STATUTORY RULES OF NORTHERN IRELAND

2014 No. 280

HEALTH AND SAFETY

The Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014

Made - - - -	*13th November 2014*
Coming into operation	*12th December 2014*

The Department of Enterprise, Trade and Investment(**1**), being the Department concerned(**2**), makes the following Regulations in exercise of the powers conferred by Articles 40(2) and (4), 49 and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978 ("the 1978 Order")(**3**).

The Regulations give effect without modifications to proposals submitted to it by the Health and Safety Executive for Northern Ireland under Article 13(1A) of the 1978 Order(**4**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Safety (Fees) (Amendment) Regulations (Northern Ireland) 2014 and shall come into operation on 12th December 2014.

(2) In these Regulations—

"the 2012 Regulations" means the Health and Safety (Fees) Regulations (Northern Ireland) 2012(**5**); and

"the Executive" means the Health and Safety Executive for Northern Ireland.

Amendment of the 2012 Regulations

2.—(1) The 2012 Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) After regulation 12, insert—

(**1**) Formerly the Department of Economic Development; *see*S.I. 1999/283 (N.I. 1), Article 3(5); that Department was formerly the Department of Manpower Services, *see*S.I. 1982/846 (N.I. 11), Article 3
(**2**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**3**) S.I. 1978/1039 (N.I. 9)
(**4**) Article 13(1) was substituted by S.I. 1998/2795 (N.I. 18), Article 4
(**5**) S.R. 2012 No. 255

"**Fees for notifications under the Borehole Sites and Operations Regulations (Northern Ireland) 1995**

12A.—(1) Subject to paragraph (3), a fee is payable to the Executive by the person referred to in column 2 of Schedule 9 for the performance by the Executive of such functions conferred on it as are specified in column 1 of that Schedule.

(2) Any fee referred to in paragraph (1) is—

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

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

(3) No fee is payable under paragraph (1) for the performance by the Executive of the functions specified in column 1 of Schedule 9 to the extent that, in respect of any such function, a fee is payable or has been paid pursuant to the Control of Major Accident Hazard Regulations (Northern Ireland) 2000(**6**).

(4) For the purposes of this regulation and Schedule 9, "the 1995 Regulations" means the Borehole Sites and Operations Regulations (Northern Ireland) 1995(**7**), and "borehole site" and "operator" have the same meaning as in those Regulations."

(3) After Schedule 8 insert Schedule 9 as set out in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 13th November 2014

L.S.

Jackie Kerr
A senior officer of the Department of Enterprise, Trade and Investment

(**6**) S.R. 2000 No. 93, amended by S.R. 2005 No. 305, S.R. 2008 No. 424, S.R. 2009 No. 132 and S.R. 2013 No. 161
(**7**) S.R. 1995 No. 491, amended by S.R. 1999 No. 150 and S.R. 2000 No. 388