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STATUTORY INSTRUMENTS

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**2008 No. 736**

**The Health and Safety (Fees) Regulations 2008**

**Fees payable in relation to nuclear installations**

17.—(1) Where, by virtue of the provisions specified in entry (a) or (b) of column 1 of Table 1 in Schedule 14, the Executive carries out any work for a purpose specified in column 2 of that Table, a fee shall be payable to the Executive by the person referred to in column 3 of that Table.

(2) Where, by virtue of the provisions specified in column 1 of Table 2 in Schedule 14 the Executive carries out any work for the purpose specified in column 2 of that Table, a fee shall be payable to the Executive by the person referred to in column 3 of that Table.

(3) A fee shall be payable to the Executive by a licensee of a nuclear site 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 1974 Act which relates to the enforcement of any of the relevant statutory provisions against one or other or both of the following —

- (a) that licensee ; or
- (b) a contractor in relation to any work carried out by him on or in connection with that nuclear site.

(4) For the purpose of this regulation and Schedule 14—

“the 1965 Act” means the Nuclear Installations Act 1965(1);

“assessment agreement” means an agreement between the Executive and the person requesting the assessment of a design proposal, which identifies the scope of the assessment to be made by the Executive of that design proposal;

“design proposal” means a proposal for any nuclear installation, including matters relating to the installation’s construction, commissioning, operation and decommissioning, which is to be assessed by the Executive prior to any application for a licence under section 1(1) of the 1965 Act which may be made, based upon that proposal;

“licensee” means a person who has been granted a nuclear site licence pursuant to section 1(1) of the 1965 Act; and

“nuclear installation” means a nuclear reactor or an installation within the meaning of section 1(1)(b) of the 1965 Act.