
STATUTORY INSTRUMENTS

1994 No. 397

HEALTH AND SAFETY

The Health and Safety (Fees) Regulations 1994

Made - - - - 22nd February 1994
Laid before Parliament 3rd March 1994
Coming into force - - 28th March 1994

The Secretary of State, in exercise of the powers conferred on him by sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974⁽¹⁾ (“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 1994 and shall come into force on 28th March 1994.

(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 relate exclusively to—

- (a) mines and quarries within the meaning of section 180 of the Mines and Quarries Act 1954⁽²⁾;
- (b) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969⁽³⁾ 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⁽⁴⁾ or are health and safety regulations);

(1) 1974 c. 37; section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.
(2) 1954 c. 70.
(3) 1969 c. 10.
(4) S.I. 1974/2013.

“original approval” and “original authority” do not include an amendment of an approval or an amendment of an authority;

“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;

“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 Health and Safety Executive 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) for each description of plant, apparatus, substance and in any other case set out 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 an amount per hour worked, the fee so calculated shall be payable prior to the notification of the result of the application.

(3) Where the Executive requires testing to be carried out by its staff to decide whether approval can be granted, a fee shall be payable to the Executive by the applicant on the issue by the Executive of its determination in respect 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 determined under Part III of Schedule 1.

Fees for approval of respiratory protective equipment

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

- (a) under the Factories Act 1961⁽⁵⁾, or any regulations made or having effect as if made under that Act;
- (b) under the Control of Lead at Work Regulations 1980⁽⁶⁾;
- (c) under the Ionising Radiations Regulations 1985⁽⁷⁾;
- (d) under the Control of Asbestos at Work Regulations 1987⁽⁸⁾; and
- (e) under the Control of Substances Hazardous to Health Regulations 1988⁽⁹⁾.

(2) The fee payable for approval of each item of the subject matter described in column 1 of Schedule 2 shall be that specified in column 2 of that Schedule and the fee so calculated shall be payable prior to the notification of the result of the application for approval.

(5) 1961 c. 34.

(6) S.I. 1980/1248.

(7) S.I. 1985/1333.

(8) S.I. 1987/2115.

(9) S.I. 1988/1657; amended by S.I. 1990/2026.

(3) For the purposes of Schedule 2, the number of hours worked shall include time spent by the Executive's staff carrying out any testing to determine whether approval can be granted.

Fees payable under the Agriculture (Tractor Cabs) Regulations 1974

4.—(1) A fee shall be payable by the applicant to the Health and Safety Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974⁽¹⁰⁾.

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

Fee payable under the Freight Containers (Safety Convention) Regulations 1984

5.—(1) A fee shall be payable by the applicant to the Health and Safety Executive on each application for approval of a scheme or programme for examination of freight containers under the Freight Containers (Safety Convention) Regulations 1984⁽¹¹⁾.

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

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

6.—(1) A fee shall be payable by the applicant to the Health and Safety Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983⁽¹²⁾.

(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 Health and Safety 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.

(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).

⁽¹⁰⁾ S.I. 1974/2034; relevant amending instruments are S.I. 1976/1247, 1980/1036, 1981/1414 and 1990/1075.

⁽¹¹⁾ S.I. 1984/1890.

⁽¹²⁾ S.I. 1983/1649.

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 1980

8.—(1) A fee shall be payable to the Health and Safety 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 1980(13).

(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 approval or reassessment of approval of dosimetry services and for type approval of radiation generators or apparatus containing radioactive substances under the Ionising Radiations Regulations 1985

9.—(1) A fee shall be payable by the applicant to the Health and Safety 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 Ionising Radiations Regulations 1985(14).

(2) A fee shall be payable by the applicant to the Executive on each application for the type approval of a radiation generator or an apparatus containing a radioactive substance.

(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, together with any fee determined under paragraph (4), where applicable.

(4) 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 inspection.

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 Health and Safety Executive.

(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 or part of an hour worked 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 on each application being made for each purpose specified in column 1 of each of Parts III, IV, and V of Schedule 9, and the fee for each such purpose shall be that specified in the corresponding entry in column 2 in the respective Part.

(13) S.I. 1980/1248.

