

**1983 No. 1450****HEALTH AND SAFETY****The Explosives and Related Matters (Fees) Regulations 1983**

<i>Made</i> - - - - -	29th September 1983
<i>Laid before Parliament</i>	11th October 1983
<i>Coming into Operation</i>	1st November 1983

The Secretary of State, in exercise of the powers conferred on him by sections 15(1) and (3)(a) and 43(2), (4), (5) and (6) of the Health and Safety at Work etc. Act 1974(a) ("the 1974 Act") 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 after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

*Citation and commencement*

**1.** These Regulations may be cited as the Explosives and Related Matters (Fees) Regulations 1983 and shall come into operation on 1st November 1983.

*Payment of fees*

**2.**—(1) When any application for a purpose specified in column 1 of the Schedule to these Regulations is made, the fee specified in the corresponding entry in column 2 of that Schedule shall be payable by the applicant to the Health and Safety Executive.

(2) Where the Executive requires any testing to be carried out in connection with—

- (a) an application for a licence to be granted under or in pursuance of section 40(9) of the Explosives Act 1875(b) for the importation of explosives which are not at the time of the application authorised to be manufactured for general sale or imported for general sale; or
- (b) an application for a purpose specified in column 1 of the Schedule to these Regulations and distinguished therein by an asterisk;

then a further fee of £25 per man-hour or any part thereof certified as having been worked in respect of that testing shall be payable by the applicant to the Executive prior to the granting of the application.

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(a) 1974 c. 37; sections 15 and 43 were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 6 and 12 respectively.

(b) 1875 c. 17; section 40(9) was amended by Orders in Council (No. 10) of 27th November 1875 (Rev. VII, p. 40) and (No. 10A) of 26th June 1884 (Rev. VII, p. 41) and S.I. 1974/1885, 1978/1723.

(3) For the purpose of paragraph (2) of this Regulation, in calculating the number of hours worked in any case, no account shall be taken of any typing, messenger or other ancillary work (for which no further fee shall be payable).

*Repeals*

3. The following provisions of the Explosives Act 1875(a) are hereby repealed except insofar as they apply to Northern Ireland—

- (a) section 26 up to and including the words “the Consolidated Fund”;
- (b) Schedule 3.

Signed by order of the Secretary of State.

*John Selwyn Gummer,*  
Joint Parliamentary Under Secretary of State,  
Department of Employment.

29th September 1983.

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(a) 1875 c. 17; section 26 was amended by S.I. 1974/1885.

## Regulation 2(1) and (2) THE SCHEDULE

## PART I

Applications for factory licences, magazine licences and amending licences under sections 6 and 12, as applied to explosives other than gunpowder by sections 39 and 40, of the Explosives Act 1875(a) and replacements of such licences.

1 Purpose of application	2 Fee
Factory licence.	£470; plus £25 additional fee for each building or other place in which explosives are to be made or kept.
Factory amending licence.	£29; plus £6 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be made or kept.
Magazine licence.	£345; plus £25 additional fee for each building or other place in which explosives are to be kept.
Magazine amending licence.	£29; plus £6 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be kept.
Replacement of one of the above licences if lost.	£12

## PART II

Applications under paragraph (1) of the proviso to Order in Council (No. 30) of 2nd February 1937(b) for approvals of premises and apparatus in which acetylene is to be manufactured or kept.

1 Purpose of application	2 Fee
Approval of premises in which acetylene is to be manufactured or kept.	£235
Amendment to an approval of premises in which acetylene is to be manufactured or kept.	£37
Approval of apparatus in which acetylene is to be manufactured or kept.*	£14

(a) 1875 c. 17; sections 6, 12 and 40 were amended by S.I. 1974/1885.

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

## PART III

Applications for comparisons and approvals in respect of conditions (1), (5) and (8) in Order of Secretary of State No. 9(a).

1 Purpose of application	2 Fee
Comparison of a porous substance with a sample porous substance.*	£14
Approval of an acetylene cylinder design.	£36
Approval of premises in which acetylene is compressed.	£235
Amendment to an approval of premises in which acetylene is compressed.	£37

## PART IV

Applications for approvals for the purpose of exemption orders made under Regulation 14 of the Gas Cylinders (Conveyance) Regulations 1931(b).

1 Purpose of application	2 Fee
Approval of a gas cylinder manufacturer.	£4000
Approval of the design of a gas cylinder.	£36
Approval of a supplier of the material of which a gas cylinder is manufactured.	£21
Approval of a gas cylinder inspection body.	£600
Approval of a user of a gas cylinder manufactured and tested in accordance with the provisions of Home Office Specifications LASS 1 or LASW 1.	£21

## PART V

Miscellaneous applications

1 Purpose of application	2 Fee
Authorisation of an explosive to be manufactured for general sale or to be imported for general sale, with or without a licence.*	£12
Grant of a special packing authority under Rule 12 of the Packing of Explosive for Conveyance Rules 1949(c).	£50
Amendment to a special packing authority as above	£14
Grant of an ammonium nitrate mixtures licence under Article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(d).	£18

(a) S.R.&O. 1919/809, amended by S.I. 1974/1885.

(b) S.R.&O. 1931/679; relevant amending instruments are S.I. 1947/1594, 1974/1942.

(c) S.I. 1949/798 to which there are no relevant amendments.

(d) S.I. 1967/1485.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations provide for the payment of fees to the Health and Safety Executive when applications are made to it for the grant of approvals, authorisations, licences etc. under the Explosives Act 1875, and certain instruments thereunder and for the purpose of exemption orders made under the Gas Cylinders (Conveyance) Regulations 1931.

None of the fees provided for in these Regulations have been fixed before except for those listed in Part 1 of the Schedule which were charged under section 26 of, and Schedule 3 to, the Explosives Act 1875. Those provisions are repealed except insofar as they apply to Northern Ireland and except for that part of section 26 which still applies to local authority fees. The fees payable under Schedule 3 have not been changed since their introduction in 1875. They are set out below together with those now payable under these Regulations.

Purpose of Application	Old Fee	New Fee
Factory licence.	£10	£470; plus £25 additional fee for each building or other place in which explosives are to be made or kept.
Factory amending licence.	£5	£29; plus £6 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be made or kept.
Magazine licence.	£10	£345; plus £25 additional fee for each building or other place in which explosives are to be kept.
Magazine amending licence.	£5	£29; plus £6 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be kept.
Replacement of one of the above licences if lost.	25p	£12

These Regulations also provide for the payment of fees to the Health and Safety Executive, in addition to those payable in respect of the application, when testing is carried out in certain specified cases.

The Home Office Specifications referred to in Part IV of the Schedule are obtainable from Her Majesty's Explosives Inspectorate, Health and Safety Executive, Magdalen House, Stanley Precinct, Bootle, Merseyside, L20 3LZ.

SI 1983/1450  
ISBN 0-11-037450-9



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