
STATUTORY INSTRUMENTS

2003 No. 547

HEALTH AND SAFETY

Health and Safety (Fees) Regulations 2003

<i>Made</i>	- - - -	<i>6 March 2003</i>
<i>Laid before Parliament</i>		<i>11 March 2003</i>
<i>Coming into force</i>	- -	<i>1 April 2003</i>

The Secretary of State, being the designated⁽¹⁾ Minister for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the notification and control of substances and the control and regulation of genetically modified organisms, in exercise of the powers conferred on him by the said section 2(2) and sections 43(2), (4), (5) and (6) and 82(3)(a) of the Health and Safety at Work etc. Act 1974⁽³⁾ (“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 2003 and shall come into force on 1st April 2003.

(2) In these Regulations—

“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 within the meaning of section 180 of the Mines and Quarries Act 1954⁽⁴⁾;
- (b) tips and quarries within the meaning of regulations 2(1) and 3 respectively of the Quarries Regulations 1999⁽⁵⁾; and

(1) [S.I. 1981/1536](#) for the designation in relation to the notification and control of substances and [S.I. 1991/755](#) in relation to the control and regulation of genetically modified organisms.
(2) [1972 c. 68](#); the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (c. 51).
(3) [1974 c. 37](#); sections 2,3 and 7 were modified by [S.I. 2000/2831](#); section 43 was amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraph 12.
(4) [1954 c. 70](#).
(5) [S.I. 1999/2024](#), to which there are amendments not relevant to these Regulations.

Changes to legislation: *Health and Safety (Fees) Regulations 2003 is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (c) tips within the meaning of section 2(1) of the Mines and Quarries (Tips) Act 1969⁽⁶⁾; 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⁽⁷⁾ or are health and safety regulations);
- “original approval” does not include an amendment of an approval;
- “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;
- “respiratory protective equipment” includes any respirator and any breathing apparatus; and
- “working days” does not include weekends or public holidays.

Commencement Information

I1 Reg. 1 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees payable under the mines and quarries provisions

2.—(1) A fee shall be payable by the applicant to the 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) on application for such approval as is mentioned in column 1 of Part I of Schedule 1 shall be respectively that specified in the corresponding entry in column 2, 3 or 4 of that Part and shall be payable on making the application for approval, or, where any such entry specifies a fee as the reasonable cost to the Executive of having the work carried out, the fee so costed shall be payable prior to the notification of the result of the application.

(3) Where the Executive requires testing to be carried out to decide whether approval can be granted, a fee shall be payable to the Executive by the applicant prior to the notification of the result 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 as set out in Part III of Schedule 1 (that is to say the reasonable cost to the Executive of having the testing carried out).

Commencement Information

I2 Reg. 2 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fee for applications for approval of respiratory protective equipment

3.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of respiratory protective equipment—

- (a) under the Factories Act 1961⁽⁸⁾, or any regulations made or having effect as if made under that Act;

⁽⁶⁾ 1969 c. 10.

⁽⁷⁾ S.I. 1974/2013, modified by S.I.1979/318.

⁽⁸⁾ 1961 c. 34; sections 34 to 38 were repealed by S.I.2000/128.

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- (b) under the Control of Lead at Work Regulations 2002(9);
- (c) under the Ionising Radiations Regulations 1999(10);
- (d) under the Control of Asbestos at Work Regulations 2002(11); and
- (e) under the Control of Substances Hazardous to Health Regulations 2002(12).

(2) The fee payable on application for approval of respiratory protective equipment shall be that specified in column 2 of Schedule 2 (that is to say the reasonable cost to the Executive of having the work, including any testing, carried out).

Commencement Information

I3 Reg. 3 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for applications for approval under the Agriculture (Tractor Cabs) Regulations 1974

4.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of plant and equipment under the Agriculture (Tractor Cabs) Regulations 1974(13).

(2) The fee payable on application for such an approval or revision of an approval as is described in column 1 of Schedule 3 shall be that specified in the corresponding entry in column 2 of that Schedule.

Commencement Information

I4 Reg. 4 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fee for application for approval under the Freight Containers (Safety Convention) Regulations 1984

5.—(1) A fee shall be payable by the applicant to the Executive on each application for approval of a scheme or programme for examination of freight containers under the Freight Containers (Safety Convention) Regulations 1984(14).

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

Commencement Information

I5 Reg. 5 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for various applications under the Asbestos (Licensing) Regulations 1983

6.—(1) A fee shall be payable by the applicant to the Executive on each application for a licence under the Asbestos (Licensing) Regulations 1983(15) (“the 1983 Regulations”).

(9) [S.I. 2002/2676](#).

(10) [S.I. 1999/3232](#), amended by [S.I. 2001/2975](#).

(11) [S.I. 2002/2675](#).

(12) [S.I. 2002/2677](#).

(13) [S.I. 1974/2034](#); relevant amending instruments are [S.I. 1976/1247](#), [1980/1036](#), [1981/1414](#) and [1990/1075](#).

(14) [S.I. 1984/1890](#), amended by [S.I. 1986/392](#).

(15) [S.I. 1983/1649](#), to which there are amendments not relevant to these Regulations.

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

(3) Where the Executive refuses to grant an applicant a licence under the 1983 Regulations and offers to reassess whether to grant the application if shortcomings leading to the refusal are remedied, a fee shall be payable by the applicant to the Executive in respect of any such reassessment.

(4) The fee payable for the reassessment referred to in paragraph (3) shall be that specified in column 1 of Table 2 to Schedule 5.

(5) Where the Executive amends a licence granted under the 1983 Regulations and the amendment relates to a condition or the duration of the licence, a fee shall be payable to the Executive by the licensee.

(6) The fee payable under paragraph (5) shall be that specified in column 2 of Table 2 to Schedule 5.

(7) Where the Executive replaces a lost licence granted under the 1983 Regulations or the Executive amends a licence granted under the 1983 Regulations for reasons other than those referred to in paragraph (5), a fee shall be payable to the Executive by the licensee.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 to Schedule 5.

Commencement Information

I6 Reg. 6 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for examination or surveillance by an employment medical adviser

7.—(1) A fee shall be payable to the 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 2002(**16**), that self-employed person shall pay to the Executive fees ascertained in accordance with paragraph (2).

Commencement Information

I7 Reg. 7 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations 2002

8.—(1) A fee shall be payable to the 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 2002⁽¹⁷⁾.

(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.

Commencement Information

18 Reg. 8 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for various applications in connection with the Ionising Radiations Regulations 1999 and the Radiation (Emergency Preparedness and Public Information) Regulations 2001

9.—(1) A fee shall be payable by the applicant to the Executive on each application for an approval of dosimetry services, or for the reassessment of an approval of dosimetry services previously granted, for the purposes of the 1999 Regulations.

(2) A fee shall be payable by the applicant to the Executive on each application for the type approval of apparatus pursuant to sub-paragraphs 1(c)(i) and 1(d)(i) of Schedule 1 to the 1999 Regulations.

(3) The fee payable for approval or reassessment or type approval in respect of each matter described in column 1 of Table 1 to Schedule 8 shall be that specified in the corresponding entry in column 2 of that Table.

(4) A fee shall be payable by the applicant to the Executive on each application for an approval of dosimetry services, or for the reassessment of an approval of dosimetry services previously granted, for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001⁽¹⁸⁾.

(5) The fee payable for an application for each purpose specified in column I of Table 2 to Schedule 8 shall be that specified in column 2 of that Table.

(6) A fee shall be payable by the applicant to the Executive where the Executive requires any work to be carried out by its nuclear or other specialist inspectors in connection with any application in respect of which a fee is payable —

- (a) by virtue of paragraph (1) or (2), or
- (b) by virtue of paragraph (4)

and the fee for such work in connection with each matter described in column 1 of Tables 1 and 2 to Schedule 8 shall be that specified in the corresponding entry in column 3 of those Tables for each hour worked, adjusted pro rata for a period worked of less than one hour.

(7) Where the Executive requires an inspection to be carried out in connection with any application mentioned in this regulation, a fee shall be payable by the applicant to the Executive of an amount equal to the reasonable cost of travelling and subsistence of any member of the Executive's staff in connection with the inspection.

(8) Any fee payable under paragraph (6) or (7) shall be payable prior to notification of the result of the application.

⁽¹⁷⁾ [S.I. 2002/2676](#).

⁽¹⁸⁾ [S.I. 2001/2975](#), amended by [S.I. 2002/2099](#). An approval of dosimetry services for the purposes of regulation 14 of these Regulations is made under regulation 35 of the Ionising Radiation Regulations 1999 ([S.I. 1999/3232](#)).

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(9) In this regulation “the 1999 Regulations” means the Ionising Radiations Regulations 1999(19).

Commencement Information

19 Reg. 9 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees payable under the Explosives Act 1875 and instruments made thereunder, under the Petroleum (Consolidation) Act 1928, the Petroleum (Transfer of Licences) Act 1936 and the Classification and Labelling of Explosives Regulations 1983

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 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 to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (1) for any purpose specified in column 2 of Part I of Schedule 9 for which there is a corresponding entry in column 4 of that Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 4 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(4) A fee shall be payable by the applicant to the Executive for each application made for each purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 and such fee shall be payable on making the application save that, in the case of an application for the purpose referred to in entry (a) in column 1 of Part V of that Schedule, the fee shall be payable prior to notification of the result of the application.

