1962 No. 895

FACTORIES

The Fees of Appointed Factory Doctors Order, 1962

Made - - - - 30*th April*, 1962
Coming into Operation 21*st May*, 1962

The Minister of Labour (hereinafter referred to as "the Minister") by virtue of the powers conferred on him by section 152 of the Factories Act, 1961(**a**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Fees of Appointed Factory Doctors Order, 1962, and shall come into operation on the 21st day of May, 1962.

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) The provisions of this Order shall have effect notwithstanding the provisions of the Fees of Appointed Factory Doctors Order, 1958(**c**).

3.—(1) Subject to the provisions of Article 4 of this Order, the Minister hereby determines that the amount of the fees payable by occupiers of factories to appointed factory doctors for the carrying out of such of their duties under the Factories Act, 1961, as consist of the examinations of persons for the purposes of the undermentioned Regulations 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(**d**), one-and-a-half guineas for the first examination of any person for the purposes of those Regulations and half a guinea for any other examination of that person for the purposes of those Regulations;

(*b*) in the case of the Diving Operations Special Regulations, 1960(**e**), two guineas for the first examination of any person for the purposes of those Regulations and one guinea for any other examination of that person for the purposes of those Regulations; and

(*c*) in the case of the Ionising Radiations (Sealed Sources) Regulations, 1961(**f**), two guineas for the first examination of any person for the purposes of those Regulations and one guinea for any other examination of that person for the purposes of those Regulations;

and in addition, if the distance (measured by the shortest route by which the appointed factory doctor can travel by road) between the appointed factory doctor's central point and the place of the examination exceeds two miles, two shillings for each complete mile by which that distance exceeds two miles.

(2) In this Article the expression "the appointed factory doctor's central point" means a place fixed by the Chief Inspector for the purpose of calculating the mileage or, where no place is so fixed, the residence of the appointed factory doctor.

(**a**) 9 & 10 Eliz. 2. c. 34.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.I. 1958/1156 (1958 I, p. 1132).
(**d**) S.I. 1958/61 (1958 I, p. 1115).
(**e**) S.I. 1960/688 (1960 II, p. 1410).
(**f**) S.I. 1961/1470 (1961 II, p. 2975).

4. The fees specified in this Order—

(*a*) are subject to any agreement between the appointed factory doctor and the occupier of a factory;

(*b*) include payment for the making of entries in registers, the issuing of certificates and the carrying out of other duties as may be required in connection with the examinations; but

(*c*) do not cover any examination of the blood or any other special examination required in pursuance of paragraph (2) of Regulation 27 of the Ionising Radiations (Sealed Sources) Regulations, 1961, or any chest examination by radiography required in pursuance of Regulation 9 of the Diving Operations Special Regulations, 1960.

Dated this 30th day of April, 1962.

John Hare,
Minister of Labour.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order determines the amount of the fees payable by occupiers of factories to appointed factory doctors for examinations for the purposes of the Work in Compressed Air Special Regulations, 1958, the Diving Operations Special Regulations, 1960, and the Ionising Radiations (Sealed Sources) Regulations, 1961. The fees determined by this Order can be varied by agreement between the appointed factory doctor and the occupier of the factory.