# 1990 No. 1906

# HEALTH AND SAFETY

## The Health and Safety (Fees) Regulations 1990

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| *Made - - - -* | *19th September 1990* |
| *Laid before Parliament* | *3rd October 1990* |
| *Coming into force -* | *25th October 1990* |

The Secretary of State, in exercise of the powers conferred on him by sections 43(2), (4), (5), (6) and (9) and 82(3)(a) of the Health and Safety at Work etc. Act 1974(a) ("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 1990 and shall come into force on 25th October 1990.

(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(b);

(b) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969(c),

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(d) or are health and safety regulations);

"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;

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

"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 or Schedule 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 on each application 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 columns 2, 3 and 4 of that Part.

(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 payable in respect of approval of respiratory protective equipment and automatic safe load indicators**

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

(a) of respiratory protective equipment–

(i) under the Factories Act 1961**(a)**, or any regulations made or having effect as if made under that Act,

(ii) under the Control of Lead at Work Regulations 1980**(b)**,

(iii) under the Ionising Radiations Regulations 1985**(c)**,

(iv) under the Control of Asbestos at Work Regulations 1987**(d)**, and

(v) under the Control of Substances Hazardous to Health Regulations 1988**(e)**;

(b) of automatic safe load indicators under the Construction (Lifting Operations) Regulations 1961**(f)**, and the Shipbuilding and Ship-Repairing Regulations 1960**(g)**.

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

(3) Where the Executive requires testing to be carried out by its staff to determine whether approval of any item of equipment specified in column 1 of Part II of Schedule 2 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 approval and the fee shall be that specified in the corresponding entry in column 2 of that Part.

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**(a)** 1961 c.34.
**(b)** S.I. 1980/1248.
**(c)** S.I. 1985/1333.
**(d)** S.I. 1987/2115.
**(e)** S.I. 1988/1657.
**(f)** S.I. 1961/1581.
**(g)** S.I. 1960/1932.

**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**(a)**.

(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**(b)**.

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

**Fees payable 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**(c)**.

(2) The fee payable on application for a licence described in column 1 of Schedule 5 shall be that specified in the corresponding entry in column 2 of that Schedule.

**Fees payable 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).

**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**(d)**.

(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.

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**(a)** S.I. 1974/2034; relevant amending instruments are S.I. 1976/1247, 1980/1036, 1981/1414 and 1990/1075.
**(b)** S.I. 1984/1890.
**(c)** S.I. 1983/1649.
**(d)** S.I. 1980/1248.

**Fees for 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 and for the annual reassessment of an approval of dosimetry services previously granted for the purposes of the Ionising Radiations Regulations 1985**(a)**.

(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 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, and the fee for annual reassessment of such approval in respect of each such matter shall be that specified in column 3 of that Schedule.

**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 and under the Gas Cylinders (Conveyance) Regulations 1931**

**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 by the applicant to the Executive on each application being made for each purpose specified in column 1 of Parts III, IV, V, and VI of Schedule 9, and the fee for each such purpose shall be that specified in the corresponding entry in column 2 of those Parts.

(4) 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 VII 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**(b)** or section 1(4) of the Petroleum (Transfer of Licences) Act 1936**(c)** 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 testing in connection with application under the Classification and Labelling of Explosives Regulations 1983**

**12.**—(1) A fee shall be payable to the Health and Safety Executive by the applicant if any testing is carried out by or on behalf of the Executive with the agreement of the applicant in connection with an application under the Classification and Labelling of Explosives Regulations 1983**(d)**.

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**(a)** S.I. 1985/1333.
**(b)** 1928 c.32; relevant amending instruments are S.I. 1974/1942 and 1987/52.
**(c)** 1936 c.27; relevant amending instruments are S.I. 1974/1942 and 1987/52.
**(d)** S.I. 1983/1140.

(2) The fee payable for testing in connection with any purpose described in column 1 of Schedule 10 shall be that specified in the corresponding entry in column 2 of that Schedule 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.

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

**13.**—(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**(a)**.

(2) The fee for each item specified in column 1 of Schedule 11 shall be that specified in the corresponding entry 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.

**Calculation of hours worked**

**14.** In calculating the number of hours worked for the purpose of determining the amount of a fee payable under regulation 3(2), 10(4), 12(2) or 13(2) no account shall be taken of any typing, messenger or ancillary work (for which no further charge shall be payable).

**Revocations**

**15.** The Health and Safety (Fees) Regulations 1989**(b)** and the Health and Safety (Fees) (Amendment) Regulations 1989**(c)** are hereby revoked.