(5) The fee for an application for each purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 shall be that specified in the corresponding entry in column 2 in the respective Part and, where the fee is determined as an amount per hour, the fee shall be adjusted pro rata for a period worked of less than one hour.

(6) A fee shall be payable to the Executive where the Executive requires any work to be carried out by its specialist inspectors in connection with any application in respect of which a fee is payable by virtue of paragraph (4) for any purpose specified in column 1 of each of Parts III, IV and V of Schedule 9 for which there is a corresponding entry in column 3 of the respective Part, and the fee for work in connection with each such purpose shall be that specified in the corresponding entry in column 3 of that Part for each hour worked, adjusted pro rata for a period worked of less than one hour, and such fee shall be payable prior to notification of the result of the application.

(7) 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 VI of Schedule 9, and the fee for testing in connection with each such purpose shall be the reasonable cost to the Executive of having the work carried out and such fee shall be payable prior to notification of the result of the application.

(8) Part II of Schedule 9 shall have effect subject to the Notes to that Part.

Commencement Information

I10 Reg. 10 in force at 1.4.2003, see [reg. 1\(1\)](#)

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(**20**) or section 1(4) of the Petroleum (Transfer of Licences) Act 1936(**21**) the fees in respect of applications 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.

Commencement Information

I11 Reg. 11 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fee for application for an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987

12.—(1) A fee shall be payable by the applicant to the 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(**22**).

(2) The fee on an application for each purpose specified in column 1 of Schedule 10 shall be that specified in column 2 of that Schedule and where the fee is determined as an amount per hour, the fee, which shall be adjusted pro rata for a period worked of less than one hour, so calculated shall be payable prior to notification of the result of the application.

Commencement Information

I12 Reg. 12 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fee for a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

13.—(1) A driver may only be issued with a vocational training certificate in accordance with regulation 4(1) of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996(**23**) where a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(2) The validity of a vocational training certificate may only be extended in accordance with regulation 4(6) of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee of the sum specified in Schedule 11 has been paid to the Secretary of State.

(3) Nothing in this regulation shall be construed as making a fee payable by a person in any of the capacities specified in section 43(4) of the 1974 Act.

(20) 1928 c. 32; relevant amending instruments are S.I. 1974/1942 and 1987/52.

(21) 1936 c. 27; relevant amending instruments are S.I. 1974/1942 and 1987/52.

(22) S.I. 1987/37, amended by S.I.1988/712..

(23) S.I. 1996/2094, amended by S.I. 1999/303.

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Commencement Information

I13 Reg. 13 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for applications for approvals under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996

14.—(1) A fee shall be payable by the applicant to the Secretary of State on each application for an original approval or a renewal of any approval of—

- (a) training under regulation 4(3)(a); or
- (b) a refresher course under regulation 4(6)(a),

of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996.

(2) The fee payable under paragraph (1) on application for such approval as is mentioned in column 1 of Schedule 12 shall be respectively that specified in the corresponding entry in column 2 or 3 of that Schedule (that is to say the reasonable cost to the Secretary of State of having the work carried out).

Commencement Information

I14 Reg. 14 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fee for a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999

15.—(1) An individual may only be issued with a vocational training certificate in accordance with regulation 7(1) of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999⁽²⁴⁾ where a fee as specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(2) The validity of a vocational training certificate may only be extended in accordance with regulation 7(5) of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 where, within the period of 12 months which precede the expiry of the original certificate or any extension of it granted in accordance with that paragraph, a fee as specified in Schedule 13 has been paid to the Secretary of State or the person designated by the Secretary of State for the purpose of issuing vocational training certificates.

(3) Nothing in this regulation shall be construed as making a fee payable by a person in any of the capacities specified in section 43(4) of the 1974 Act.

Commencement Information

I15 Reg. 15 in force at 1.4.2003, see [reg. 1\(1\)](#)

Estimate of cost of work

16. Where any fee is to be assessed on the reasonable cost to the Executive of carrying out any work or testing under regulation 2(2), 2(3)(b), 3(2) or 10(7), the Executive shall on receipt of the application first prepare and send to the applicant an estimate of that cost and shall, before carrying

(24) [S.I. 1999/257](#), to which there are amendments not relevant to these Regulations.

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out the work, obtain confirmation from the applicant that he wishes the work to be carried out on the basis of that estimate of cost.

Commencement Information

I16 Reg. 16 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for notifications and applications under the Genetically Modified Organisms (Contained Use) Regulations 2000

17.—(1) The fee specified in column 2 of Schedule 14 shall be payable by a notifier to the competent authority on each such notification or application under the 2000 Regulations as is referred to in the corresponding entry in column 1 of that Schedule.

(2) No fee shall be returned to a notifier where the competent authority returns a notification pursuant to regulation 14(7) of the 2000 Regulations or a notifier withdraws his notification pursuant to regulation 15(6) of the 2000 Regulations.

(3) In this regulation, “the 2000 Regulations” means the Genetically Modified Organisms (Contained Use) Regulations 2000**(25)** and “competent authority” has the same meaning as in those Regulations.

Commencement Information

I17 Reg. 17 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for notifications and applications under the Notification of New Substances Regulations 1993

18.—(1) The fee specified in column 2 of Table 1 to Schedule 15 shall be payable by a notifier to the competent authority, within the meaning of the Notification of New Substances Regulations 1993**(26)**, on each such notification or application under those Regulations as is referred to in the corresponding entry in column 1 of that Table.

(2) In the circumstances described in column 1 of Table 2 to Schedule 15, the fee specified in the corresponding entry in column 2 of that Table shall be payable by the notifier to the Executive in addition to the fee payable under paragraph (1) in respect of the notification concerned.

(3) In Schedule 15—

“the 1982 Regulations” means the Notification of New Substances Regulations 1982**(27)**;

“the 1993 Regulations” means the Notification of New Substances Regulations 1993;

“the predecessor Directive” has the same meaning as is given to “the Directive” in the first mentioned Regulations in this paragraph;

“RTP polymer” means a polymer, which word has the same meaning as in the second mentioned Regulations in this paragraph, for which a reduced test package is acceptable pursuant to paragraph C.2 of Part D of Schedule 2 to those second mentioned Regulations; and,

references in that Schedule to “competent authority”, “the Directive”, “member State” and “process-orientated research and development” have the same meanings as in those second mentioned Regulations.

(25) [S.I. 2000/2831](#), amended by [S.I. 2001/2626](#).

(26) [S.I. 1993/3050](#), amended by [S.I. 1995/2646](#).

(27) [S.I. 1982/1496](#), revoked by [S.I. 1993/3050](#).

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Commencement Information

I18 Reg. 18 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees payable in respect of offshore installations

19.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 16 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by an operator or owner who has prepared a safety case pursuant to the 1992 Regulations 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—

- (a) that operator or owner in relation to the installation to which the safety case relates;
- (b) a contractor in relation to any work carried out by him on or in connection with that installation.

(3) In this regulation, regulation 22 and Schedule 16, “the 1992 Regulations” means the Offshore Installations (Safety Case) Regulations 1992⁽²⁸⁾, and “installation”, “safety case”, “operator” and “owner” have the same meanings as in those Regulations.

Commencement Information

I19 Reg. 19 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees payable in respect of railway safety functions

20.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 17 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by a railway operator who has prepared a safety case which has been accepted by the Executive pursuant to the 2000 Regulations 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—

- (a) that railway operator in relation to the railway infrastructure, station or train operation to which that safety case relates;
- (b) a contractor in relation to work carried out by him on or in connection with that railway infrastructure or station or in connection with that train operation.

(3) This regulation shall not apply to a function performed in relation to the tunnel system within the meaning of section 1(7) of the Channel Tunnel Act 1987⁽²⁹⁾.

(4) This regulation shall not apply to a function performed in relation to a railway, tramway or trolley vehicle system if on no part of that railway, tramway or trolley vehicle system there is a line speed exceeding 40 kilometres per hour and for the purposes of this paragraph “line speed” means the highest of the permitted speeds on the railway, tramway or trolley vehicle system concerned

⁽²⁸⁾ S.I. 1992/2885, amended by S.I. 1995/738.

⁽²⁹⁾ 1987 c. 53.

and “permitted speed” means the maximum speed permitted on the part of the railway, tramway or trolley vehicle system concerned.

(5) In this regulation, regulation 22 and Schedule 17, “the 2000 Regulations” means the Railways (Safety Case) Regulations 2000(30), the “Approval Regulations” means the Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994(31), “railway”, “railway infrastructure”, “railway operator”, “safety case”, “station” and “train” have the same meanings as in the 2000 Regulations and “tramway” and “trolley vehicle system” have the same meanings as in the Transport and Works Act 1992(32).

Commencement Information

I20 Reg. 20 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees payable in respect of gas safety functions

21.—(1) A fee shall be payable to the Executive by the person referred to in column 2 of Schedule 18 for the performance by the Executive of such functions conferred on the Executive as are specified in column 1 of that Schedule.

