
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 132

**The Health and Safety (Fees)
Regulations (Northern Ireland) 2009**

Amendment of the Control of Major Accident Hazards Regulations (Northern Ireland) 2000

12.—(1) Regulation 22 of the Control of Major Accident Hazards Regulations (Northern Ireland) 2000⁽¹⁾ is amended as provided by paragraphs (2) to (4).

(2) After paragraph (2), insert —

“(2A) Subject to paragraph (2B), a fee shall be payable to the Executive by an operator of an establishment who is required to prepare a safety report pursuant to regulation 7 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 1978 Order which relates to the enforcement of any of the relevant statutory provisions against one or more than one of the following—

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

(2B) Paragraph (2A) does not apply in the case of an establishment where the presence of the dangerous substance at the establishment is, in the opinion of the Executive, for a purpose ancillary to the main activity at the establishment.”.

(3) In paragraph (3) for “paragraphs (1) and (2)” substitute “paragraphs (1), (2) and (2A)”.

(4) After paragraph (7) insert—

“(8) In this regulation any reference 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 this regulation, whether pursuant to an agreement or an arrangement he has made with that person or with another person.”.