**Northern Ireland**

**16.** These Regulations shall not apply to Northern Ireland.

Signed by order of the Secretary of State.

*Eric Forth*
Parliamentary Under Secretary of State,
Department of Employment

19th September 1990

## SCHEDULE 1

Regulation 2

### PART I

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

| 1<br>*Subject matter of approval* | 2<br>*Fees for an original approval* | 3<br>*Fee for amendment of approval* | 4<br>*Fee for renewal of approval* |
|---|---|---|---|
| (a) Approval of breathing apparatus | £761 | £406 | £45 |
| (b) Approval of dust respirators | £72 | £72 | £45 |
| (c) Approval of explosives | £159 | £110 | £45 |
| (d) Approval of locomotive or other vehicle | £1,705 | £445 | £45 |
| (e) Approval of signalling apparatus | £114 | £126 | £45 |
| (f) Approval in any other case | £217 | £117 | £45 |

(a) S.I. 1987/37.
(b) S.I. 1989/462.
(c) S.I. 1989/2367.

## PART II

FEES FOR TESTING EXPLOSIVES AND DETONATORS UNDER THE MINES AND QUARRIES PROVISIONS

| 1<br>*Test* | 2<br>*Fees for test* |
|---|---|
| (a) Ballistic pendulum shot | £36 |
| (b) Break test shot | £44 |
| (c) Deflagration shot | £30 |
| (d) Detonator test (per 100 shots) | £323 |
| (e) Detonator delay time test (per 100 shots) | £198 |
| (f) Gallery shot | £74 |
| (g) Mortar shot | £35 |
| (h) Velocity of detonation test (per 3 shots) | £62 |

## PART III

FEES FOR OTHER TESTING

The fee for any testing not fixed by Part II of this Schedule shall be £57 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).

Regulation 3

# SCHEDULE 2

## PART I

APPROVALS OF RESPIRATORY PROTECTIVE EQUIPMENT AND AUTOMATIC SAFE LOAD INDICATORS

| 1<br>*Subject matter of approval* | 2<br>*Fee* |
|---|---|
| (a) Approval of respiratory protective equipment | £72 |
| (b) Approval of automatic safe load indicators | £27 per hour worked |

## PART II

FEES FOR TESTING RESPIRATORY PROTECTIVE EQUIPMENT

| 1<br>*Item of Equipment* | 2<br>*Fee* |
|---|---|
| Respiratory protective equipment | £57 per hour worked |

## SCHEDULE 3

Regulation 4

APPROVALS UNDER THE AGRICULTURE (TRACTOR CABS) REGULATIONS 1974

| 1<br>*Subject matter of approval* | 2<br>*Fee* |
|---|---|
| (a) Original approval of tractor cab | £166 |
| (b) Revision of an existing approval of a tractor cab | £83 |

## SCHEDULE 4

Regulation 5

APPROVAL UNDER THE FREIGHT CONTAINERS (SAFETY CONVENTION) REGULATIONS 1984

| 1<br>*Subject matter of approval* | 2<br>*Fee* |
|---|---|
| Approval of scheme or programme for examination of freight containers | £37 |

## SCHEDULE 5

Regulation 6

LICENCE UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

| 1<br>*Subject matter of licence* | 2<br>*Fee* |
|---|---|
| Licence for work with asbestos insulation or asbestos coating or renewal of original licence | £375 |

Regulation 7

# SCHEDULE 6

FEES FOR EXAMINATION OR SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER

| *Provision* | *Reference* | *Basic Fee* | *Additional fees where appropriate* | |
|---|---|---|---|---|
| | | | *Fee for X-rays* | *Fee for Laboratory tests* |
| 1 | 2 | 3 | 4 | 5 |
| (a) The Work in Compressed Air Special Regulations 1958 | S.I. 1958/61 (relevant amending instrument is S.I. 1973/36) | £31 | £33 | £19 |
| (b) The Ionising Radiations Regulations 1985 | S.I. 1985/1333 | £14 where surveillance is confined to examination of, and making entries in records. £31 in other cases | £33 | £19 |
| (c) The Control of Asbestos at Work Regulations 1987 | S.I. 1987/2115 | £34 | £30 | £17 |
| (d) The Control of Substances Hazardous to Health Regulations 1988 | S.I. 1988/1657 | £31 | £33 | £19 |

