STATUTORY INSTRUMENTS

1963 No. 1160

FACTORIES

The Fees of Appointed Factory Doctors Order 1963

Made - - - - 27*th June* 1963
Coming into Operation 1*st August* 1963

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:—

Citation, commencement and revocation

1.—(1) This Order may be cited as the Fees of Appointed Factory Doctors Order 1963 and shall come into operation on 1st August 1963.

(2) The Fees of Appointed Factory Doctors Order 1958(b) is hereby revoked.

Interpretation

2.—(1) The Interpretation Act 1889(c) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

(2) For the purposes of this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" the appointed factory doctor's central point " means a place fixed by the chief inspector of factories for the purpose of calculating the mileage or, where no place is so fixed, the residence of the appointed factory doctor;

" the principal Act " means the Factories Act 1961 as amended by or under any other Act;

" section " means section of the principal Act.

(3) The fees specified in Article 3 of this Order do not cover any special examinations of the blood, microscopical examinations of urine, X-ray examinations, serological tests, or other special investigations undertaken in connection with examinations of employed persons on particular occasions or in particular instances, and this Order shall be without prejudice to the making of arrangements between the appointed factory doctor and the occupier of a factory for the carrying out of such special investigations.

Fees of appointed factory doctors

3.—(1) The Minister hereby determines that, subject to any agreement between the appointed factory doctor and the occupier of a factory, the fees payable by occupiers of factories to appointed factory doctors in respect of such of their duties under the principal Act (other than those in respect of which the amount of the fees is determined by the Fees of Appointed Factory Doctors Order 1962(d)) as are specified in paragraphs (2) and (3) of this Article shall be of the amounts respectively so specified.

(a) 9 & 10 Eliz. 2. c. 34.
(b) S.I. 1958/1156 (1958 I, p. 1132).
(c) 52 & 53 Vict. c. 63.
(d) S.I. 1962/895 (1962 II, p. 1045).

(2) For examinations of young persons under section 99(4) or under section 118, or after the service by an inspector on the occupier of a notice under section 119 as to the employment of a young person in a factory, including the issue or refusal of certificates of fitness and the issue of provisional certificates under section 118(3), the fees shall be as follows, that is to say:—

(*a*) when the examination is at the factory—twelve shillings and sixpence for the first and seven shillings and sixpence for each other person examined on the occasion of any one visit to the factory, 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 factory exceeds two miles, two shillings for each complete mile by which that distance exceeds two miles;

(*b*) when the examination is not at the factory but at the residence of the appointed factory doctor or at some other place appointed by him for the purpose and approved by the chief inspector of factories—seven shillings and sixpence for each person examined.

(3) For examinations of employed persons for the purposes of section 75 or of any Regulations under section 76, including making entries in registers, the issue of certificates and the carrying out of other duties as may be required in connection with the examinations, the fees shall be as follows, that is to say:—

(*a*) when the examination is at the factory or other place of employment—twelve shillings and sixpence for the first and four shillings and sixpence for each other person examined on the occasion of any one visit to the factory or place, and in addition, if the distance (measured as aforesaid) between the appointed factory doctor's central point and the factory exceeds two miles, two shillings for each complete mile by which that distance exceeds two miles;

(*b*) when the examination is not at the factory or other place of employment but at the residence of the appointed factory doctor or at some other place appointed by him for the purpose and approved by the chief inspector of factories—four shillings and sixpence for each person examined.

Dated 27th June 1963.

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 fees payable by occupiers of factories to appointed factory doctors for various services required under the Factories Act 1961. It increases the fees determined by the Fees of Appointed Factory Doctors Order 1958 which is revoked. The fees determined by this Order can be varied by agreement between the appointed factory doctor and the occupier of a factory.