(14) S.I. 1985/1333.

(5) 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 or part of an hour worked and such fee shall be payable prior to notification of the result of the application.

(6) 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 that specified in the corresponding entry in column 2 of that Part for each hour or part of an hour worked in respect of such testing and such fee shall be payable prior to notification of the result of the application.

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⁽¹⁵⁾ or section 1(4) of the Petroleum (Transfer of Licences) Act 1936⁽¹⁶⁾ the fees 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.

Fees for explosive licences under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

12.—(1) A fee shall be payable by the applicant to the Health and Safety 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⁽¹⁷⁾.

(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 so calculated shall be payable prior to notification of the result of the application.

Offshore installations

13. The owner of any offshore installation (within the meaning assigned to those words by section 1(4) of the Mineral Workings (Offshore Installations) Act 1971⁽¹⁸⁾ in respect of which an examination has been carried out under regulation 11(1) of the Offshore Installations (Life saving Appliances) Regulations 1977⁽¹⁹⁾ or under regulation 20(1) of the Offshore Installations (Fire-fighting Equipment) Regulations 1978⁽²⁰⁾ shall pay to the Executive on demand a fee calculated as follows:

- (a) a sum based on the time spent by the person carrying out the examination on carrying it out and in travelling to and from the installation calculated in accordance with the provisions of Schedule 11; and

⁽¹⁵⁾ 1928 c. 32; relevant amending instruments are S.I. 1974/1942 and S.I. 1987/52.

⁽¹⁶⁾ 1936 c. 27; relevant amending instruments are S.I. 1974/1942 and S.I. 1987/52.

⁽¹⁷⁾ S.I. 1987/37.

⁽¹⁸⁾ 1971 c. 61 section 1 was substituted by the Oil and Gas (Enterprise) Act 1982 (c. 23), section 24.

⁽¹⁹⁾ S.I. 1977/486, amended by S.I. 1984/419 and S.I. 1993/1321; by section 1(1) of the Offshore Safety Act 1992 (c. 15) the Regulations have effect as if they were existing statutory provisions within the meaning of Part I of the Health and Safety at Work etc. Act 1974; by S.I. 1993/1823 references to the Secretary of State are to be construed as references to the Executive.

⁽²⁰⁾ S.I. 1978/611, amended by S.I. 1984/419 and S.I. 1993/1321; by section 1(1) of the Offshore Safety Act 1992 (c. 15) the Regulations have effect as if they were existing statutory provisions within the meaning of Part I of the Health and Safety at Work etc. Act 1974; by S.I. 1993/1823 references to the Secretary of State are to be construed as references to the Executive.

- (b) a sum equal to the cost of travelling and subsistence expenses reasonably incurred by the person carrying out the examination.

Vocational training certificates under the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992

14.—(1) A driver may only be issued with a vocational training certificate in accordance with paragraph (1) of regulation 5 of the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992⁽²¹⁾ where a fee of the sum specified in Schedule 12 has been paid to the Secretary of State.

(2) The validity of a vocational training certificate may only be extended in accordance with paragraph (5) of regulation 5 of the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 where, within the period of 12 months which precede the expiry of the original certificate or any extensions of it granted in accordance with that paragraph, a fee of the sum specified in Schedule 12 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.

Calculation of hours worked

15. In calculating the number of hours worked for the purpose of determining the amount of a fee payable under regulation 2(2), 3(2) or 10(6) no account shall be taken of any typing, messenger or ancillary work (for which no further charge shall be payable).

Modifications and revocations

16.—(1) The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 is modified as follows —

- (a) in regulation 5, in paragraph (2), at the end of sub-paragraph (a), after the semi-colon, add “and”;
- (b) in regulation 5, in paragraph (2), at the end of sub-paragraph (b), for the semi-colon substitute a full stop and delete “and”;
- (c) in regulation 5, in paragraph (2), delete sub-paragraph (c);
- (d) in regulation 5, for paragraph (5), substitute the following paragraph—

“(5) Each vocational training certificate issued in accordance with paragraph (1) shall be valid for a period of 5 years from the date of issue, but its validity may be extended for periods of up to 5 years by the Secretary of State where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with this paragraph, the holder can show to the satisfaction of the Secretary of State that he has—

- (a) successfully completed a refresher course in the carriage of dangerous goods which has been approved by the Secretary of State; and
 - (b) passed the examination referred to in paragraph (2)(b).”;
- (e) in regulation 8, delete “5(2)(c) or (5)(b) or”.

