 | 4 |
|---|---|--|--|
| <i>Fee for an original approval of first-aid training</i> | <i>Fee for an original approval of medical training</i> | <i>Fee for renewal of approval of first-aid training</i> | <i>Fee for renewal of approval of medical training</i> |
| £890 | £1,305 | £62 | £62 |

PART II

| 1 | 2 |
|--|--|
| <i>Fee for an additional site-visit relating to first-aid training</i> | <i>Fee for an additional site-visit relating to medical training</i> |
| £320 | £845 |

PART III

| 1 | 2 | 3 | 4 |
|---|---|---|---|
| <i>Fee for an initial site-visit relating to first-aid training</i> | <i>Fee for an initial site-visit relating to medical training</i> | <i>Fee for any additional site-visit relating to first-aid training</i> | <i>Fee for any additional site-visit relating to medical training</i> |
| £355 | £845 | £320 | £845 |

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations update and replace the Health and Safety (Fees) Regulations 2001 ([S.I. 2001/2626](#)). They fix or determine the fees payable by an applicant to the Health and Safety Executive in respect of an application made for—

- (a) an approval under mines and quarries legislation (*regulation 2 and Schedule 1*);
- (b) an approval of certain respiratory protective equipment (*regulation 3 and Schedule 2*);

- (c) an approval of plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (*regulation 4 and Schedule 3*);
- (d) an approval of a scheme or programme under the Freight Containers (Safety Convention) Regulations 1984 (*regulation 5 and Schedule 4*);
- (e) a licence under the Asbestos (Licensing) Regulations 1983 (*regulation 6 and Schedule 5*);
- (f) an approval of dosimetry services or type approval of apparatus under the Ionising Radiations Regulations 1999 (*regulation 9 and Schedule 8*);
- (g) an approval, authorisation or licence etc. under the Explosives Act 1875 and certain instruments thereunder, for a licence under the Petroleum (Consolidation) Act 1928, for the transfer of a licence under the Petroleum (Transfer of Licences) Act 1936, or for the classification of an article, substance, combination or unit load under the Classification and Labelling of Explosives Regulations 1983 (*regulation 10 and Schedule 9*);
- (h) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 12 and Schedule 10*);
- (i) an approval under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 14 and Schedule 12*);
- (j) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulations 23 and 25 and Schedule 19*);
- (k) an approval under the Offshore Installations and Pipelines Works (First-Aid) Regulations 1989 (*regulations 24 and 25 and Schedule 20*);

and in respect of—

- (l) a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 13 and Schedule 11*);
- (m) a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 (*regulation 15 and Schedule 13*);
- (n) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 17 and Schedule 14*);
- (o) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 18 and Schedule 15*).

2. The 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 7 and 8 and Schedules 6 and 7*).

3. The Regulations fix or determine the fees payable by specified persons in the offshore, rail and gas industries for the performance by the Executive of the functions specified in those provisions (*regulations 19 to 22 and Schedules 16 to 18*).

4. Besides the increases for fixed fees which are indicated in the table below, the main changes made by these Regulations are the following.

5. The fee for an application for the classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or for an authorisation of an explosive under section 40(9) of the Explosives Act 1875 is now of a fixed amount instead of being the reasonable cost to the Executive of having the work carried out (*regulation 10(4) and (5) and Part V of Schedule 9*).

6. The fees to be paid under regulation 14 and Schedule 12 (applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996) are no longer of a fixed amount, but are now to be the reasonable cost to the Secretary of State of having the work carried out.

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7. There is a lower fee for the evaluation of a notification under regulation 4 of the Notification of New Substances Regulations 1993 in the case of a substance which has already been notified under those Regulations or notified to a competent authority of a European Community member State, than for an evaluation of a notification under regulation 4 where there has been no such earlier notification. There is now also specific provision for the fee for the evaluation of a notification under regulation 6(1) or (2) of those Regulations in the case of polymers of certain amounts for which a reduced test package is acceptable (*regulation 18 and Schedule 15*).

8. These Regulations introduce fixed fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulation 24 and Schedule 20*). Supplementary provisions are included with respect to these fees and fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981 which provide for repayment of an amount of fees in certain situations (*regulation 25*). A copy of the regulatory impact assessment prepared in respect of these new provisions for fees for applications for approvals under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 can be obtained from the Health and Safety Executive, Economic Adviser’s Unit, Rose Court, 2 Southwark Bridge, London, SE1 9HS. A copy has been placed in the library of each House of Parliament.

