
STATUTORY INSTRUMENTS

1996 No. 192

**The Equipment and Protective Systems Intended for Use
in Potentially Explosive Atmospheres Regulations 1996**

PART III

GENERAL REQUIREMENTS

Fees

13.—(1) Without prejudice to the power of the Secretary of State, where he is a notified body, to charge fees pursuant to regulations made under section 56 of the Finance Act 1973⁽¹⁾ and subject to paragraph (2) below, a notified body appointed by the Secretary of State, other than the Secretary of State, may charge such fees in connection with, or incidental to, carrying out its duties in relation to the functions referred to in regulation 12(2)(c) above as it may determine; provided that such fees shall not exceed the sum of the following—

- (a) the costs incurred or to be incurred by the notified body in performing the relevant 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 body on behalf of the applicant; and
 - (ii) the commercial rate normally charged on account of profit for that work or similar work.

(2) The power in paragraph (1) above includes the power to require the payment of fees or a reasonable estimate thereof in advance of carrying out the work requested by the applicant.