(2) The instruments specified in column 1 of Schedule 13 are hereby revoked to the extent specified in the corresponding entry in column 3 of that Schedule.

(21) [S.I. 1992/744](#), to which there are amendments not relevant to these Regulations.

Northern Ireland

17. These Regulations shall not apply to Northern Ireland.

Signed by order of the Secretary of State.

Department of Employment
22nd February 1994

Michael Forsyth
Minister of State,

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

1 <i>Subject matter of approval</i>	2 <i>Fee for an original approval</i>	3 <i>Fee for amendment of approval</i>	4 <i>Fee for renewal of approval</i>
(a) (a) Approval of breathing apparatus	£1,030	£515	£55
(b) (b) Approval of dust respirators	£65 per hour	£65 per hour	£65 per hour worked worked
(c) (c) Approval of explosives	£188	£130	£55
(d) (d) Approval of locomotive or other vehicle	£2,027	£533	£55
(e) (e) Approval of electrical equipment for use in potentially gassy zones	£632	£412	£55
(f) (f) Approval of methanometers	£303	£193	£55
(g) (g) Approval of electric safety lamps	£303	£193	£55
(h) (h) Approval of other types of apparatus essential for safety	£154	£154	£55

PART II
FEEES FOR TESTING EXPLOSIVES AND DETONATORS
UNDER THE MINES AND QUARRIES PROVISIONS

1 <i>Test</i>	2 <i>Fee for test</i>
(a) (a) Ballistic pendulum shot	£41
(b) (b) Break test shot	£51
(c) (c) Deflagration shot	£35
(d) (d) Detonator test (per 100 shots)	£380
(e) (e) Detonator delay time test (per 100 shots)	£232
(f) (f) Gallery shot	£82
(g) (g) Mortar shot	£39
(h) (h) Velocity of detonation test (per 3 shots)	£72

PART III
FEEES FOR OTHER TESTING

The fee for any testing not fixed by Part II of this Schedule shall be £65 for each man hour of work done in the testing, excluding any typing, messenger or other ancillary work (for which no further charge shall be payable).

SCHEDULE 2

Regulation 3

FEE FOR APPROVAL OF RESPIRATORY PROTECTIVE EQUIPMENT

1 <i>Subject matter of approval</i>	2 <i>Fee</i>
Approval of respiratory protective equipment	£65 per hour worked

SCHEDULE 3

Regulation 4

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

1 <i>Subject matter of approval</i>	2 <i>Fee</i>
(a) (a) Original approval of tractor cab	£230

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1	2
<i>Subject matter of approval</i>	<i>Fee</i>
(b) (b) Revision of an existing approval of a tractor cab	£125

SCHEDULE 4

Regulation 5

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

1	2
<i>Subject matter of approval</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£75

SCHEDULE 5

Regulation 6

LICENCE UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

1	2
<i>Subject matter of licence</i>	<i>Fee</i>
Licence for work with asbestos insulation or asbestos coating or renewal of original licence	£505

SCHEDULE 6

Regulation 7

FEES FOR EXAMINATION OR SURVEILLANCE
BY AN EMPLOYMENT MEDICAL ADVISER

1	2	3	4	5
<i>Provision</i>	<i>Reference</i>	<i>Basic Fee</i>	<i>Additional fees where appropriate Fee for X-Rays</i>	<i>Fee for Laboratory tests</i>
(a) (a) work in (relevant Compressing Air Special Regulations 1958	The S. I. 1958/61 in which the instrument is S. I 1973/36)	£40	£40.80	£24.50
(b) (b) Ionising Radiations	The S. I. 1985/1333	£17 where surveillance is confined to examination	£40.80	£24.50