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

| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | | <i>New Fee</i> | | | <i>Percentage Increase</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>Renewal of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |

Schedule 1

Part I

| | | | | | | | | | |
|---|---|------|-----|---|------|-----|------|------|------|
| Approval of breathing apparatus | £1,835 | £920 | £65 | £1,880 | £940 | £67 | 2.45 | 2.17 | 3.08 |
| Approval of dust respirators | Reasonable cost to the Executive of having the work carried out | | | Reasonable cost to the Executive of having the work carried out | | | — | — | — |
| Approval of explosives | £275 | £190 | £65 | £280 | £195 | £67 | 1.82 | 2.63 | 3.08 |
| Approval of locomotive or other vehicle | £3,580 | £910 | £65 | £3,670 | £930 | £67 | 2.51 | 2.20 | 3.08 |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | | <i>New Fee</i> | | | <i>Percentage Increase</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>Renewal of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| Approval of electrical equipment for use in potentially gassy zones | £1,110 | £715 | £65 | £1,140 | £730 | £67 | 2.70 | 2.10 | 3.08 |
| Approval of methanometers | £510 | £310 | £65 | £520 | £320 | £67 | 1.96 | 3.23 | 3.08 |
| Approval of electric safety lamps | £510 | £310 | £65 | £520 | £320 | £67 | 1.96 | 3.23 | 3.08 |
| Approval of other types of apparatus essential for safety | £265 | £265 | £65 | £270 | £270 | £67 | 1.89 | 1.89 | 3.08 |
| Part II | | | | | | | | | |
| Ballistic pendulum shot | | £130 | | | £135 | | | 3.85 | |
| Break test shot | | £210 | | | £215 | | | 2.38 | |
| Deflagration | | £165 | | | £170 | | | 3.03 | |
| Detonator test (per 100 shots) | | £1,280 | | | £1,315 | | | 2.73 | |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | <i>Percentage Increase</i> |
|--|---|------------------------------|---|--|
| | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Original approval of approval</i> | <i>Amendment of approval of approval</i> |
| Detonator delay time test (per 100 shots) | £1,015 | | £1,040 | 2.46 |
| Gallery shot | £240 | | £245 | 2.08 |
| Mortar shot | £130 | | £135 | 3.85 |
| Velocity of detonation test (per 3 shots) | £415 | | £425 | 2.41 |
| Part III | | | | |
| Other testing not fixed in Part II | Reasonable cost to the Executive of having the work carried out | | Reasonable cost to the Executive of having the work carried out | — |
| Schedule 2 | | | | |
| Approval of respiratory protective equipment | Reasonable cost to the Executive of having the work carried out | | Reasonable cost to the Executive of having the work carried out | — |
| Schedule 3 | | | | |
| Original approval of tractor cab | £390 | | £400 | 2.56 |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | | <i>Percentage Increase</i> | | |
|---|--------------------------------------|------------------------------|--------------------------------------|------------------------------|--------------------------------------|------------------------------|----------------------------|
| | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| Revision of an existing approval of a tractor cab | £215 | | £220 | | 2.33 | | |
| Schedule 4 | | | | | | | |
| Approval of scheme or programme for examination of freight containers | £75 | | £77 | | 2.67 | | |
| Schedule 5 | | | | | | | |
| Licence for work with asbestos insulations, asbestos coating or asbestos insulating board or renewal of licence | £615 | | £738 | | 20 | | |
| | <i>Basic</i> | <i>X-Rays</i> | <i>Laboratory tests</i> | <i>Basic</i> | <i>X-Rays</i> | <i>Laboratory tests</i> | <i>Laboratory tests</i> |

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| Provision of these Regulations which fixes or determines the fees | Previous Fee | | New Fee | | Percentage Increase | |
|---|-------------------|-----------------------|-------------------|-----------------------|---------------------|-----------------------|
| | Original approval | Amendment of approval | Original approval | Amendment of approval | Original approval | Amendment of approval |

Schedule 6

The Ionising Radiations Regulations 1999

| | | | | | | | | | |
|--|-----|-----|-----|-----|-----|------|------|------|------|
| (a) where surveillance is confined to examination of, and making entries in, records | £56 | £33 | £30 | £58 | £34 | 3.45 | 3.57 | 3.03 | |
| (b) in other cases | £56 | £33 | £57 | £58 | £34 | 9.62 | 3.57 | 3.03 | |
| Control of Asbestos at Work Regulations 1987 | £54 | £56 | £33 | £57 | £58 | £34 | 5.56 | 3.57 | 3.03 |
| Control of Substances Hazardous to Health Regulations 1999 | £54 | £56 | £33 | £57 | £58 | £34 | 5.56 | 3.57 | 3.03 |