Regulation 8

# SCHEDULE 7

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

| 1<br>*Item* | 2<br>*Fee* |
|---|---|
| (a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment) | £33 |
| (b) On each subsequent assessment of an employee– | |
| (i) for laboratory tests where these are carried out | £33 |
| (ii) for a clinical medical examination where this is carried out | £15 |

# SCHEDULE 8

Regulation 9

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

| 1<br>*Description* | 2<br>*Fee for approval or type approval* | 3<br>*Fee for annual reassessment* |
|---|---|---|
| Approval of Dosimetry Services granted under regulation 15 of the Ionising Radiations Regulations 1985 | | |
| Group I<br>Dose record keeping | | |
| (a) Where the application is solely in respect of Group 1 functions | £359 | £105 |
| (b) Where the application for Group I functions is linked to an application for approval in another group | £153 | £105 |
| Group II<br>External dosimetry | | |
| (a) Whole body (beta, gamma, thermal neutrons) film | £543 for one sub-group and £180 for each additional sub-group | £390 for one sub-group and £105 for each additional sub-group |
| (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<br>Internal Dosimetry | | |
| (a) Strontium 90 and actinides | £679 for one or more radio-isotopes in this sub-group | £290 for one or more radio-isotopes in this sub-group |
| (b) Any other radionuclide | £527 for up to 5 radionuclides and £369 for each additional group of 5 radionuclides or part thereof | £188 for up to 5 radionuclides and £147 for each additional group of 5 radio-nuclides or part thereof |
| 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 (which excepts such type approved radiation generators or apparatus containing radioactive substances from the notification requirements of regulation 5 of those Regulations) | £73 | |

Regulation 10

# SCHEDULE 9

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, AND UNDER THE GAS CYLINDERS (CONVEYANCE) REGULATIONS 1931

## PART 1

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<br>*Provision under which a licence is granted* | 2<br>*Purpose of Application* | 3<br>*Fee* |
|---|---|---|
| *Explosives Act 1875 c.17* | | |
| Section 6 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory licence | £724 plus £38 additional fee for each building or other place in which explosives are to be made or kept |
| | Magazine licence | £561 plus £38 additional fee for each building or other place in which explosives are to be kept |
| | Replacement of one of the above licences if lost | £18 |
| Section 12 (as applied to explosives other than gunpowder by sections 39 and 40) | Factory amending licence | £270 plus £9 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 |
| | Magazine amending licence | £45 plus £9 additional fee for each building or other place to be specified in the amending licence and in which explosives are to be kept |
| | Replacement of one of the above licences if lost | £18 |
| Section 40(9) | Licence for importation of explosives | £39 |
| | Replacement of the above licence if lost | £18 |
| | Amendment to an existing licence | £14 |
| Section 40(9) as applied to compressed acetylene by The Compressed Acetylene (Importation) Regulations 1978(a) | Licence for importation of compressed acetylene | £39 |
| | Replacement of the above licence if lost | £18 |
| | Amendment to an existing licence | £14 |

(a) S.I. 1978/1723.

## 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<br>*Provision under which a fee or maximum fee is payable* | 2<br>*Purpose of application* | 3<br>*Fee or maximum fee* |
|---|---|---|
| *Explosives Act 1875 c.17* | | |
| Section 15 (see note 1) | A store licence | £51 |
| Section 18 (see note 1) | Renewal of a store licence | £51 |
| Section 21 (see note 1) | Registration and renewal of registration of premises for the keeping of explosives with a local authority | £9 |
| *Petroleum (Consolidation) Act 1928 c.32* | | |
| Section 4 (see notes 2 and 3) | Licence to keep petroleum-spirit of a quantity– | |
| | not exceeding 2,500 litres | £24 for each year of licence |
| | exceeding 2,500 litres but not exceeding 50,000 litres | £36 for each year of licence |
| | exceeding 50,000 litres | £71 for each year of licence |
| *Petroleum (Transfer of Licences) Act 1936 c.27* | | |
| Section 1(4) | Transfer of 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 PROVISO TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY 1937(a) FOR APPROVALS OF PREMISES AND APPARATUS IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| (a) Original approval of premises in which acetylene is to be manufactured or kept | £392 |
| (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept | £173 |
| (c) Approval of apparatus in which acetylene is to be manufactured or kept | £22 |

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

## PART IV

APPLICATIONS FOR COMPARISONS AND APPROVALS IN RESPECT OF CONDITIONS (1), (5) AND (8) IN THE ORDER OF THE SECRETARY OF STATE (NO. 9) OF 23RD JUNE 1919(a)