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

1 <i>Provision</i>	2 <i>Reference</i>	3 <i>Basic Fee</i>	4 <i>Additional fees where appropriate Fee for X-Rays</i>	5 <i>Fee for Laboratory tests</i>
	Regulations 1985	of, and making entries in records £39 in other cases		
(c)	(c) The S. I. 1987/2115 Control of Asbestos at Work Regulations 1987	£43	£40.80	£24.50
(d)	(d) The S. I. 1988/1657 Control of Substances Hazardous to Health Regulations 1988	£40	£40.80	£24.50

SCHEDULE 7

Regulation 8

FEEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 1980

1 <i>Item</i>	2 <i>Fee</i>
(a) (a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£41
(b) (b) On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£24.50
(ii) for a clinical medical examination where this is carried out	£28

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SCHEDULE 8

Regulation 9

FEES FOR APPROVAL OR REASSESSMENT OF APPROVAL OF
DOSIMETRY SERVICES AND FOR TYPE APPROVAL OF RADIATION
GENERATORS OR APPARATUS CONTAINING RADIOACTIVE
SUBSTANCES UNDER THE IONISING RADIATIONS REGULATIONS 1985

1 <i>Description</i>	2 <i>Fee</i>
Approval or reassessment of approval of Dosimetry Services granted under regulation 15 of the Ionising Radiations Regulations 1985	
Group 1	
Dose record keeping	
(a) (a) Where the application is solely in respect of Group 1 functions	£610
(b) (b) Where the application for Group 1 functions is linked to an application in respect of functions in another group	£227
Group II	£610 for one sub-group and £227 for each additional sub-group
External dosimetry	
(a) (a) Whole body (beta, gamma, thermal neutrons) film	
(b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD)	
(c) Whole body (neutron), other than sub-groups (a) or (b)	
(d) Whole body, other than sub groups (a), (b), or (c)	
(e) Extremity monitoring	
(f) Accident dosimetry, other than in the previous sub-groups	
Group III	£610
Internal Dosimetry	
(a) Bio-assay, in vivo monitoring or air sampling	
(b) (b) for each additional one of the above techniques	£227
Type approval of a radiation generator or an apparatus containing a radioactive substance under sub-paragraph (f) or (g) respectively	£90

1	2
<i>Description</i>	<i>Fee</i>
of Schedule 3 to the Ionising Radiations Regulations 1985 (which excepts such type approved radiation generators or apparatus containing radioactive substances from the notification requirements of regulation 5 of those Regulations)	

SCHEDULE 9

Regulation 10

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

PART I

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

1	2	3	4
<i>Provision under which a licence is granted</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by specialist inspector</i>
<i>Explosives Act 1875</i>			
<i>c. 17</i>			
Section 6 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory licence	£363.50	£34 per hour worked
	Magazine licence	£363.50	£34 per hour worked
	Replacement of one of the above licences if lost	£23	
Section 12 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory amending licence	£89.50	£34 per hour worked
	Magazine amending licence	£89.50	£34 per hour worked
	Replacement of one of the above licences if lost	£23	

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1 <i>Provision under which a licence is granted</i>	2 <i>Purpose of application</i>	3 <i>Fee</i>	4 <i>Fee for work by specialist inspector</i>
Section 40(9)	Licence for importation of explosives	£47	
	Replacement of the above licence if lost	£23	
	Amendment to an existing licence	£47	
Section 40(9) as applied to compressed acetylene by The Compressed Acetylene (Importation) Regulations 1978(22)	Licence for importation of compressed acetylene	£15	£34 per hour worked
	Replacement of the above licence if lost	£15	£34 per hour worked
	Amendment to an existing licence	£15	£34 per hour worked

PART II

FEE OR MAXIMUM FEE PAYABLE IN RESPECT OF 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

1 <i>Provision under which a fee or maximum fee is payable</i>	2 <i>Purpose of application</i>	3 <i>Fee or maximum fee</i>
<i>Explosives Act 1875 c. 17</i>		
Section 15 (see note 1)	A store licence	£58.50
Section 18 (see note 1)	Renewal of a store licence	£58.50

NOTE:

- 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.
- 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.
- 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.

(22) S.I. 1978/1723.