(2) A fee shall be payable to the Executive by a person conveying gas who has prepared a safety case pursuant to the 1996 Regulations or by a network emergency co-ordinator 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—

(a) that person in relation to the network to which the safety case relates; and

(b) a contractor in relation to work carried out by him on or in connection with that network, insofar as such enforcement is for the purpose of protecting persons from risks arising from the manner in which gas is conveyed or used.

(3) In this regulation, regulation 22 and Schedule 18, “the 1996 Regulations” means the Gas Safety (Management) Regulations 1996(33), and “network”, “network emergency co-ordinator” and “safety case” have the same meanings as in the 1996 Regulations.

Commencement Information

I21 Reg. 21 in force at 1.4.2003, see [reg. 1\(1\)](#)

Provisions supplementary to regulations 19 to 21

22.—(1) The fees referred to in regulations 19 to 21 above shall —

(a) not exceed the sum of the costs reasonably incurred by the Executive for the performance of the function referred to in the respective regulation; and

(b) be payable within 30 days from the date of the invoice that the Executive has sent or given to the person who is required to pay the fees, and such invoices shall include a statement of the work done and the costs incurred including the period to which the statement relates.

(30) S.I. 2000/2688, to which there are amendments not relevant to these Regulations.

(31) S.I. 1994/157, to which there are amendments not relevant to these Regulations. The Regulations are relevant statutory provisions within the meaning of section 53 of the Health and Safety at Work etc. Act 1974 (c. 37) by virtue of section 117(1) and (4) of the Railways Act 1993 (c. 43).

(32) 1992 c. 42.

(33) S.I. 1996/551.

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- (2) Any fees payable under regulations 19 to 21 shall not include any costs connected with any—
- (a) in England and Wales, criminal investigation or prosecution incurred (in either case) from the date any summons is obtained from a Magistrates' Court;
 - (b) in Scotland, criminal investigation or prosecution incurred (in either case) after such a time as—
 - (i) the inspector undertaking the investigation refers the case to the Procurator Fiscal; or
 - (ii) the Procurator Fiscal intervenes in the investigation,
 whichever is the sooner; or
 - (c) appeal pursuant to section 24 of the 1974 Act (appeal against improvement or prohibition notice) and, in England and Wales, regulation 11(6)(b) of, and Schedule 5 to, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2001⁽³⁴⁾ and, in Scotland, regulation 11(6)(b) of, and Schedule 5 to, the Employment Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 2001⁽³⁵⁾.
- (3) For the purposes of regulation 19 and paragraph (2)(a) and (b), an installation shall be treated as being in England and Wales if it is in the English area within the meaning of article 1 of the Civil Jurisdiction (Offshore Activities) Order 1987⁽³⁶⁾ and in Scotland if it is in the Scottish area within the meaning of that article.
- (4) Any reference in regulations 19 to 21 to a person who has prepared a safety case includes a reference to a person who is required to prepare a safety case, and in that connection as if—
- (a) any reference in those regulations to the installation, railway infrastructure, station, train operation or network to which the safety case relates were a reference to the installation, railway infrastructure, station, train operation or network to which the safety case would have related if it had been prepared in accordance with such requirement; and
 - (b) the reference in regulation 20(2) to a safety case which has been accepted by the Executive were a reference to a safety case which is required to be accepted by the Executive.
- (5) Any reference in regulations 19 and 20 to a person who has prepared a safety case includes a reference to a person who is treated as having prepared a safety case by virtue of (in the case of regulation 19) regulation 2(9) of the 1992 Regulations or (in the case of regulation 20) regulation 2(7) of the 2000 Regulations.
- (6) Any reference in regulations 19 to 21 to work carried out by a contractor is a reference to work carried out by the contractor or his employees for the benefit of the person by whom the fees are payable under that regulation, whether pursuant to an agreement or an arrangement he has made with that person or with another person.
- (7) Any reference in regulations 19 to 21 to a function conferred on an inspector by the 1974 Act which relates to enforcement against a person of any of the relevant statutory provisions includes a reference to any function conferred on an inspector by that Act which is exercised for the purpose of carrying into effect those provisions in relation to that person.

Commencement Information

122 Reg. 22 in force at 1.4.2003, see [reg. 1\(1\)](#)

⁽³⁴⁾ S.I. 2001/1171.

⁽³⁵⁾ S.I. 2001/1170 (S.7).

⁽³⁶⁾ S.I. 1987/2197.

Fees for applications for approvals under the Health and Safety (First-Aid) Regulations 1981

23.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval of training or a renewal of an approval of training under regulation 3(2)(a) of the Health and Safety (First-Aid) Regulations 1981⁽³⁷⁾.

(2) The fee payable under paragraph (1) shall be—

- (a) in respect of an application for an original approval, that specified in column 1 of Table 1 to Schedule 19; and
- (b) in respect of an application for a renewal of an approval, that specified in column 3 of that Table.

(3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and an additional site-visit for the purpose of reassessment is required, the fee payable shall be that specified in column 2 of Table 2 to Schedule 19.

(4) The fee referred to—

- (a) in paragraph (1) shall be payable on making the application for approval or renewal of an approval of training;
- (b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (7), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first such site-visit made after the original approval has been given.

(6) The fee payable under paragraph (5) shall be that specified in column 1 of Table 2 to Schedule 19 except where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, when the fee shall be that specified in column 2 of that Table.

(7) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where —

- (a) the result of the investigation is that the complaint is found to be justified, and
- (b) the complaint could not be fully investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(8) The fee payable under paragraph (7) shall be that specified in column 3 of Table 2 to Schedule 19.

(9) Where the date for any site visit referred to in this regulation has been agreed between the training provider and the Executive and —

- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
- (b) there is as a result no site-visit on that date,

a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.

(10) The fee payable under paragraph (9) shall be that specified in column 4 of Table 2 to Schedule 19.

(37) S.I. 1981/917, amended by S.I. 1989/1671 and 1993/1897.

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(11) The fee referred to in paragraphs (6), (8) and (10) shall be payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

Commencement Information

I23 Reg. 23 in force at 1.4.2003, see [reg. 1\(1\)](#)

Fees for applications for approvals under the Offshore Installation and Pipeline Works (First-Aid) Regulations 1989

24.—(1) A fee shall be payable by the applicant to the Executive on each application for an original approval or a renewal of an approval of training under regulation 5(2)(a) of the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989**(38)**.

(2) The fee payable under paragraph (1) shall be—

- (a) where the application for an original approval of training relates to, as the case may be—
 - (i) rendering first-aid to persons who are injured or become ill while at work (referred to in this regulation as “first-aid training”), or
 - (ii) rendering first-aid to, and treating in accordance with the directions of a registered medical practitioner (who may or may not be present) persons who are injured or become ill while at work, and giving simple advice in connection with the health of persons at work (together referred to in this regulation as “medical training”),

that specified in, respectively, columns 1 and 2 of Table 1 to Schedule 20;

- (b) in respect of an application for a renewal of approval of, as the case may be, first-aid training or medical training, that specified in, respectively, columns 3 and 4 of that Table.

(3) Where, before an original approval of training is given, a shortcoming in the proposed training is identified by the Executive during a site-visit and an additional site-visit for the purpose of reassessment is required, the fee payable shall—

- (a) where the application for approval relates to first-aid training, be that specified in column 1 of Table 2 to Schedule 20, or
- (b) where the application for approval relates to medical training, be that specified in column 2 of that Table.

(4) The fee referred to—

- (a) in paragraph (1) shall be payable on making the application for approval or renewal of approval of training;
- (b) in paragraph (3) shall be payable prior to the notification of the result of the application for approval of training.

(5) Where the Executive requires a site-visit, not including one for the purpose referred to in paragraph (8), to be made in connection with an approval mentioned in paragraph (1) in order to ascertain whether the standards in place when the original approval was given are being maintained, a fee shall be payable to the Executive by the provider of the approved training, except that no such fee shall be payable in respect of the first such site-visit made after the original approval has been given.

(6) Subject to paragraph (7), the fee payable under paragraph (5) shall—

- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 1 of Table 3 to Schedule 20, or

(38) [S.I. 1989/1671](#), amended by [S.I. 1993/1823](#) and [1995/738](#).

- (b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 2 of that Table,

provided that, where the site-visit is in respect of both kinds of approval of training as are referred to in subparagraphs (a) and (b) above and takes only one day to complete, the sum of the payable fees specified in columns 1 and 2 of that Table shall be reduced by an amount of £150.

(7) The fee payable under paragraph (5) where the site-visit is required to be carried out because a shortcoming in the training has been identified by the Executive during an earlier site-visit, shall—

- (a) where the site-visit is in connection with an approval relating to first-aid training, be that specified in column 3 of Table 3 to Schedule 20, or
(b) where the site-visit is in connection with an approval relating to medical training, be that specified in column 4 of that Table.

(8) Where the Executive requires a site-visit to be made for the purpose of investigating a complaint in relation to training provided pursuant to an approval mentioned in paragraph (1), a fee shall be payable to the Executive by the provider of the training where—

- (a) the result of the investigation is that the complaint is found to be justified, and
(b) the complaint could not be investigated during a site-visit made for an additional purpose to that of investigating the complaint, requiring, as a result, a further site-visit.

(9) The fee payable under paragraph (8) for such a site-visit as is there referred to, whether in connection with first-aid training or medical training provided, shall be that specified in column 1 of Table 4 to Schedule 20.

