STATUTORY INSTRUMENTS

1980 No 1233

HEALTH AND SAFETY

Mines and Quarries (Fees for Approvals) Regulations 1980

Made - - - -	14*th August* 1980
Laid before Parliament	22*nd August* 1980
Coming into Operation	22*nd September* 1980

The Secretary of State in exercise of the powers conferred on him by section 43(2), (4), (5) and (6) 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 Mines and Quarries (Fees for Approvals) Regulations 1980 and shall come into operation on 22nd September 1980.

(2) In these Regulations unless the context otherwise requires—

"approval" means a document of approval issued by the Health and Safety Executive relating to plant, apparatus or a substance which is required to be approved under the mines and quarries provisions, and—

(*a*) "original approval" means an approval for plant, apparatus or a substance for which no approval had previously been granted;

(*b*) "variation of approval" means an approval for plant, apparatus or a substance which had previously been approved, but for which further approval is required by reason of a material change in the design, construction or composition of that plant, apparatus or substance or by reason of some other change of circumstance;

(*c*) "renewal of approval" means an approval for plant, apparatus or a substance which had been approved, but for which further approval is required by reason only that the previous approval had expired;

"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**);

(**a**) 1974 c.37. (**b**) 1954 c.70. (**c**) 1969 c.10.

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 Act 1954 to 1971(Repeals and Modifications) Regulations 1974 **(a)** or are health and safety regulations).

Fees for approvals under the mines and quarries provisions

2.—(1) A fee shall be payable to the Health and Safety Executive on each application for an original approval, a variation of approval or a renewal of approval under any of the mines and quarries provisions and shall be payable by the applicant.

(2) For an original approval, a variation of approval or a renewal of approval the fee payable for each description of plant, apparatus or substance given in column 1 of Schedule 1 to these Regulations shall be that specified in the corresponding entry in column 2, 3 or 4 respectively.

Fees for testing in relation to an original approval or a variation of approval

3. Where the Health and Safety Executive requires testing to be carried out by its staff in order to decide whether an original approval or a variation of approval can be granted for any plant, apparatus or substance, a fee shall be payable to the Executive by the applicant on the issue by the Executive of its determination whether to grant the application; and—

(*a*) in the case of explosives and detonators, for each test specified in column 1 of Part I of Schedule 2 to these Regulations the fee shall be that specified in the corresponding entry in column 2;

(*b*) in any other case the fee shall be determined under Part II of that Schedule.

Signed by order of the Secretary of State.
14th August 1980.

Patrick Mayhew,
Joint Parliamentary Under Secretary of State,
Department of Employment.

(a) S.I. 1974/2013.

Regulation 2(2)

SCHEDULE 1

FEES FOR ORIGINAL APPROVALS, VARIATIONS OF APPROVALS AND RENEWALS OF APPROVALS

1 Plant, apparatus or substance for which approval is required	2 Fee for original approval	3 Fee for variation of approval	4 Fee for renewal of approval
Breathing apparatus	£100	£100	£45
Dust Respirators	£100	£100	
Explosives	£150	£125	
Locomotive or other vehicle	£405	£135	
Signalling apparatus	£65	£65	
Support	£270	£120	
Any other case	£130	£90	

Regulation 3

SCHEDULE 2

FEES FOR TESTING

PART I

Fees for testing explosives and detonators

1 Test	2 Fee for test
Ballistic pendulum shot	£10
Break test shot	£20
Chemical analysis	£240
Deflagration shot	£10
Detonator test (per 100 shots)	£110
Gallery shot	£40
Mortar shot	£10
Velocity of detonation test (per 3 shots)	£20

PART II

Fees for other testing

The fee for any testing not fixed by Part I of this Schedule shall be £25 for each man-hour of work done in the testing, excluding any typing, messenger or other ancillary work (for which no further fee shall be payable).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the fixing and determination of fees to be payable to the Health and Safety Executive in respect of approval and testing of plant, apparatus and substances for use in mines and quarries.

As respects approval the amount of the fee varies according to the nature of the plant, apparatus, or substance, and different fees are payable for original approvals, renewals and variations of approvals: these fees are set out in Schedule 1.

An additional fee is payable for any testing carried out by the Executive's staff. The fee set out in Part I of Schedule 2 is for the testing of explosives and detonators and varies in amount with the nature of the test. Fees for other testing are to be determined under Part II of Schedule 2 where a formula is prescribed for this purpose.

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