1 <i>Provision under which a fee or maximum fee is payable</i>	2 <i>Purpose of application</i>	3 <i>Fee or maximum fee</i>
Section 21 (see note 1)	Registration and renewal of registration of premises for the keeping of explosives with a local authority	£10
<i>Petroleum (Consolidation) Act 1928 c. 32</i>		
Section 4 (see notes 2 and 3)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£28 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£41.10 for each year of licence
	exceeding 50,000 litres	£81 for each year of licence
<i>Petroleum (Transfer of Transfer of Licences) Act 1936 c. 27</i>		
Section 1(4)	petroleum spirit licence	£7

NOTE:

1. 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.
2. 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.
3. 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(23)
FOR APPROVALS OF PREMISES AND APPARATUS IN
WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT**

1 <i>Purpose of application</i>	2 <i>Fee</i>	3 <i>Fee for work by specialist inspector</i>
(a) (a) Original approval of premises in which acetylene is to be manufactured or kept	£15	£34 per hour worked

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

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1 <i>Purpose of application</i>	2 <i>Fee</i>	3 <i>Fee for work by specialist inspector</i>
(b) (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£15	£34 per hour worked
(c) (c) Approval of apparatus in which acetylene is to be manufactured or kept	£15	£34 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(24).

1 <i>Purpose of application</i>	2 <i>Fee</i>	3 <i>Fee for work by specialist inspector</i>
(a) (a) Comparison of a porous substance with a sample porous substance	£26.40	
(b) (b) Original approval of premises in which acetylene is compressed	£15.00	£34 per hour worked
(c) (c) Amendment of an approval of premises in which acetylene is compressed	£15.00	£34 per hour worked

PART V

MISCELLANEOUS APPLICATIONS

1 <i>Purpose of application</i>	2 <i>Fee</i>	3 <i>Fee for work by specialist inspector</i>
(a) (a) Classification of an explosive under	£34	£34 per hour worked

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1	2	3
<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by specialist inspector</i>
the Classification and Labelling of Explosives Regulations 1983(25), or authorisation of an explosive to be manufactured or to be imported, with or without a licence		
(b) (b) Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(26)	£122	£34 per hour worked

PART VI

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

1	2
<i>Purpose of application</i>	<i>Fee</i>
(a) (a) Application for a licence to be granted under or in pursuance of section 40(9) of the Explosives Act 1875(27) for the importation of explosives which are not at the time of application authorised to be manufactured for general sale or imported for general sale	£65 per hour worked
(b) (b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above)	£65 per hour worked
(c) (c) Comparison of a porous substance with a sample porous substance (Part IV above)	£65 per hour worked
(d) (d) Classification of an explosive under the Classification and Labelling	£65 per hour worked

(25) [S.I. 1983/1140](#).

(26) [S.I. 1967/1485](#).

(27) [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. VIII, p. 41) and [S.I. 1974/1885](#) and [1978/1723](#).

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1	2
<i>Purpose of application</i>	<i>Fee</i>
of Explosives Regulations 1983 or authorisation of an explosive to be manufactured for general sale or to be imported for general sale, with or without a licence (Part V above)	
(e) (e) Application for a licence to manufacture explosive in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above)	£65 per hour worked

SCHEDULE 10

Regulation 12

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

1	2
<i>Purpose of application</i>	<i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£254 plus £34 per hour worked

SCHEDULE 11

Regulation 13

FEES RELATING TO OFFSHORE INSTALLATIONS

1	2
<i>Time spent</i>	<i>Fee per hour or part of hour spent</i>
On any day except a Saturday, Sunday or public holiday—	
between 8 a. m. and 6 p. m.	£42.00
before 8 a. m. or after 6 p. m.	£63.00
On a Saturday	£63.00
On a Sunday or public holiday	£84.00

SCHEDULE 12

Regulation 14

VOCATIONAL TRAINING CERTIFICATES UNDER THE ROAD TRAFFIC (TRAINING OF DRIVERS OF VEHICLES CARRYING DANGEROUS GOODS) REGULATIONS 1992

1	2
<i>Description</i>	<i>Fee</i>
Issue or extension of vocational training certificate	£2.70