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

| Provision of these Regulations which fixes or determines the fees | Previous Fee | | New Fee | | | Percentage Increase | | | |
|--|----------------------|-----------------------|----------------------|-----------------------|---------------------|----------------------|-----------------------|---------------------|------|
| | Original approval of | Amendment of approval | Original approval of | Amendment of approval | Renewal of approval | Original approval of | Amendment of approval | Renewal of approval | |
| The Work in Compressed Air Regulations 1996 | £54 | £56 | £33 | £57 | £58 | £34 | 5.56 | 3.57 | 3.03 |
| Schedule 7 | | | | | | | | | |
| On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment) | £56 | | | £57 | | | 1.79 | | |
| On each subsequent assessment of an employee— | | | | | | | | | |
| (i) for laboratory tests where these are carried out | £33 | | | £34 | | | 3.03 | | |

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

| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> |
|--|--------------------------------------|------------------------------|----------------------------|
| | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| (ii) for a clinical medical examination where this is carried out | £33 | £34 | 3.03 |

Schedule 8

| Group I | | | Fee | Hourly rate |
|--|--|--|------------|--------------------|
| Dose record keeping where the application is solely in respect of Group I function | £156 plus £72 per hour worked by Nuclear or Specialist Inspector | £187 plus £86 per hour worked by Nuclear or Specialist Inspector | 19.87 | 19.44 |
| Dose record keeping where the application for Group I functions is linked to an | £156 plus £72 per hour worked by Nuclear or Specialist Inspector | £187 plus £86 per hour worked by Nuclear or Specialist Inspector | 19.87 | 19.44 |

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| Provision of these Regulations which fixes or determines the fees | Previous Fee | | New Fee | | Percentage Increase | |
|--|--|-----------------------|--|-----------------------|----------------------|-----------------------|
| | Original approval of | Amendment of approval | Original approval of | Amendment of approval | Original approval of | Amendment of approval |
| application for approval in another group | | | | | | |
| Group II | | | | | | |
| External dosimetry | £156 plus £72 per hour worked by Nuclear or Specialist Inspector | | £187 plus £86 per hour worked by Nuclear or Specialist Inspector | | 19.87 | 19.44 |
| Group III | | | | | | |
| Internal dosimetry | | | | | | |
| (b) £136 plus £72 per hour worked by Nuclear or Specialist Inspector in-vivo monitoring or air sampling | | | £187 plus £86 per hour worked by Nuclear or Specialist Inspector | | 19.87 | 19.44 |
| (b) £136 plus £72 per hour worked by Nuclear or Specialist Inspector in-vivo monitoring or air sampling | | | £187 plus £86 per hour worked by Nuclear or Specialist Inspector | | 19.87 | 19.44 |
| Type approval of apparatus under sub-paragraph 1(c) | £110 plus £72 per hour worked by Nuclear or Specialist Inspector | | £113 plus £86 per hour worked by Nuclear or Specialist Inspector | | 2.73 | 19.44 |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | | <i>Percentage Increase</i> | |
|---|--|------------------------------|--|------------------------------|----------------------------|------------------------------|
| | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> |
| (i) or 1(d)(i) respectively of Schedule 1 to the Ionising Radiations Regulations 1999 | | | | | | |
| Schedule 9 | | | | | | |
| Part 1 | | | | | | |
| Factory licence worked by Specialist Inspector | £430 plus £66 per hour | | £516 plus £79 per hour | | 20 | 19.70 |
| Magazine licence worked by Specialist Inspector | £430 plus £66 per hour | | £516 plus £79 per hour | | 20 | 19.70 |
| Factory amending licence worked by Specialist Inspector | £310 plus £66 per hour | | £372 plus £79 per hour | | 20 | 19.70 |
| Magazine amending licence worked by Specialist Inspector | £310 plus £66 per hour | | £372 plus £79 per hour | | 20 | 19.70 |
| Replacement of the above licences if lost | £30 | | £46 | | 17.95 | — |
| Licence for importation of | £26 plus £66 per hour worked by Specialist Inspector | | £31 plus £79 per hour worked by Specialist Inspector | | 19.23 | 19.70 |