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| (a) Comparison of a porous substance with a sample porous substance | £22 |
| (b) Approval of an acetylene cylinder design | £59 |
| (c) Original approval of premises in which acetylene is compressed | £392 |
| (d) Amendment of an approval of premises in which acetylene is compressed | £27 |

## PART V

APPLICATIONS FOR APPROVALS FOR THE PURPOSE OF EXEMPTION ORDERS MADE UNDER REGULATION 4 OF THE GAS CYLINDERS (CONVEYANCE) REGULATIONS 1931(b)

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| (a) Approval of a gas cylinder manufacturer | £8,693 |
| (b) Approval of the design of a gas cylinder | £59 |
| (c) Approval of a supplier of the material of which a gas cylinder is manufactured | £838 |
| (d) Approval of a gas cylinder inspection body | £2,094 |
| (e) Approval of a user of a gas cylinder manufactured and tested in accordance with the provisions of Home Office Specifications LASS 1 or LASW 1 | £419 |

## PART VI

MISCELLANEOUS APPLICATIONS

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| (a) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983, or authorisation of an explosive to be manufactured or to be imported, with or without a licence | £111 |
| (b) Grant of an original special packing authority under Rule 12 of the Packing of Explosive for Conveyance Rules 1949(c) | £191 |
| (c) Amendment to a special packing authority as above | £27 |
| (d) Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(d) | £110 |

(a) S.R. & O. 1919/809, amended by S.I. 1974/1885.
(b) S.R. & O. 1931/679; relevant amending instruments are S.I. 1947/1594 and 1974/1942.
(c) S.I. 1949/798, to which there are no relevant amendments.
(d) S.I. 1967/1485.

## PART VII

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

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| (a) Application for a licence to be granted under or in pursuance of section 40(9) of the Explosives Act 1875(a) 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 | £57 per hour worked |
| (b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above) | £57 per hour worked |
| (c) Comparison of a porous substance with a sample porous substance (Part IV above) | £57 per hour worked |
| (d) Authorisation of an explosive to be manufactured for general sale or to be imported for general sale, with or without a licence (Part VI above) | £57 per hour worked |
| (e) Application for a licence to manufacture explosive in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part VI above) | £57 per hour worked |

# SCHEDULE 10

Regulation 12

FEES FOR TESTING IN CONNECTION WITH APPLICATION UNDER THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| Classification of an article, substance, combination or unit load | £57 per hour worked |

# SCHEDULE 11

Regulation 13

FEES FOR WORK IN CONNECTION WITH APPLICATIONS UNDER PART IX OF THE DANGEROUS SUBSTANCES IN HARBOUR AREA REGULATIONS 1987

| 1<br>*Purpose of application* | 2<br>*Fee* |
|---|---|
| Grant of an explosives licence or alteration of the terms of an existing explosives licence | £222 plus<br>£38 per hour worked |

(a) 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.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations)*

1. These Regulations update and replace the Health and Safety (Fees) Regulations 1989 and incorporate changes made by the Health and Safety (Fees) (Amendment) Regulations 1989, both of which are revoked (regulation 15). 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, and of automatic safe load indicators (regulation 3 and Schedule 2);

(c) an approval of plant or equipment under the Agriculture (Tractor Cabs) Regulations 1974 (regulation 4 and Schedule 3);

(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, and for the purpose of each of the exemption orders made under the Gas Cylinders (Conveyance) Regulations 1931 (regulation 10 and Schedule 9). The Home Office Specifications referred to in Part V of Schedule 9 are obtainable from the Health and Safety Executive, Technology Division 2, Mechanical Systems Unit, Magdalen House, Stanley Precinct, Bootle, Merseyside L20 3QZ;

(h) the classification of an article, substance, combination, or unit load under the Classification and Labelling of Explosives Regulations 1983 (regulation 12 and Schedule 10);

(i) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (regulation 13 and Schedule 11).