(10) Where the date for any site-visit referred to in this regulation has been agreed between the training provider and the Executive and —

- (a) three working days or less before that date the training provider informs the Executive that he wishes to cancel the site-visit agreed for that date, and
(b) there is as a result no site-visit on that date,

a fee shall be payable by the training provider to the Executive in respect of that cancelled site-visit.

(11) The fee payable under paragraph (10) shall —

- (a) where the site-visit was to have been in connection with an approval of first-aid training, be that specified in column 2 of Table 4 to Schedule 20, or
(b) where the site-visit was to have been in connection with an approval of medical training, be that specified in column 3 of that Table, (that is to say the reasonable cost to the Executive due to the cancellation).

(12) The fee referred to in paragraphs (6), (7), (9) and (11) shall be payable within 30 days from the date of the invoice that the Executive has sent or given to the person providing the approved training.

Commencement Information

124 Reg. 24 in force at 1.4.2003, see [reg. 1\(1\)](#)

Provisions supplementary to regulations 23 and 24

25.—(1) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter applies for an original approval of the one of those two kinds of training not earlier applied for or the applications are made together, the Executive shall repay to the applicant the amount of £150 in respect of the fees paid for the original approvals of training applied for; and if after those

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applications the applicant applies for an original approval of medical training, the Executive shall repay to the applicant a further amount of £50 in respect of the fees paid for the original approvals of training applied for.

(2) Where an application for an original approval of either first-aid training or training for the purposes of regulation 3(2)(a) of the 1981 Regulations is made and the applicant thereafter or at the same time applies for an original approval of medical training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of the one of the two kinds of training first referred to in this paragraph not earlier applied for, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(3) Where an application for an original approval of medical training is made and the applicant thereafter or at the same time applies for an original approval of first-aid training, the Executive shall repay to the applicant the amount of £50 in respect of the fees paid for the original approvals of training applied for; and if after those applications the applicant applies for an original approval of training for the purposes of regulation 3(2)(a) of the 1981 Regulations, the Executive shall repay to the applicant a further amount of £150 in respect of the fees paid for the original approvals of training applied for.

(4) Where an applicant applies for original approvals of first-aid training, medical training and training for the purposes of regulation 3(2)(a) of the 1981 Regulations at the same time, the Executive shall repay to the applicant the amount of £200 in respect of the fees paid for those applications.

(5) In this regulation—

“the 1981 Regulations” means the Health and Safety (First-Aid) Regulations 1981⁽³⁹⁾ and

“first-aid training” and “medical training” have the same meanings as in regulation 24.

Commencement Information

I25 Reg. 25 in force at 1.4.2003, see [reg. 1\(1\)](#)

Revocation

26. The Health and Safety (Fees) Regulations 2002⁽⁴⁰⁾ are hereby revoked.

Commencement Information

I26 Reg. 26 in force at 1.4.2003, see [reg. 1\(1\)](#)

Signed by authority of the Secretary of State for Work and Pensions.

6th March 2003

Nick Brown
Minister of State,
Department for Work and Pensions

⁽³⁹⁾ S.I. 1981/917, amended by S.I. 1989/1671 and 1993/1897.

⁽⁴⁰⁾ S.I. 2002/655.

SCHEDULE 1

Regulation 2

FEES PAYABLE UNDER THE MINES AND QUARRIES PROVISIONS

PART I

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

Commencement InformationI27 Sch. 1 Pt. I in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Subject matter of approval</i>	<i>Fee for an original approval</i>	<i>Fee for amendment of approval</i>	<i>Fee for renewal of approval</i>
(a) (a) Approval of breathing apparatus	£1,927	£964	£69
(b) (b) Approval of dust respirators	the reasonable cost to the Executive	of having the work carried out	
(c) (c) Approval of explosives	£287	£200	£69
(d) (d) Approval of locomotive or other vehicle	£3,762	£953	£69
(e) (e) Approval of electrical equipment for use in potentially gassy zones	£1,169	£748	£69
(f) (f) Approval of methanometers	£533	£328	£69
(g) (g) Approval of electric safety lamps	£533	£328	£69
(h) (h) Approval of other types of apparatus	£277	£277	£69

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PART II

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

Commencement Information

I28 Sch. 1 Pt. II in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>
<i>Test</i>	<i>Fee for test</i>
(a) (a) Ballistic pendulum shot	£138
(b) (b) Break test shot	£220
(c) (c) Deflagration shot	£174
(d) (d) Detonator test (per 100 shots)	£1,348
(e) (e) Detonator delay time test (per 100 shots)	£1,066
(f) (f) Gallery shot	£251
(g) (g) Mortar shot	£138
(h) (h) Velocity of detonation test (per 3 shots)	£436

PART III

FEES FOR OTHER TESTING

Commencement Information

I29 Sch. 1 Pt. III in force at 1.4.2003, see [reg. 1\(1\)](#)

The fee for any testing not fixed by Part II of this Schedule shall be the reasonable cost to the Executive of having the testing carried out.

SCHEDULE 2

Regulation 3

FEE FOR APPLICATION FOR APPROVAL OF RESPIRATORY EQUIPMENT

Commencement Information

I30 Sch. 2 in force at 1.4.2003, see [reg. 1\(1\)](#)

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<i>1</i>	<i>2</i>
<i>Subject matter of approval</i>	<i>Fee</i>
Approval of respiratory protective equipment	The reasonable cost to the Executive of having the work, including any testing, carried out

SCHEDULE 3

Regulation 4

FEEES FOR APPLICATIONS FOR APPROVAL UNDER THE AGRICULTURE (TRACTOR CABS) REGULATIONS 1974

Commencement Information

I31 Sch. 3 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>
(a) (a) Original approval of tractor cab	£410
(b) (b) Revision of an existing approval of a tractor cab	£226

SCHEDULE 4

Regulation 5

FEE FOR APPLICATION FOR APPROVAL UNDER THE FREIGHT CONTAINERS (SAFETY CONVENTION) REGULATIONS 1984

Commencement Information

I32 Sch. 4 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee</i>
Approval of scheme or programme for examination of freight containers	£79

SCHEDULE 5

Regulation 6

FEEES FOR VARIOUS APPLICATIONS UNDER THE ASBESTOS (LICENSING) REGULATIONS 1983

Commencement Information

I33 Sch. 5 in force at 1.4.2003, see [reg. 1\(1\)](#)

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Table 1

<i>1</i>	<i>2</i>
<i>Subject matter of licence</i>	<i>Fee</i>
Licence for work with asbestos insulation or asbestos coating or asbestos insulating board or renewal of (original) licence	£886

Table 2

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for re-assessment of licence application</i>	<i>Fee for amendment of condition, or duration, of licence</i>	<i>Fee for other amendment, or replacement, of a licence</i>
£245	£245	£65

SCHEDULE 6

Regulation 7

FEES FOR EXAMINATION OR SURVEILLANCE
BY AN EMPLOYMENT MEDICAL ADVISER

Commencement Information

I34 Sch. 6 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
<i>Provision</i>	<i>Reference</i>	<i>Basic fee</i>	<i>Additional fees where appropriate</i>	<i>Fee for</i>
			<i>Fee for X-Rays</i>	<i>Laboratory tests</i>
(a) (a) The Ionising Radiations Regulations 1999	S.I.1999/3232	£31 where surveillance is confined to examination of, and making entries in, records £58 in other cases	£59	£35
(b) (b) The Control of Asbestos at Work Regulations 2002	S.I.2002/2675	£58	£59	£35
(c) (c) The Control of Substances	S.I.2002/2677	£58	£59	£35

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<i>1</i> <i>Provision</i>	<i>2</i> <i>Reference</i>	<i>3</i> <i>Basic fee</i>	<i>4</i> <i>Additional fees where appropriate</i> <i>Fee for X-Rays</i>	<i>5</i> <i>Fee for</i> <i>Laboratory tests</i>
	Hazardous to Health 2002			
(d)	(d) The S.I.1996/1656 Work in Compressed Air Regulations 1996	£58	£59	£35

SCHEDULE 7

Regulation 8

FEEES FOR MEDICAL SURVEILLANCE BY AN EMPLOYMENT MEDICAL ADVISER UNDER THE CONTROL OF LEAD AT WORK REGULATIONS 2002

Commencement Information

I35 Sch. 7 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Item</i>	<i>2</i> <i>Fee</i>
(a) (a) On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment)	£58
(b) (b) On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£35
(ii) for a clinical medical examination where this is carried out	£35

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SCHEDULE 8

Regulation 9

**FEEES FOR VARIOUS APPLICATIONS IN CONNECTION WITH THE IONISING
RADIATIONS REGULATIONS 1999 AND THE RADIATION (EMERGENCY
PREPAREDNESS AND PUBLIC INFORMATION) REGULATIONS 2001**

Commencement Information

I36 Sch. 8 in force at 1.4.2003, see [reg. 1\(1\)](#)

Table 1

<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of those Regulations		
Group I		
Dose record keeping		
(a) (a) Where the application is solely in respect of Group I functions	£224	£103 per hour worked
(b) (b) Where the application for Group I functions is linked to an application in respect of functions in another group	£224	£103 per hour worked
Group II		
External dosimetry		
(a) (a) Whole body (beta, gamma, thermal neutrons) film	£224	£103 per hour worked
(b) (b) Whole body (beta, gamma, thermal neutrons) thermoluminescent dosimeter (TLD)	£224	£103 per hour worked