SCHEDULE 13

Regulation 16

REVOCATIONS

1	2	3
<i>Description of Instrument</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Offshore Installations (Life-saving Appliances) Regulations 1977	S. I. 1977/486	Regulation 11(4) and the Schedule
The Offshore Installations (Fire fighting Equipment) Regulations 1978	S. I. 1978/611	Regulation 20(4) and the Schedule
The Health and Safety (Fees) Regulations 1992	S. I. 1992/1752	The Whole Regulations
The Health and Safety (Fees) Regulations 1993	S. I. 1993/1321	The Whole Regulations

EXPLANATORY NOTE

(This Note is not part of the Regulations)

1. These Regulations update and replace the [Health and Safety \(Fees\) Regulations 1992 \(S. I. No. 1752\)](#). They also incorporate the provisions for charging the fees which were updated by the [Health and Safety \(Fees\) Regulations 1993 \(S. I. No. 1321\)](#) and incorporate provisions for charging fees in regulation 5 of the [Road Traffic \(Training of Drivers of Vehicles Carrying Dangerous Goods\) Regulations 1992 \(S. I. No. 744\)](#). 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);

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- (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 and for type approval of radiation generators or apparatus containing radioactive substances under the Ionising Radiations Regulations 1985 (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 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 examination of specified appliances or equipment on offshore installations (regulation 13 and Schedule 11);
- (j) a vocational training certificate under the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992 (regulation 14 and Schedule 12).

2. The Regulations also fix the 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 maximum fees which may be charged under the Explosives Act 1825, the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936 (Regulation 10(2) and Schedule 9, Part II).

4. The new fees compared with those fixed by or determined under the previous Regulations are as follows:

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>		
	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval
Schedule 1						
Part I						
Approval of breathing apparatus	£1,030	£515	£55	£1,030	£515	£55
Approval of dust respirators	£57 per hour worked	£57 per hour worked	£57 per hour worked	£65 per hour worked	£65 per hour worked	£65 per hour worked
Approval of explosives	£188	£130	£55	£188	£130	£55
Approval of locomotive	£2,027	£533	£55	£2,027	£533	£55

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>		
or other vehicle						
Approval of electrical equipment for use in potentially gassy zones	£632	£412	£55	£632	£412	£55
Approval of methanometers	£303	£193	£55	£303	£193	£55
Approval of electric safety lamps	£303	£193	£55	£303	£193	£55
Approval of other types of apparatus essential for safety	£154	£154	£55	£154	£154	£55
Part II						
Ballistic pendulum shot			£41			£41
Break test shot			£51			£51
Deflagration shot			£35			£35
Detonator test (per 100 shots)			£380			£380
Detonator delay time test (per 100 shots)			£232			£232
Gallery shot			£82			£82
Mortar shot			£39			£39
Velocity of detonation test (per 3 shots)			£72			£72
Part III						
Other testing not fixed in Parts I and II			£57 per hour worked			£65 per hour worked
Schedule 2						
Approval of respiratory protective equipment			£57 per hour worked			£65 per hour worked
Schedule 3						

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
Original approval of tractor cab	£209	£230
Revision of an existing approval of a tractor cab	£99	£125
Schedule 4		
Approval of scheme or programme for examination of freight containers	£75	£75
Schedule 5		
Licence for work with asbestos insulations or asbestos coating or renewal of licence	£450	£505

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>		
Schedule 6	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests
The Work in Compressed Air Special Regulations 1958	£40	£37.40	£19.50	£40	£40.80	£24.50
The Ionising Radiations Regulations 1985—						
(a) where (a)17 surveillance is confined to examination of, and making entries		£37.40	£19.50	£17	£40.80	£24.50

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>		
	in records					
	(b) in (b) 39 other cases	£37.40	£19.50	£39	£40.80	£24.50
Control of Asbestos at Work Regulations 1987	£43	£34.10	£17.50	£43	£40.80	£24.50
Control of Substances Hazardous to Health Regulations 1988	£40	£37.40	£19.50	£40	£40.80	£24.50
Schedule 7						
On the First Assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment).	£40.50			£41		
On each subsequent assessment of an employee—						
(i) for laboratory tests where these are	£40.50			£24.50		