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 1875, 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:

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | | | *New Fee* | | |
|---|---|---|---|---|---|---|
| Schedule 1 Part I | Original approval | Amendment of approval | Renewal of approval | Original approval | Amendment of approval | Renewal of approval |
| Approval of breathing apparatus | £661 | £353 | £40 | £761 | £406 | £45 |
| Approval of dust respirators | £60 | £60 | £40 | £72 | £72 | £45 |
| Approval of explosives | £120 | £110 | £40 | £159 | £110 | £45 |
| Approval of locomotive or other vehicle | £1,514 | £348 | £40 | £1,705 | £445 | £45 |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | | | *New Fee* | | |
|---|---|---|---|---|---|---|
| Schedule 1—*continued*<br>Part I—*continued* | Original approval | Amendment of approval | Renewal of approval | Original approval | Amendment of approval | Renewal of approval |
| Approval of signalling apparatus | £100 | £112 | £40 | £114 | £126 | £45 |
| Approval in any other case under the mines and quarries provisions | £192 | £104 | £40 | £217 | £125 | £45 |
| Part II | | | | | | |
| Ballistic pendulum shot | £29 | | | £36 | | |
| Break test shot | £45 | | | £44 | | |
| Deflagration shot | £24 | | | £30 | | |
| Detonator test (per 100 shots) | £269 | | | £323 | | |
| Detonator delay time test (per 100 shots) | Chargeable under Part III | | | £198 | | |
| Gallery shot | £63 | | | £74 | | |
| Mortar shot | £28 | | | £35 | | |
| Velocity of detonation test (per 3 shots) | £53 | | | £62 | | |
| Part III | | | | | | |
| Other testing not fixed in Parts I and II | £48 per hour worked | | | £57 per hour worked | | |
| Schedule 2<br>Part I | | | | | | |
| Approval of respiratory protective equipment | £40 (blasting helmets)<br>£60 (all other cases) | | | £72 | | |
| Approval of safe load indicators | £32 per hour worked | | | £27 per hour worked | | |
| Schedule 2<br>Part II | | | | | | |
| Testing respiratory protective equipment | £48 per hour worked | | | £57 per hour worked | | |
| Schedule 3 | | | | | | |
| Original approval of tractor cab | £145 | | | £166 | | |
| Revision of existing approval of a tractor cab | £72 | | | £83 | | |
| Schedule 4 | | | | | | |
| Approval of scheme or programme for examination of freight containers | £25 | | | £37 | | |
| Schedule 5 | | | | | | |
| Licence for work with asbestos insulations or asbestos coating | £415 (Licence) | | | £375 | | |
| and renewal of original licence | £208 (Renewal) | | | | | |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | | | *New Fee* | | |
|---|---|---|---|---|---|---|
| Schedule 6 | Basic | X-rays | Laboratory tests | Basic | X-rays | Laboratory tests |
| The Work in Compressed Air Special Regulations 1958 | £31 | £32 | £18.50 | £31 | £33 | £19 |
| The Ionising Radiations Regulations 1985 | | | | | | |
| (a) where surveillance is confined to examination of, and making entries in records | £13 | £32 | £18.50 | £14 | £33 | £19 |
| (b) in other cases | £42 | £32 | £18.50 | £31 | £33 | £19 |
| Control of Asbestos at Work Regulations 1987 | £37 | £29 | £16.50 | £34 | £30 | £17 |
| Control of Substances Hazardous to Health Regulations 1988 | £31 | £32 | £18.50 | £31 | £33 | £19 |
| Schedule 7 | | | | | | |
| On the First Assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment). | £41 | | | £33 | | |
| On each subsequent assessment of an employee– | | | | | | |
| (i) for laboratory tests where these are carried out | £32 | | | £33 | | |
| (ii) for a clinical medical examination where this is carried out | £14 | | | £15 | | |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | | *New Fee* | |
|---|---|---|---|---|
| Schedule 8 | Approval or type approval | Annual reassessment | Approval or type approval | Annual reassessment |
| Group I | | | | |
| Dose record keeping where the application is solely in respect of Group I functions | £335 | £98 | £359 | £105 |
| Dose record keeping where the application for Group I functions is linked to an application for approval in another group | £143 | £98 | £153 | £105 |
| Group II | | | | |
| External dosimetry | £507 for one sub-group and £168 for each additional sub-group | £364 for one sub-group and £98 for each additional sub-group | £543 for one sub-group and £180 for each additional sub-group | £390 for one sub-group and £105 for each additional sub-group |
| Group III | | | | |
| Internal dosimetry | | | | |
| (a) Strontium 90 and actinides | £634 for one or more radioisotopes in this subgroup | £271 for one or more radioisotopes in this subgroup | £679 for one or more radioisotopes in this subgroup | £290 for one or more radioisotopes in this subgroup |
| (b) Any other radionuclide | £492 for up to 5 radionuclides and £345 for each additional group of 5 radionuclides or part thereof | £175 for up to 5 radionuclides and £137 for each additional group of 5 radionuclides or part thereof | £527 for up to 5 radionuclides and £369 for each additional group of 5 radionuclides or part thereof | £188 for up to 5 radionuclides and £147 for each additional group of 5 radionuclides or part thereof |