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<i>1</i> <i>Description</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
(c) (c) Whole body (neutron), other than sub-groups (a) or (b)	£224	£103 per hour worked
(d) (d) Whole body, other than sub-groups (a), (b), or (c)	£224	£103 per hour worked
(e) (e) Extremity monitoring	£224	£103 per hour worked
(f) (f) Accident dosimetry, other than in the previous sub-groups	£224	£103 per hour worked
Group III		
Internal Dosimetry		
(a) (a) Bio-assay, in-vivo monitoring or air sampling	£224	£103 per hour worked
(b) (b) For each additional one of the above techniques	£224	£103 per hour worked
Type approval of apparatus under sub-paragraph 1(c) (i) or 1(d)(i) of Schedule 1 to the Ionising Radiations Regulations 1999 (which exempts such type approved apparatus from the notification requirements of regulation 6 of those Regulations)	£116	£103 per hour worked

Table 2

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
Approval or reassessment of approval of Dosimetry Services granted under regulation 35 of the Ionising Radiations Regulations 1999 for the purposes of regulation 14 of the Radiation (Emergency Preparedness	£1,600	£103 per hour worked

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<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Nuclear or Specialist Inspector</i>
and Public Information) Regulations 2001		

SCHEDULE 9

Regulation 10

FEES PAYABLE UNDER THE EXPLOSIVES ACT 1875 AND INSTRUMENTS MADE THEREUNDER, UNDER THE PETROLEUM (CONSOLIDATION) ACT 1928, THE PETROLEUM (TRANSFER OF LICENCES) ACT 1936 AND THE CLASSIFICATION AND LABELLING OF EXPLOSIVES REGULATIONS 1983

PART 1

APPLICATIONS FOR FACTORY LICENCES, MAGAZINE LICENCES, ACETYLENE IMPORTATION LICENCES AND AMENDING LICENCES UNDER SECTIONS 6, 12 AND 40(9) OF THE EXPLOSIVES ACT 1875 AND REPLACEMENT OF SUCH LICENCES

Commencement Information

I37 Sch. 9 Pt. 1 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Provisions under which a licence is granted</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>	<i>4</i> <i>Fee for work by specialist inspector</i>
Explosives Act 1875			
c. 17			
Section 6 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory licence	£529	£94 per hour worked
	Magazine licence	£529	£94 per hour worked
	Replacement of one of the above licences if lost	£47	
Section 12 (as applied to explosives other than gunpowder by sections 39 and 40)	Factory amending licence	£381	£94 per hour worked
	Magazine amending licence	£381	£94 per hour worked

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<i>1</i> <i>Provisions under which a licence is granted</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee</i>	<i>4</i> <i>Fee for work by specialist inspector</i>
	Replacement of one of the above licences if lost	£47	
Section 40(9)(41) as applied to compressed acetylene by the Compressed Acetylene (Importation) Regulations 1978(42)	Licence for importation of compressed acetylene	£32	£94 per hour worked
	Replacement of the above licence if lost	£32	
	Amendment to an existing licence	£32	£94 per hour worked

PART II

FEE OR MAXIMUM FEE PAYABLE IN RESPECT OF APPLICATIONS FOR THE 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

Commencement Information

I38 Sch. 9 Pt. II in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Provision under which a fee or maximum fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee or maximum fee</i>
Explosives Act 1875 c. 17(43)		

Notes:

- 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.
- 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.

(41) Section 40(9) was amended by [S.I. 1974/1885](#) and was applied to compressed acetylene by [S.I. 1978/1723](#); the effect of section 40(9) of the Explosives Act 1875 (c. 17) in so far as it applied to acetylene by virtue of Order in Council (No. 30) dated 2nd February 1937 (S.R. & O. [1937/54](#)) was saved by regulation 12 of, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 ([S.I. 1993/2714](#)).

(42) [S.I. 1978/1723](#).

(43) 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.

Changes to legislation: Health and Safety (Fees) Regulations 2003 is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

<i>1</i> <i>Provision under which a fee or maximum fee is payable</i>	<i>2</i> <i>Purpose of application</i>	<i>3</i> <i>Fee or maximum fee</i>
Section 15	A store licence	£73
Section 18	Renewal of a store licence	£73
Section 21	Registration and renewal of registration of premises for the keeping of explosives with a local authority	£13
Petroleum (Consolidation) Act 1928 c. 32		
Section 4 (see notes 1 and 2)	Licence to keep petroleum spirit of a quantity—	
	not exceeding 2,500 litres	£35 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£50 each year of licence
	exceeding 50,000 litres	£99 for each year of licence
Petroleum (Transfer of Licences) Act 1936 c. 27		
Section 1(4)	Transfer of petroleum spirit licence	£8

Notes:

1. 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.
2. 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 PROVISIO
TO ORDER IN COUNCIL (NO. 30) OF 2ND FEBRUARY
1937(44) FOR APPROVALS OF PREMISES AND APPARATUS
IN WHICH ACETYLENE IS TO BE MANUFACTURED OR KEPT

Commencement Information

I39 Sch. 9 Pt. III in force at 1.4.2003, see [reg. 1\(1\)](#)

(44) S.R. & O. 1937/54; relevant amending instruments are S.R. & O. 1947/805 and S.I. 1974/1885 and 1984/510.

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<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
(a) (a) Original approval of premises in which acetylene is to be manufactured or kept	£32	£94 per hour worked
(b) (b) Amendment of an approval of premises in which acetylene is to be manufactured or kept	£32	£94 per hour worked
(c) (c) Approval of apparatus in which acetylene is to be manufactured or kept	£32	£94 per hour worked

PART IV

APPLICATIONS FOR COMPARISONS AND APPROVALS IN RESPECT OF CONDITIONS (1) AND (8) IN THE ORDER OF THE SECRETARY OF STATE (NO. 9) OF 23RD JUNE 1919(45)

Commencement Information

I40 Sch. 9 Pt. IV in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
(a) (a) Comparison of a porous substance with a sample porous substance	£58	
(b) (b) Original approval of premises in which acetylene is compressed	£32	£94 per hour worked
(c) (c) Amendment of an approval of premises in which acetylene is compressed	£32	£94 per hour worked

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PART V

MISCELLANEOUS APPLICATIONS

Commencement Information

I41 Sch. 9 Pt. V in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Purpose of the application</i>	<i>2</i> <i>Fee</i>	<i>3</i> <i>Fee for work by Specialist Inspector</i>
(a) (a) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983(46) or authorisation of an explosive under section 40(9) of the Explosives Act 1875(47)	£56 per hour worked	
(b) (b) Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures Exemption Order 1967(48)	£200	£94

PART VI

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

Commencement Information

I42 Sch. 9 Pt. VI in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Purpose of application</i>	<i>2</i> <i>Fee</i>
(a) (a) Application for a licence for the importation of compressed acetylene (Part I above)	the reasonable cost to the Executive of having the work carried out

(46) S.I. 1983/1140.

(47) 1875 c. 17; section 40(9) was modified by regulation 12, and Part I of Schedule 4 to, the Placing on the Market and Supervision of Transfers of Explosives Regulations 1993 (S.I. 1993/2714).

(48) S.I. 1967/1485.

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<i>I</i>	<i>2</i>
<i>Purpose of application</i>	<i>Fee</i>
(b) (b) Approval of apparatus in which acetylene is to be manufactured or kept (Part III above)	ditto
(c) (c) Comparison of a porous substance with a sample porous substance (Part IV above)	ditto
(d) (d) Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875 (Part V above)	ditto
(e) (e) Application for a licence to manufacture explosives in pursuance of the Ammonium Nitrate Mixtures Exemption Order 1967 (Part V above)	ditto

SCHEDULE 10

Regulation 12

FEE FOR APPLICATION FOR GRANT OR ALTERATION OF THE TERMS OF AN EXPLOSIVES LICENCE UNDER PART IX OF THE DANGEROUS SUBSTANCES IN HARBOUR AREAS REGULATIONS 1987

Commencement Information

I43 Sch. 10 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>I</i>	<i>2</i>
<i>Purpose of the application</i>	<i>Fee</i>
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£579 plus £94 per hour worked

SCHEDULE 11

Regulation 13

FEE FOR VOCATIONAL TRAINING CERTIFICATE UNDER THE CARRIAGE OF DANGEROUS GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996

Commencement Information

I44 Sch. 11 in force at 1.4.2003, see [reg. 1\(1\)](#)

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<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
Issue or extension of vocational training certificate	£3

SCHEDULE 12

Regulation 14

FEEES FOR APPLICATIONS FOR APPROVALS UNDER THE CARRIAGE OF DANGEROUS GOODS BY ROAD (DRIVER TRAINING) REGULATIONS 1996

Commencement Information

I45 Sch. 12 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>	<i>3</i>
<i>Purpose of application</i>	<i>Fee for an original approval</i>	<i>Fee for renewal of approval</i>
(a) (a) For approval of training	the reasonable cost to the Secretary of State of having the work carried out	
(b) (b) For approval of a refresher course	the reasonable cost to the Secretary of State of having the work carried out	