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
carried out		
(ii) for a clinical medical examination where this is carried out	£18.50	£28
Schedule 8		
Group I		
Dose record keeping where the application is solely in respect of Group I function	£429	£610
Dose record keeping where the application for Group I functions is linked to an application for approval in another group	£183	£227
Group II		
External dosimetry	£500 for one sub-group and £215 for each additional sub-group	£610 for one sub-group and £227 for each additional sub-group
Group III		
Internal dosimetry—		
(a)Bio- (a) assay or in	£439	£610

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
vivo monitoring or air sampling		
(b) for (b) charged on a different basis each additional technique		£227
Type approval of a radiation generator or an apparatus containing a radioactive substance under sub-paragraph (f) or (g) respectively of Schedule 3 to the Ionising Radiations Regulations 1985	£87	£90
Schedule 9 Part I		
Factory licence	£850 plus £45 additional fee for each building or other place in which explosives are to be made or kept	£363.50 plus £34 per hour worked by specialist inspector
Magazine licence	£656 plus £45 additional fee for each building or other place in which explosives are to be kept	£363.50 plus £34 per hour worked by specialist inspector
Factory amending licence	£308 plus £11 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	£89.50 plus £34 per hour worked by specialist inspector

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
Magazine amending licence	£53 plus £11 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be kept	£89.50 plus £34 per hour worked by specialist inspector
Licence for importation of explosives	£46	£47
Replacement of one of the above licences if lost	£23	£23
Amendment to an existing licence	£16	£47
Licence for importation of compressed acetylene	£49.50	£15 plus £34 per hour worked by specialist inspector
Replacement of the above licence if lost	£23	£15 plus £34 per hour worked by specialist inspector
Amendment to an existing licence	£16	£15 plus £34 per hour worked by specialist inspector
Part II		
A store licence	£56.50	£58.50
Renewal of a store licence	£56.50	£58.50
Registration and	£10	£10

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
renewal of registration of premises for the keeping of explosives with a local authority		
Licence to keep petroleum spirit of a quantity—		
not exceeding 2,500 litres	£27 for each year of licence	£28 for each year of licence
exceeding 2,500 litres but not exceeding 50,000 litres	£40 for each year of licence	£41.10 for each year of licence
exceeding 50,000	£78 for each year of licence	£81 for each year of licence
Transfer of petroleum spirit licence	£7	£7
Part III		
Original approval of premises in which acetylene is to be manufactured or kept	£488	£15 plus £34 per hour worked by specialist inspector
Amendment of an approval of premises in which acetylene	£216	£15 plus £34 per hour worked by specialist inspector

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
is to be manufactured or kept		
Approval of apparatus in which acetylene is to be manufactured or kept	£26.40	£15 plus £34 per hourworked by specialist inspector
Part IV		
Comparison of a porous substance with a sample porous substance	£26.40	£26.40
Original approval of premises in which acetylene is compressed	£488	£15 plus £34 per hour worked by specialist inspector
Amendment of an approval of premises in which acetylene is compressed	£33	£15 plus £34 per hour worked by specialist inspector
Part V		
Authorisation or classification of an explosive to be manufactured for general sale or to be imported	£133	£34 plus £34 per hourworked by specialist inspector

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
with or without a licence		
Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967	£139 plus £34 per hour worked by specialist inspector	£122 plus £34 per hour worked by specialist inspector
Part VI		
Testing in connection with specified applications in Parts I, III, IV or V	£57 per hour worked	£65 per hour worked
Schedule 10		
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£251 plus £43 per hour worked	£254 plus £34 per hour worked
Schedule 11		
Examinations under the Offshore Installations (Life-saving Appliances) Regulations 1977 or the Offshore		

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>
Installations (Fire-fighting Equipment) Regulations 1978—		
on any day except a Saturday, Sunday or public holiday—		
between 8 a.m. and 6 p.m.	£42 per hour spent	£42 per hour spent
before 8 a.m. or after 6 p.m.	£63 per hour spent	£63 per hour spent
on a Saturday	£63 per hour spent	£63 per hour spent
on a Sunday or public holiday	£84 per hour spent	£84 per hour spent
Schedule 12		
Vocational training certificates under regulation 5 of the Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) Regulations 1992	£2.70	£2.70

5. The Regulations do not apply to Northern Ireland.

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