

SCHEDULE 3

Regulation 29(6)

APPOINTMENTS

Applications for appointment

1.—(1) An application for appointment must be made in a manner approved by the GB competent authority.

(2) A fee may be charged for, or in connection with, the consideration by, or on behalf of, the GB competent authority of an application for appointment.

(3) Any fee charged must be reasonable for the work performed or to be performed.

Appointment by the GB competent authority

2.—(1) The GB competent authority must make any appointment in writing.

(2) An appointment may be made subject to such conditions as the GB competent authority considers appropriate and, in particular, those conditions may—

- (a) restrict the scope of the appointment to equipment of a particular description;
- (b) require markings of a particular description to be affixed to equipment by or on behalf of the appointee in connection with the giving, or the refusal to give, approval; and
- (c) apply upon or following termination of the appointment.

(3) An appointment may be for the time being or for such period as may be specified in the appointment.

(4) If for any reason an appointment is terminated, the GB competent authority may—

- (a) give such directions—
 - (i) to the person whose appointment has been terminated; or
 - (ii) to another person who has been appointed, or deemed appointed, pursuant to these Regulations,
for the purpose of making such arrangements for the determination of outstanding applications for approval of equipment as it considers appropriate and the person to whom the directions are given must comply with them; and
- (b) authorise another person to take over the functions of the appointee whose appointment has been terminated in respect of such cases as it may specify.

Fees that may be charged by appointees

3.—(1) An appointee may charge a fee for, or in connection with, the carrying out of a function for which the appointment has been made.

(2) The fee must not exceed—

- (a) the costs incurred or to be incurred by the appointee in performing the function; and
- (b) an amount on account of profit which is reasonable in the circumstances having regard to—
 - (i) the character and extent of the work done or to be done by the appointee; and
 - (ii) the commercial rate normally charged on account of profit for that work or similar work.

Status: This is the original version (as it was originally made).

The inspection of appointees

4.—(1) An appointee is to be subject to such inspection by, or on behalf of, the GB competent authority as is necessary to ensure compliance with any condition specified in the appointment.

(2) The inspection referred to in sub-paragraph (1) may include the examination of premises, equipment and documents and the appointee must provide such copies, facilities, assistance and information as are reasonably required for the purpose of the inspection.

(3) A fee which is reasonable for the work performed, or to be performed, is to be payable by the appointee in respect of any inspection undertaken by, or on behalf of, the GB competent authority in accordance with sub-paragraph (1).