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

| Provision of these Regulations which fixes or determines the fees | Previous Fee | | New Fee | | Percentage Increase | |
|---|--|-----------------------|--|-----------------------|---------------------|-----------------------|
| | Original approval | Amendment of approval | Original approval | Amendment of approval | Original approval | Amendment of approval |
| compressed acetylene | | | | | | |
| Replacement of the above licence if lost | £26 | | £31 | | 19.23 | — |
| Amendment to an existing licence | £26 plus £66 per hour worked by Specialist Inspector | | £31 plus £79 per hour worked by Specialist Inspector | | 19.23 | 19.70 |
| Part II | | | | | | |
| A store licence | £69 | £71 | 2.90 | — | | |
| Renewal of a store licence | £69 | | £71 | | 2.90 | — |
| Registration and renewal of registration of premises for the keeping of explosives with a local authority | £12 | | £13 | | 8.33 | — |
| Licence to keep petroleum spirit | | | | | | |

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

| Provision of these Regulations which fixes or determines the fees of a quantity— | Previous Fee | | New Fee | | Percentage Increase | |
|--|--|-----------------------|--|-----------------------|-------------------------------|-----------------------|
| | Original approval of approval | Amendment of approval | Original approval of approval | Amendment of approval | Original approval of approval | Amendment of approval |
| — not exceeding 2,500 litres | £33 for each year of licence | | £34 for each year of licence | | 3.03 | — |
| — exceeding 2,500 litres but not exceeding 50,000 litres | £48 for each year of licence | | £49 for each year of licence | | 2.08 | — |
| — exceeding 50,000 litres | £95 for each year of licence | | £97 for each year of licence | | 2.11 | — |
| Transfer of petroleum spirit licence | £8 | | £8 | | — | — |
| Part III | | | | | | |
| Original approval of premises in which acetylene is to be manufactured or kept | £26 plus £66 per hour worked by Specialist Inspector | | £31 plus £79 per hour worked by Specialist Inspector | | 19.23 | 19.70 |
| Amendment of approval of | £26 plus £66 per hour worked by Specialist Inspector | | £31 plus £79 per hour worked by Specialist inspector | | 19.23 | 19.70 |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | | <i>Percentage Increase</i> | |
|--|--|------------------------------|--|------------------------------|----------------------------|------------------------------|
| | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> |
| premises in which acetylene is to be manufactured or kept | £26 plus £66 per hour worked by Specialist apparatus inspector | | £31 plus £79 per hour worked by Specialist inspector | | 19.23 | 19.70 |
| Part IV | | | | | | |
| Comparison of a porous substance with a sample porous substance | £48 | | £57 | | 18.75 | — |
| Original approval of premises in which acetylene is compressed | £26 plus £66 per hour worked by Specialist inspector | | £31 plus £79 per hour worked by Specialist inspector | | 19.23 | 19.70 |
| Amendment of an approval inspector | £26 plus £66 per hour worked by Specialist inspector | | £31 plus £79 per hour worked by Specialist inspector | | 19.23 | 19.70 |

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| <i>Provision</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> | | | | | | |
|--|---|--------------------|---|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| of these Regulations which fixes or determines the fees | <i>Original</i> | <i>Amendment</i> | <i>Renewal</i> | <i>Original</i> | <i>Amendment</i> | <i>Renewal</i> | <i>Original</i> | <i>Amendment</i> | <i>Renewal</i> |
| | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> | <i>approval of</i> |
| | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> | <i>approval</i> |
| of premises in which acetylene is compressed | | | | | | | | | |
| Part V | | | | | | | | | |
| Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 | Reasonable cost to the Executive of having the explosive work carried out | | £55 per hour worked | — | — | | | | |
| Grant of an ammonium nitrate mixtures licence under article 3 of the | £190 plus £66 per hour worked by Specialist inspector | | £195 plus £79 per hour worked by Specialist inspector | 2.63 | 19.70 | | | | |

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|---|---|--|----------------------------|------------------------------|----------------------------|
| <i>of these Regulations which fixes or determines the fees</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| Ammonium Nitrate Mixtures Exemption Order 1967 | | | | | |
| Testing in connection with specified applications in Parts I, III, IV or V | Reasonable cost to the Executive of having the test carried out | Reasonable cost to the Executive of having the testing carried out | — | — | |
| Schedule 10 | | | | | |
| Grant of an explosives licence or alteration of the terms of an existing explosives licence | £550 plus £66 per hour worked | £565 plus £79 per hour worked | 2.73 | 19.70 | |
| Schedule 11 | | | | | |
| Vocational training certificates under regulation 4 of the Carriage of | £2.90 | £3 | 3.45 | — | |

