

1973 No. 74**FACTORIES****The Medical Examinations (Fees) Order 1973**

Made - - - 19th January 1973

Coming into Operation 1st February 1973

The Secretary of State in exercise of his powers under section 6(1) and (2) of the Employment Medical Advisory Service Act 1972^(a) and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Medical Examinations (Fees) Order 1973 and shall come into operation on 1st February 1973.

Interpretation

2.—(1) The Interpretation Act 1889^(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) For the purposes of this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“appointed doctor” means a fully registered medical practitioner appointed by written certificate of the Chief Employment Medical Adviser or a Deputy Chief Employment Medical Adviser for such of the purposes of regulations under the principal Act as are specified in the certificate;

“employment medical adviser” means an employment medical adviser appointed under the provisions of the Employment Medical Advisory Service Act 1972;

“the principal Act” means the Factories Act 1961^(c) as amended by or under any other Act;

“section” means section of the principal Act.

Amounts of Fees

3.—(1) The fees for work done by a person in conducting medical examinations under the principal Act or regulations thereunder and payable in accordance with paragraph (2) of this Article shall in the cases specified in paragraphs (3) to (5) of this Article be fees of the amounts respectively specified therein.

^(a) 1972 c. 28.

^(b) 1889 c. 63.

^(c) 1961 c. 34.

(2) The fees fixed by this Order are the fees payable by the employer of the persons examined—

- (a) to the Secretary of State, where the person conducting the examination is an employment medical adviser; and
- (b) to an appointed doctor, where the examination is conducted by him and the fees in respect of it have not been agreed between him and the employer of the persons examined.

(3) In the case of examinations of persons for the purposes of the under-mentioned Regulations the amounts of the fees shall (wherever the examinations take place) be as follows, that is to say:—

- (a) in the case of the Work in Compressed Air Special Regulations 1958(a), £2.55 for the first examination of any person for the purposes of those Regulations and 85p for any other examination of that person for the purposes of those Regulations;
- (b) in the case of the Diving Operations Special Regulations 1960(b), £3.45 for the first examination of any person for the purposes of those Regulations and £1.75 for any other examination of that person for the purposes of those Regulations;
- (c) in the case of the Carcinogenic Substances Regulation 1967(c), £1.60 for the first examination of any person for the purposes of those Regulations and 80p for any other examination of that person for the purposes of those Regulations;
- (d) in the case of the Ionising Radiations (Unsealed Radioactive Substances) Regulations 1968(d), £3.45 for the first examination of any person for the purposes of those Regulations and £1.75 for any other examination of that person for the purposes of those Regulations; and
- (e) in the case of the Ionising Radiations (Sealed Sources) Regulations 1969(e), £3.45 for the first examination of any person for the purposes of those Regulations and £1.75 for any other examination of that person for the purposes of those Regulations.

(4) In the case of examinations of employed persons for the purposes of section 75 or of any Regulations under section 76 (other than the Regulations specified in paragraph (3) of this Article), the amounts of the fees shall be as follows, that is to say:—

- (a) when the examination is at the factory or other place of employment—£1.05 for the first and 35p for each other person examined on the occasion of any one visit to the factory or place; and
- (b) when the examination is not at the factory or other place of employment—35p for each person examined.

(5) In the case of work done by an employment medical adviser or an appointed doctor in connection with an examination or part of an examination

(a) S.I. 1958/61 (1958 I, p. 1115).
(c) S.I. 1967/879 (1967 II, p. 2619).
(e) S.I. 1969/808 (1969 II, p. 2296).

(b) S.I. 1960/688 (1960 II, p. 1410).
(d) S.I. 1968/780 (1968 II, p. 2153).

consisting, in either case, of a haemoglobin estimation made in pursuance of the Lead Processes (Medical Examinations) Regulations 1964(a), the amounts of the fees shall be as follows, that is to say:—

- (a) in respect of the first or only person examined on any one occasion—55p;
- (b) in respect of the second to the tenth person examined on any one occasion—30p for each person; and
- (c) in respect of the eleventh and each subsequent person examined on any one occasion—20p for each person.

Duties connected with examinations

4. The fees specified in this Order include payment for the making of entries in registers, the issuing of notices, the issuing or refusal of certificates and the carrying out of other duties as may be required in connection with the examination.

Signed by order of the Secretary of State.
19th January 1973.

John Locke,
Deputy Secretary,
Department of Employment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order fixes the fees payable by employers to the Secretary of State for work done by employment medical advisers appointed under the Employment Medical Advisory Service Act 1972 in conducting various medical examinations of employees under the Factories Act 1961. The Order also fixes the fees payable by employers to medical practitioners appointed for the purposes of Regulations under that Act for such work done by them, in cases where the fees for the work have not been agreed between them and the employer.

(a) S.I. 1964/1728 (1964 III, p. 3846).

SI 1973/74 M
ISBN 0-11-030074-2