SCHEDULE 13

Regulation 15

VOCATIONAL TRAINING CERTIFICATE UNDER THE TRANSPORT OF DANGEROUS GOODS (SAFETY ADVISERS) REGULATIONS 1999

Commencement Information

I46 Sch. 13 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
Issue or extension of vocational training certificate	the reasonable cost to the Secretary of State, or the person designated by him for the purpose of issuing vocational training certificates, of having the work carried out

SCHEDULE 14

Regulation 17

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE GENETICALLY
MODIFIED ORGANISMS (CONTAINED USE) REGULATIONS 2000

Commencement Information

I47 Sch. 14 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> Description	<i>2</i> Fee
(a) (a) Notification of intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£288
(b) (b) Notification of an activity involving genetic modification in class 2 under regulation 10(1), except a notification to which paragraph 4(1) or paragraph 5(1) of Schedule 10 applies	£576
(c) (c) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 2 under regulation 10(1)	£576
(d) (d) Notification of an activity involving genetic modification in class 3 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies	£624
(e) (e) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)	£624
(f) (f) Notification of an activity involving genetic modification in class 4 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies	£720

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<i>I</i>	<i>2</i>
<i>Description</i>	<i>Fee</i>
(g) (g) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as the notification of an activity involving genetic modification in class 4 under regulation 11(1)	£720
(h) (h) Notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£576
(i) (i) Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£576
(j) (j) Notification of additional information under regulation 15(3)	£432
(k) (k) Application for the written agreement of the competent authority under regulation 18(2) where the application is made after a notification has been submitted pursuant to regulation 9(1), 10(1), 11(1) or 12(1)	£432

SCHEDULE 15

Regulation 18

FEES FOR NOTIFICATIONS AND APPLICATIONS UNDER THE NOTIFICATION OF NEW SUBSTANCES REGULATIONS 1993

Commencement InformationI48 Sch. 15 in force at 1.4.2003, see [reg. 1\(1\)](#)**Table 1**

<i>I</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee payable</i>
For the evaluation of a notification under regulation 4 (“base set”) of a substance not	4,745

<i>1</i> <i>Subject matter</i>	<i>2</i> <i>Fee payable</i>
already notified under the 1993 Regulations or to a competent authority of a member State for the purposes of the Directive	
For the evaluation of a notification under regulation 4 of a substance already notified—	£2,255
(i) under that regulation,	
(ii) regulation 4(1) of the 1982 Regulations, or	
(iii) to a competent authority of a member state, other than the competent authority for Great Britain, for the purposes of either Article 6(1) of the predecessor Directive or Article 7 of the Directive, and either regulation 11 of the 1993 Regulations applies or the agreement of the competent authority for Great Britain has been obtained pursuant to regulation 13(1) of the 1993 Regulations	
For the evaluation of information provided for the purposes of regulation 5(1)(a) (> 10 tonnes per year)	£2,490
For the evaluation of information provided for the purposes of regulation 5(1)(b) (> 100 tonnes per year)	£4,900
For the evaluation of information provided for the purposes of regulation 5(1)(c) (> 1000 tonnes per year)	£3,435
For the evaluation of a notification under regulation 6, subject to the entry below relating to an evaluation of a notification in respect of an RTP polymer—	
(a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£1,122
(b) (b) quantity of the new substance equal to or more than 10kg but less than 100 kg (regulation 6(2))	£708
For the evaluation of a notification (whether made under regulation 6(1) or 6(2), as the case may be,) in respect of an RTP polymer of an amount equal to or more than 10 kg per annum but less than one tonne per annum or the total amount is equal to or more than 500 kg but less than 5 tonnes	£1,122
For the evaluation of information provided under regulation 6(4)(d)(i) in respect of	£615

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<i>1</i>	<i>2</i>
<i>Subject matter</i>	<i>Fee payable</i>
a substance for the purposes of process-orientated research and development	
For an application made by a notifier for an exemption relating to him under regulation 23	£2,490

Table 2

<i>1</i>	<i>2</i>
<i>Circumstances described</i>	<i>Fee payable</i>
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 4 (“base set”)	£2,280 (plus £399 VAT)
Where, in the opinion of the Executive, an adequate risk assessment has not been included with a notification under regulation 6—	
(a) (a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£550 (plus £96.25 VAT)
(b) (b) quantity of the new substance equal to or more than 10 kg but less than 100 kg (regulation 6(2))	£550 (plus £96.25 VAT)

SCHEDULE 16

Regulation 19

FEES PAYABLE IN RESPECT OF OFFSHORE INSTALLATIONS

Commencement Information

I49 Sch. 16 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i>	<i>2</i>
<i>Function</i>	<i>Person by whom fee is payable</i>
Assessing a safety case (sent to the Executive pursuant to regulation 4(1) of the 1992 Regulations) for the purpose of deciding whether to raise matters relating to health and safety and raising such matters	The operator who sent the safety case to the Executive pursuant to that provision
Assessing a safety case or a revision to a safety case (sent to the Executive pursuant to any other provision of the 1992 Regulations) for the purpose of deciding whether to accept that	The operator or owner who sent the safety case or revision to the Executive pursuant to that provision

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<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
safety case or revision and accepting any such safety case or revision	
Providing advice with respect to the preparation of a safety case or a revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 1992 Regulations	The operator or owner who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 17 of the 1992 Regulations and granting any such exemption	The operator or owner who has requested the exemption

SCHEDULE 17

Regulation 20

FEES PAYABLE IN RESPECT OF RAILWAY SAFETY FUNCTIONS

Commencement Information

I50 Sch. 17 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
Assessing a safety case or a revision to a safety case (sent to the Executive pursuant to any provision of the 2000 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision	The railway operator who has prepared that safety case pursuant to that provision
Assessing whether to grant an exemption pursuant to regulation 11 of the 2000 Regulations and granting any such exemption	The railway operator who has requested the exemption
Providing advice with respect to the preparation of a safety case or revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 2000 Regulations	The railway operator who has requested that advice
Assessing whether to grant an approval pursuant to any provision of the Approval Regulations and granting any such approval	The operator or manufacturer (within the meaning of the Approval Regulations) who has made the application for the approval, or on whose behalf the application has been made
Providing advice with respect to a proposed application for the grant of an approval pursuant to the Approval Regulations	The operator or manufacturer (within the meaning of the Approval Regulations) who has requested that advice

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<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
Assessing whether to make and making an order in relation to a level crossing pursuant to the Level Crossings Act 1983(49) and to an agreement made pursuant to section 13(1)(b) of the 1974 Act	The operator within the meaning of the Level Crossings Act 1983
Assessing whether to grant an exemption pursuant to regulation 6 of the Railway Safety Regulations 1999(50) and granting any such exemption	The railway operator who has requested the exemption

SCHEDULE 18

Regulation 21

FEES PAYABLE IN RESPECT OF GAS SAFETY FUNCTIONS

Commencement Information

151 Sch. 18 in force at 1.4.2003, see [reg. 1\(1\)](#)

<i>1</i> <i>Function</i>	<i>2</i> <i>Person by whom fee is payable</i>
Assessing a safety case or a revision of a safety case (sent to the Executive pursuant to any provision of the 1996 Regulations) for the purpose of deciding whether to accept that safety case or revision, and accepting any such safety case or revision	The person conveying gas or the network emergency co-ordinator who has prepared the safety case or revision pursuant to that provision
Providing advice with respect to the preparation of a safety case or revision to a safety case which is proposed to be sent to the Executive pursuant to any provision of the 1996 Regulations	The person conveying gas or the network co-ordinator who has requested that advice
Assessing whether to grant an exemption pursuant to regulation 11 of the 1996 Regulations	The operator or owner who has requested the exemption

(49) 1983 c. 16; the Act, which was amended by the level Crossings Regulations 1997 (S.I. 1997/487), is one of the relevant statutory provisions within the meaning of section 53 of the Health and Safety at Work etc. Act 1974 (c. 37) by virtue of section 117(1) and (4) of the Railways Act 1993 (c. 43).

(50) S.I. 1999/2224, to which there are amendments not relevant to these Regulations.