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|--|---|------------------------------|--|--------------------------------------|
| <i>of these Regulations which fixes or determines the fees</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Original approval of approval</i> |
| | | | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| Dangerous Goods by Road (Driver Training) Regulations 1996 | | | | |
| Schedule 12 | | | | |
| Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 | | | | |
| Approval of training | £1,025 | | Reasonable cost to the Secretary of State of having the work carried out | — |
| For approval of a refresher course under regulation 4(6) (a) | £1,025 | | Reasonable cost to the Secretary of State of having the work carried out | — |
| Fee for renewal of approval | £615 | | Reasonable cost to the Secretary of State of having the work carried out | — |
| Schedule 13 | | | | |
| Vocational training certificate | Reasonable cost to the Secretary of State or the person designated by | | Reasonable cost to the Secretary of State or the person designated by | — |

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| <i>Provision</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> |
|---|---|---|---|
| of these Regulations which fixes or determines the fees | <i>Original</i> <i>Amendment</i> <i>Renewal</i> <i>approval of</i> <i>of</i> <i>approval</i> | <i>Original</i> <i>Amendment</i> <i>Renewal</i> <i>approval of</i> <i>of</i> <i>approval</i> | <i>Original</i> <i>Amendment</i> <i>Renewal</i> <i>approval of</i> <i>of</i> <i>approval</i> |
| under regulation 15 of the Transport Work of Dangerous Goods (Safety Advisers) Regulations 1999 | him for the purpose of issuing vocational training certificates of having the work carried out | him for the purpose of issuing vocational training certificates of having the work carried out | |
| Schedule 14 | | | |
| 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) | £230 | £240 | 4.35 — |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | | <i>Percentage Increase</i> | |
|--|--------------------------|------------------------------|--------------------------|------------------------------|----------------------------|------------------------------|
| | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> |
| Notification of an activity involving genetic modification in class 2 under regulation 10(1), except a notification to which paragraph 4(1) or paragraph 5(1) or Schedule 10 applies | £440 | | £480 | | 9.09 | — |
| 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 | £440 | | £480 | | 9.09 | — |

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| <i>Provision</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> | |
|--|--------------------------------------|------------------------------|----------------------------|------------------------------|
| of these Regulations which fixes or determines the fees | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Amendment of approval</i> |
| time as notification of an activity involving genetic modification in class 2 under regulation 10(1) | £475 | £520 | 9.47 | — |
| Notification of an activity involving genetic modification in class 3 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies | £475 | £520 | 9.47 | — |
| Notification of the intention to use premises for the first time for the purpose | £475 | £520 | 9.47 | — |

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| <i>Provision</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> |
|---|--------------------------------------|------------------------------|----------------------------|
| of these Regulations which fixes or determines the fees | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| 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) | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| Notification of an activity involving genetic modification in class 4 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies | £550 | £600 | 9.09 — |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | | <i>New Fee</i> | | <i>Percentage Increase</i> | |
|--|--------------------------|------------------------------|--------------------------|------------------------------|----------------------------|------------------------------|
| | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</i> | <i>Original approval</i> | <i>Amendment of approval</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 in class 4 under regulation 11(1) | £550 | | £600 | | 9.09 | — |
| Notification of an activity involving genetic modification or organisms other | £440 | | £480 | | 9.09 | — |

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|---|--------------------------------------|------------------------------|----------------------------|----------------------------|
| <i>of these Regulations which fixes or determines the fees</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Renewal of approval</i> |
| than micro-organisms under regulation 12(1) | | | | |
| Notification of the intention to use premises for the purpose of undertaking 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) | £440 | £480 | 9.09 | — |
| Notification of an additional information | £330 | £360 | 9.09 | — |

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|--|--------------------------------------|------------------------------|----------------------------|--------------------------------------|------------------------------|----------------------------|
| <i>of these Regulations which fixes or determines the fees</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| under regulation 15(3) | | | | | | |
| 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) | £330 | £360 | | 9.09 | — | — |
| Schedule 15 | | | | | | |
| Notification of New Substances Regulations 1993 | | | | | | |
| For the evaluation of a notification under regulation 4 | £4,630 | | £4,630 | — | — | — |