| Type approval of a radiation generator or an apparatus containing a radio-active substance under subparagraph (f) or (g) respectively of Schedule 3 to the Ionising Radiations Regulations 1985 | £68 | | £73 | |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | *New Fee* |
|---|---|---|
| Schedule 9<br>Part I | | |
| Factory licence | £642 plus £32 additional fee for each building or other place in which explosives are to be made or kept | £724 plus £38 additional fee for each building or other place in which explosives are to be made or kept |
| Magazine licence | £502 plus £32 additional fee for each building or other place in which explosives are to be kept | £561 plus £38 additional fee for each building or other place in which explosives are to be kept |
| Factory amending licence | £248 plus £8 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 | £270 plus £9 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 |
| Magazine amending licence | £39 plus £8 additional fee for each building or other place to be specified in the amending licence in which explosives are to be kept | £45 plus £9 additional fee for each building or other place in the amending licence and in which explosives are to be kept |
| Licence for importation of explosives | £34 | £39 |
| Licence for importation of compressed acetylene | £34 | £39 |
| Replacement of one of the above licences if lost | £16 | £18 |
| Amendment to an existing licence | £12 | £14 |
| Part II | | |
| A store licence | £47 | £51 |
| Renewal of a store licence | £47 | £51 |
| Registration and renewal of registration of premises for the keeping of explosives with a local authority | £8 | £9 |
| Licence to keep petroleum-spirit of a quantity—not exceeding 2,500 litres | £22 for each year of licence | £24 for each year of licence |
| exceeding 2,500 litres but not exceeding 50,000 litres | £33 for each year of licence | £36 for each year of licence |
| exceeding 50,000 | £65 for each year of licence | £71 for each year of licence |
| Transfer of petroleum-spirit licence | £6 | £7 |
| Part III | | |
| Original approval of premises in which acetylene is to be manufactured or kept | £352 | £392 |
| Amendment of an approval of premises in which acetylene is to be manufactured or kept | £165 | £173 |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | *New Fee* |
|---|---|---|
| Schedule 9—*continued* Part III—*continued* | | |
| Approval of apparatus in which acetylene is to be manufactured or kept | £19 | £22 |
| Part IV | | |
| Comparison of a porous substance with a sample porous substance | £19 | £22 |
| Approval of an acetylene cylinder design | £53 | £59 |
| Original approval of premises in which acetylene is compressed | £352 | £392 |
| Amendment of an approval of premises in which acetylene is compressed | £23 | £27 |
| Schedule 9 Part V | | |
| Approval of a gas cylinder manufacturer | £7,698 | £8,693 |
| Approval of the design of a gas cylinder | £53 | £59 |
| Approval of a supplier of the material of which a gas cylinder is manufactured | £720 | £838 |
| Approval of a gas cylinder inspection body | £1,791 | £2,094 |
| Approval of a user of gas cylinder manufactured and tested in accordance with the provisions of Home Office Specifications LASS 1 or LASW 1 | £360 | £419 |
| Part VI | | |
| Authorisation or classification of an explosive to be manufactured for general sale or to be imported with or without a licence | £95 | £111 |
| Grant of an original special packing authority | £181 | £191 |
| Amendment to a special packing authority | £24 | £27 |
| Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967 | £88 | £110 |

| *Provision of these Regulations which fixes or determines the fee* | *Previous Fee* | *New Fee* |
|---|---|---|
| Part VII | | |
| Application for a licence to be granted 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 | £44 per hour worked | £57 per hour worked |
| Approval of apparatus in which acetylene is to be manufactured or kept | £44 per hour worked | £57 per hour worked |
| Comparison of a porous substance with a sample porous substance | £44 per hour worked | £57 per hour worked |
| Authorisation of an explosive to be manufactured for general sale or to be imported for general sale with or without a licence | £44 per hour worked | £57 per hour worked |
| Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 | — | £57 per hour worked |
| Schedule 10 | | |
| Classification of an article, substance combination or unit load | £44 per hour worked | £57 per hour worked |
| Schedule 11 | | |
| Grant of an explosives licence or alteration of the terms of an existing explosives licence | £195 plus £33 per hour expended | £222 plus £38 per hour worked |

5. The Regulations do not apply to Northern Ireland.

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