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SCHEDULE 19

Regulation 23

FEES FOR APPLICATIONS FOR APPROVALS UNDER THE
HEALTH AND SAFETY (FIRST-AID) REGULATIONS 1981

Commencement Information

I52 Sch. 19 in force at 1.4.2003, see [reg. 1\(1\)](#)

Table 1

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for an original approval</i>	<i>Fee for an additional site-visit</i>	<i>Fee for renewal of approval</i>
£912	£328	£64

Table 2

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an initial site-visit</i>	<i>Fee for any additional site-visit</i>	<i>Fee for a site-visit to investigate a complaint</i>	<i>Fee for a cancelled site-visit</i>
£364	£328	£364	£364

SCHEDULE 20

Regulation 24

FEES FOR APPLICATIONS FOR APPROVALS UNDER THE OFFSHORE
INSTALLATIONS AND PIPELINES WORKS (FIRST-AID) REGULATIONS 1989

Commencement Information

I53 Sch. 20 in force at 1.4.2003, see [reg. 1\(1\)](#)

Table 1

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an original approval of first-aid training</i>	<i>Fee for an original approval of medical training</i>	<i>Fee for renewal of approval of first-aid training</i>	<i>Fee for renewal of approval of medical training</i>
£912	£1,338	£64	£64

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Table 2

<i>1</i>	<i>2</i>
<i>Fee for an additional site-visit relating to first-aid training</i>	<i>Fee for an additional site-visit relating to medical training</i>
£328	£866

Table 3

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Fee for an initial site-visit relating to first-aid training</i>	<i>Fee for an initial site-visit relating to medical training</i>	<i>Fee for any additional site-visit relating to first-aid training</i>	<i>Fee for any additional site-visit relating to medical training</i>
£364	£866	£328	£866

Table 4

<i>1</i>	<i>2</i>	<i>3</i>
<i>Fee for a site-visit to investigate a complaint</i>	<i>Fee for a cancelled site-visit relating to first-aid training</i>	<i>Fee for a cancelled site-visit relating to medical training</i>
£364	£364	the reasonable cost to the Executive due to the cancellation

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations update and replace the Health and Safety (Fees) Regulations 2002 (S.I. 2002/655). They fix or determine the fees payable by an applicant to, in most cases, 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 (*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 and the amendment to, replacement of, and reassessment of an application to grant, such a licence (*regulation 6 and Schedule 5*);

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- (f) an approval of dosimetry services for the purposes of the Ionising Radiations Regulations 1999 or the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (*regulation 9 and Schedule 8*);
- (g) an approval, authorisation or licence etc. under the Explosives Act 1875 and certain instruments made thereunder, for a licence under the Petroleum (Consolidation) Act 1928, for the transfer of a licence under the Petroleum (Transfer of Licences) Act 1936, or for the classification of an article, substance, combination or unit load under the Classification and Labelling of Explosives Regulations 1983 (*regulation 10 and Schedule 9*);
- (h) an explosives licence under Part IX of the Dangerous Substances in Harbour Areas Regulations 1987 (*regulation 12 and Schedule 10*);
- (i) an approval under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 14 and Schedule 12*);
- (j) an approval under the Health and Safety (First-Aid) Regulations 1981 (*regulations 23 and 25 and Schedule 19*);
- (k) an approval under the Offshore Installations and Pipeline Works (First-Aid) Regulations 1989 (*regulations 24 and 25 and Schedule 20*);

and in respect of—

- (l) a vocational training certificate under the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 (*regulation 13 and Schedule 11*);
- (m) a vocational training certificate under the Transport of Dangerous Goods (Safety Advisers) Regulations 1999 (*regulation 15 and Schedule 13*);
- (n) a notification or application under the Genetically Modified Organisms (Contained Use) Regulations 2000 (*regulation 17 and Schedule 14*);
- (o) a notification or application under the Notification of New Substances Regulations 1993 (*regulation 18 and Schedule 15*).

2. The Regulations fix 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 or determine the fees payable by specified persons in the offshore, rail and gas industries for the performance by the Executive of the functions specified in those provisions (*regulations 19 to 22 and Schedules 16 to 18*).

4. Besides the increases for fixed fees which are indicated in the table below, the main changes made by these Regulations are the following.

5. Fees are now included for the reassessment of whether to grant an application for an asbestos licence and for amendments to, and replacement of lost, asbestos licences (*regulation 6 and Schedule 5*).

6. Fees are now included for approval of dosimetry services for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001 (*regulation 9 and Schedule 8*).

7. As regards fees in relation to approvals of training under the Health and Safety (First-Aid) Regulations 1981 and the Offshore Installation and Pipeline Works (First-Aid) Regulations 1989, fees are now included for site-visits to investigate complaints and, in certain circumstances, when site-visits are cancelled (*regulation 23 and Schedule 19 and regulation 24 and Schedule 20*).

8. A copy of the regulatory impact assessments prepared in respect of the new charging provisions in relation to asbestos licensing and approvals of dosimetry services for the purposes of regulation 14 of the Radiation (Emergency Preparedness and Public Information) Regulations 2001

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can be obtained from the Health and Safety Executive, Economic and Statistical Advice Unit, Rose Court, 2 Southwark Bridge, London, SE1 9HS. Copies of the assessments have been placed in the library of each House of Parliament.

9. The new fees compared with those fixed by or determined under the previous fee-charging provisions are as follows:

Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee			Percentage Increase		
	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval	Original approval	Amendment of approval	Renewal of approval
Part I									
Approval of breathing apparatus	£1,880	£940	£67	£1,927	£964	£69	2.50	3.60	3.00
Approval of dust respirators	Reasonable cost to the Executive of having the work carried out			Reasonable cost to the Executive of having the work carried out			—	—	—
Approval of explosives	£280	£195	£67	£287	£200	£69	2.50	2.60	3.00
Approval of locomotive or other vehicle	£3,670	£930	£67	£3,762	£953	£69	2.10	2.50	3.00
Approval of electrical equipment for use in potentially gassy zones	£1,140	£730	£67	£1,169	£748	£69	2.50	2.50	3.00
Approval of methanometers	£520	£320	£67	£533	£328	£69	2.50	2.50	3.00

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<i>Provision</i>	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
<i>of these Regulations which fixes or determines the fees</i>									
Approval of electric safety lamps	£520	£320	£67	£533	£328	£69	2.50	2.50	3.00
Approval of other types of apparatus essential for safety	£270	£270	£67	£277	£277	£69	2.60	2.50	3.00
Part II									
Ballistic pendulum shot		£135			£138			2.20	
Break test shot		£215			£220			2.30	
Deflagration		£170			£174			2.40	
Detonator test (per 100 shots)		£1,315			£1,348			2.50	
Detonator delay time test (per 100 shots)		£1,040			£1,066			2.50	
Gallery shot		£245			£251			2.40	
Mortar shot		£135			£138			2.20	
Velocity of detonation		£425			£436			2.60	

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
test (per 3 shots)			
Part III			
Other testing not fixed in Part II	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	—
Schedule 2			
Approval of respiratory protective equipment	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	—
Schedule 3			
Original approval of tractor cab	£400	£410	2.50
Revision of an existing approval of a tractor cab	£220	£226	2.70
Schedule 4			
Approval of scheme or programme for examination of freight containers	£77	£79	2.6

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>
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Schedule 5

Table 1

Licence for work with asbestos insulation, asbestos coating or asbestos insulating board or renewal of licence	£738	£886	20
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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>			<i>New Fee</i>			<i>Percentage Increase</i>		
	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests

Schedule 6

The Ionising Radiations Regulations 1999

where surveillance is confined	£30(a)	£58	£34	£31	£59	£35	3.30	1.70	2.90
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Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee			Percentage Increase		
	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests	Basic	X-Rays	Laboratory tests
to examination of, and making entries in, records	(b) £57	£58	£34	£58	£59	£35	1.80	1.70	2.90
Control of Asbestos at Work Regulations 2002	£57	£58	£34	£58	£59	£35	1.80	1.70	2.90
Control of Substances Hazardous to Health Regulations 2002	£57	£58	£34	£58	£59	£35	1.80	1.70	2.90
The Work in Compressed Air Regulations 1996	£57	£58	£34	£58	£59	£35	1.80	1.70	2.90
Schedule 7									
On the first assessment of an employee (including	£57			£58				1.80	

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Provision of these Regulations which fixes or determines the fees	Previous Fee			New Fee			Percentage Increase		
	Basic	X- Rays	Laboratory tests	Basic	X- Rays	Laboratory tests	Basic	X- Rays	Laboratory tests
any clinical medical examination and laboratory tests in connection with the assessment)									
On each subsequent assessment of an employee									
—									
(i) for laboratory tests where these are carried out	£34			£35					2.9
(ii) for a clinical medical examination where this is carried out	£34			£35					2.9

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Provision of these Regulations which fixes or determines the fees	Previous Fee	New Fee	Percentage Increase	
			Fee	Hourly rate
Schedule 8				
Table 1				
Group 1				
Dose record keeping where the application is solely in respect of Group I function	£187 plus £86 per hour worked by Nuclear or Specialist Inspector	£224 plus £103 per hour worked by Nuclear or Specialist Inspector	19.80	19.80
Dose record keeping where the application for Group I functions is linked to an application for approval in another group	£187 plus £86 per hour worked by Nuclear or Specialist Inspector	£224 plus £103 per hour worked by Nuclear or Specialist Inspector	19.80	19.80
Group II				
External dosimetry	£187 plus £86 per hour worked by Nuclear or Specialist Inspector	£224 plus £103 per hour worked by Nuclear or Specialist Inspector	19.80	19.80
Group III				
Internal dosimetry				
(a) Bio-assay or in-vivo monitoring or air sampling	£187 plus £86 per hour worked by Nuclear or Specialist Inspector	£224 plus £103 per hour worked by Nuclear or Specialist Inspector	19.80	19.80
(b) each additional technique	£187 plus £86 per hour worked by Nuclear or Specialist Inspector	£224 plus £103 per hour worked by Nuclear or Specialist Inspector	19.80	19.80
Type approval of apparatus under	£113 plus £86 per hour worked	£116 plus £103 per hour worked	2.70	19.80