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|--|--------------------------------------|------------------------------|----------------------------|----------------------------|
| | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Renewal of approval</i> |
| (“base set”) | | | | |
| Additional fee to the fee above for the evaluation of a notification under regulation 4 where there is no adequate risk assessment | £2,220 plus £388.50 VAT | £2,220 plus £388.50 VAT | — | — |
| For the evaluation of a notification under regulation 5(1) (a) (>10 tonnes per year) | £2,250 | £2,430 | 8.00 | — |
| For the evaluation of a notification under regulation 5(1) (b) (>100 tonnes) | £4,730 | £4,780 | 1.06 | — |

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| Provision of these Regulations which fixes or determines the fees | Previous Fee | | New Fee | | Percentage Increase | |
|---|-------------------|-----------------------|-------------------|-----------------------|---------------------|-----------------------|
| | Original approval | Amendment of approval | Original approval | Amendment of approval | Original approval | Amendment of approval |
| per year) | | | | | | |
| For the evaluation of a notification under regulation 5(1) (>1,000 tonnes per year) | £3,935 | | £3,350 | | (14.87 decrease) | — |
| For a notification under regulation 6— | | | | | | |
| quantity of the new substance equal to or more than 100 kg (regulation 6(1)) | £780 | | £935 | | 19.87 | — |
| quantity of the new substance up to 100 | £495 | | £590 | | 19.19 | — |

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| <i>Provision of these Regulations which fixes or determines the fees</i> | <i>Previous Fee</i> | <i>New Fee</i> | <i>Percentage Increase</i> | | | |
|---|--------------------------------------|------------------------------|----------------------------|--------------------------------------|------------------------------|----------------------------|
| | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> | <i>Original approval of approval</i> | <i>Amendment of approval</i> | <i>Renewal of approval</i> |
| kg (regulation 6(2)) | | | | | | |
| Additional fee to the fee above for the evaluation of a notification under regulation 6 where there is no adequate risk assessment— | | | | | | |
| quantity of the new substance equal to or more than 100 kg (regulation 6(1)) | £540 plus £94.50 VAT | £540 plus £94.50 VAT | — | — | | |
| quantity of the new substance up to | £540 plus £94.50 VAT | £540 plus £94.50 VAT | — | — | | |

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| Provision of these Regulations which fixes or determines the fees | Previous Fee | | | New Fee | | | Percentage Increase | | |
|--|---|--|---------------------------------|---|--|---------------------------------|-------------------------------|-----------------------|---------------------|
| | Original approval of approval | Amendment of approval | Renewal of approval | Original approval of approval | Amendment of approval | Renewal of approval | Original approval of approval | Amendment of approval | Renewal of approval |
| 100 kg (regulation 6(2)) | | | | | | | | | |
| For an application made by a notifier for an exemption relating to him under regulation 23 | £2,250 | | | £2,430 | | | 8.00 | — | — |
| Schedule 16 | | | | | | | | | |
| Offshore installations | Reasonable cost to the Executive of having the work carried out | | | Reasonable cost to the Executive of having the work carried out | | | — | — | — |
| Schedule 17 | | | | | | | | | |
| Railway functions | Reasonable cost to the Executive of having the work carried out | | | Reasonable cost to the Executive of having the work carried out | | | — | — | — |
| Schedule 18 | | | | | | | | | |
| Gas safety functions | Reasonable cost to the Executive of having the work carried out | | | Reasonable cost to the Executive of having the work carried out | | | — | — | — |
| Schedule 19 | | | | | | | | | |
| Part I | Fee for original approval £870 | Fee for an additional site-visit £310 | Fee for renewal approval £60 | Fee for original approval £890 | Fee for an additional site-visit £320 | Fee for renewal approval £62 | 2.30 | 3.23 | 3.33 |
| Part II | Fee for initial | Fee for any | | Fee for initial | Fee for any | | 2.90 | 3.23 | |

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|--|---|--|--|
| <i>of these Regulations which fixes or determines the fees</i> | <i>Original approval of site visit £345</i> | <i>Amendment of approval of additional site-visit £310</i> | <i>Renewal of approval of additional site-visit £320</i> |
| | <i>Original approval of site visit £355</i> | <i>Amendment of approval of additional site-visit £320</i> | <i>Renewal of approval of additional site-visit £320</i> |