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
sub-paragraph 1(c)(i) or 1(d)(i) respectively of Schedule 1 to the Ionising Radiations Regulations 1999	by Nuclear or Specialist Inspector	by Nuclear or Specialist Inspector		
Schedule 9				
Part I				
Factory licence	£516 plus £79 per hour worked by Specialist Inspector	£529 plus £94 per hour worked by Specialist Inspector	2.50	19.00
Magazine licence	£516 plus £79 per hour worked by Specialist Inspector	£529 plus £94 per hour worked by Specialist Inspector	2.50	19.00
Factory amending licence	£372 plus £79 per hour worked by Specialist Inspector	£381 plus £94 per hour worked by Specialist Inspector	2.40	19.00
Magazine amending licence	£372 plus £79 per hour worked by Specialist Inspector	£381 plus £94 per hour worked by Specialist Inspector	2.40	19.00
Replacement of the above licenses if lost	£46	£47	2.20	–
Licence for importation of compressed acetylene	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00
Replacement of the above licence if lost	£31	£32	3.20	–
Amendment to an existing licence	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
Part II				
A store licence	£71	£73	2.80	–
Renewal of a store licence	£71	£73	2.80	–
Registration and renewal of registration of premises for the keeping of explosives with a local authority	£13	£13	–	–
Licence to keep petroleum spirit of a quantity –				
– not exceeding 2,500 litres	£34 for each year of licence	£35 for each year of licence	2.90	–
– exceeding 2,500 litres but not exceeding 50,000 litres	£49 for each year of licence	£50 for each year of licence	2.00	–
– exceeding 50,000 litres	£97 for each year of licence	£99 for each year of licence	2.10	–
Transfer of petroleum spirit licence	£8	£8	–	–
Part III				
Original approval of premises in which acetylene is to be manufactured or kept	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00
Amendment of an approval of premises in which acetylene is to be manufactured or kept	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
Approval of apparatus in which acetylene is to be manufactured or kept	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00
Part IV				
Comparison of a porous substance with a sample porous substance	£57	£58	1.80	—
Original approval of premises in which acetylene is compressed	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00
Amendment of an approval of premises in which acetylene is compressed	£31 plus £79 per hour worked by Specialist Inspector	£32 plus £94 per hour worked by Specialist Inspector	3.20	19.00
Part V				
Classification of an explosive under the Classification and Labelling of Explosives Regulations 1983 or authorisation of an explosive under section 40(9) of the Explosives Act 1875	£55 per hour worked	£56 per hour worked	1.80	—
Grant of an ammonium nitrate mixtures licence under article 3 of the Ammonium Nitrate Mixtures	£195 plus £79 per hour worked by Specialist Inspector	£200 plus £94 per hour worked by Specialist Inspector	2.60	19.00

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
Exemption Order 1967				
Part VI				
Testing in connection with specified applications in Parts I, III, IV or V	Reasonable cost to the Executive of having the testing carried out	Reasonable cost to the Executive of having the testing carried out	–	–
Schedule 10				
Grant of an explosives licence or alteration of the terms of an existing explosives licence	£565 plus £79 per hour worked	£579 plus £94 per hour worked	2.50	19.00
Schedule 11				
Vocational training certificates under regulation 4 of the Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996	£3	£3	–	–
Schedule 12				
Carriage of Dangerous Goods by Road (Driver Training) Regulations 1996 Approval of training	Reasonable cost to the Secretary of State of having the work carried out	Reasonable cost to the Secretary of State of having the work carried out	–	–
For approval of a refresher course under regulation 4(6)(a)	Reasonable cost to the Secretary of State of having the work carried out	Reasonable cost to the Secretary of State of having the work carried out	–	–
Fee for renewal of approval	Reasonable cost to the Secretary	Reasonable cost to the Secretary	–	–

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
	of State of having the work carried out	of State of having the work carried out		
Schedule 13				
Vocational training certificates under regulation 7 of the Transport of Dangerous Goods (Safety Advisers) Regulations 1999	Reasonable cost to the Secretary of State or the person designated by him for the purpose of issuing vocational training certificates of having the work carried out	Reasonable cost to the Secretary of State or the person designated by him for the purpose of issuing vocational training certificates of having the work carried out	–	–
Schedule 14				
Genetically Modified Organisms (Contained Use) Regulations 2000				
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£240	£288	20.00	–
Notification of an activity involving genetic modification in class 2 under regulation 10(1), except a notification to which paragraph 4(1) or paragraph 5(1)	£480	£576	20.00	–

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
of Schedule 10 applies				
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 2 under regulation 10(1)	£480	£576	20.00	–
Notification of an activity involving genetic modification in class 3 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies	£520	£624	20.00	–
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1)	£520	£624	20.00	–

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
at the same time as notification of an activity involving genetic modification in class 3 under regulation 11(1)				
Notification of an activity involving genetic modification in class 4 under regulation 11(1), except a notification to which paragraph 4(2) or paragraph 5(2) of Schedule 10 applies	£600	£720	20.00	—
Notification of the intention to use premises for the first time for the purpose of undertaking activities involving genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification in class 4 under regulation 11(1)	£600	£720	20.00	—
Notification of an activity involving genetic modification or organisms other than micro-	£480	£576	20.00	—

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
organisms under regulation 12(1)				
Notification of the intention to use premises for the first time for the purpose of undertaking genetic modification under regulation 9(1) at the same time as notification of an activity involving genetic modification of organisms other than micro-organisms under regulation 12(1)	£480	£576	20.00	–
Notification of an additional information under regulation 15(3)	£360	£432	20.00	–
Application for the written agreement of the competent authority under regulation 18(2) where the application is made after a notification has been submitted pursuant to regulation 9(1), 10(1), 11(1) or 12(1)	£360	£432	20.00	–

Schedule 15

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
Notification of New Substances Regulations 1993				
For the evaluation of a notification under regulation 4 (“base set”)	£4,630	£4,745	2.50	—
Additional fee to the fee above for the evaluation of a notification under regulation 4 where there is no adequate risk assessment	£2,220 plus £388.50 VAT	£2,280 plus £399 VAT	2.70	—
For the evaluation of a notification of a substance already notified	£2,200	£2,255	2.50	—
For the evaluation of a notification under regulation 5(1)(a) (>10 tonnes per year)	£2,430	£2,490	2.50	—
For the evaluation of a notification under regulation 5(1)(b) (>100 tonnes per year)	£4,780	£4,900	2.50	—
For the evaluation of a notification under regulation 5(1)(c) (> 1,000 tonnes per year)	£3,350	£3,435	2.50	—
For a notification under regulation 6				
—				

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£935	£1,122	20.00	–
(b) quantity of the new substance up to 100 kg (regulation 6(2))	£590	£708	20.00	–
Additional fee to the fee above for the evaluation of a notification under regulation 6 where there is no adequate risk assessment –				
(a) quantity of the new substance equal to or more than 100 kg (regulation 6(1))	£540 plus VAT	£550 plus VAT	1.90	–
(b) quantity of the new substance up to 100 kg (regulation 6(2))	£540 plus VAT	£550 plus VAT	1.90	–
For an application made by a notifier for an exemption	£2,430	£2,490	2.50	–

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<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>	
			Fee	Hourly rate
relating to him under regulation 23				
Schedule 16				
Offshore installations	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	–	–
Schedule 17				
Railway functions	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	–	–
Schedule 18				
Gas safety functions	Reasonable cost to the Executive of having the work carried out	Reasonable cost to the Executive of having the work carried out	–	–

<i>Provision of these Regulations which fixes or determines the fees</i>	<i>Previous Fee</i>	<i>New Fee</i>	<i>Percentage Increase</i>		

Schedule 19										
Table 1	Fee for original approval	Fee for an additional site-visit	Fee for renewal approval	Fee for original approval	Fee for an additional site-visit	Fee for renewal approval				
	£890	£320	£62	£912	£328	£64	2.50	2.50	3.20	
Table 2	Fee for initial site visit	Fee for any additional site visit	Fee for initial site visit	Fee for any additional						

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Provision of these Regulations which fixes or determines the fees	Previous Fee		New Fee		Percentage Increase	
		site-visit		site-visit		
	£355	£320	£364	£328	2.50	2.50

Provision of these Regulations which fixes or determines the fees	Previous Fee		New Fee		Percentage Increase	
		site-visit		site-visit		

Schedule 20

Table 1	Fee for original approval aid	Fee for original first-aid approval	Fee for renewal of medical approval	Fee for renewal of first-aid approval	Fee for original approval aid	Fee for original approval aid	Fee for renewal of medical approval	Fee for renewal of first-aid approval				
	£890	£1,305	£62	£62	£912	£1,358	£64	£64	2.50	4.10	3.20	3.20
Table 2	Fee for additional site-visit: first-aid		Fee for additional site-visit :medical		Fee for additional site-visit: first-aid		Fee for additional site-visit: medical					
	£320		£845		£328		£866		2.50		2.50	
Table 3	Fee for initial site-visit: first-aid	Fee for initial site-visit: medical	Fee for additional site-visit: first-aid	Fee for additional site-visit: medical	Fee for initial site-visit: first-aid	Fee for initial site-visit: medical	Fee for additional site-visit: first-aid	Fee for additional site-visit: medical				
	£355	£845	£320	£845	£364	£866	£328	£866	2.50	2.50	2.50	2.50

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument rev by [S.I. 2004/456 reg 25](#)