1994 No. 277

HEALTH AND SAFETY

Health and Safety (Medical Fees) Regulations (Northern Ireland) 1994

Made . . . . . *21st July 1994*

Coming into operation . . *5th September 1994*

The Department of Economic Development(**a**), in exercise of the powers conferred on it by Articles 49 and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Health and Safety (Medical Fees) Regulations (Northern Ireland) 1994 and shall come into operation on 5th September 1994.

Interpretation

2. In these Regulations "employment medical adviser" means an employment medical adviser appointed under Article 48(3) of the Health and Safety at Work (Northern Ireland) Order 1978.

Fees payable for medical examination or surveillance by an employment medical adviser

3.—(1) A fee shall be payable to the Department 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 1.

(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 1—

(*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;

(**a**) Formerly the Department of Manpower Services. *See* S.I. 1982/846 (N.I. 11) Article 3
(**b**) S.I. 1978/1039 (N.I. 9)

(*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 (Northern Ireland) 1988(**a**), that self-employed person shall pay to the Department fees ascertained in accordance with paragraph (2).

Fees for medical surveillance by an employment medical adviser under the Ionising Radiations Regulations (Northern Ireland) 1985

4.—(1) Fees shall be payable in accordance with paragraph (2) by an employer to the Department in respect of medical surveillance of any of his employees by an employment medical adviser for the purposes of the Ionising Radiations Regulations (Northern Ireland) 1985(**b**).

(2) Where the medical surveillance includes an examination of, or interview with, the employee, the fees shall be a basic fee for each examination or interview or combination thereof of £39·00 together with an additional fee of £40·80 in respect of X-rays taken and £24·50 in respect of all laboratory tests carried out in connection with any one such examination or interview or combination thereof, but where the surveillance is confined to an examination of, and making of entries in, records, the fee shall be £17·00.

Fees for medical surveillance by an employment medical adviser under the Control of Lead at Work Regulations (Northern Ireland) 1986

5.—(1) Fees shall be payable in accordance with paragraph (2) by an employer to the Department 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 (Northern Ireland) 1986(**c**).

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

Revocation and saving

6.—(1) Subject to paragraph (2), the Health and Safety (Medical Fees) Regulations (Northern Ireland) 1992(**d**) are hereby revoked.

(2) The Regulations referred to in paragraph (1) shall continue to apply in relation to any medical examination or medical surveillance carried out before 5th September 1994.

(**a**) S.R. 1988 No. 74, as amended by S.R. 1993 No. 26
(**b**) S.R. 1985 No. 273
(**c**) S.R. 1986 No. 36
(**d**) S.R. 1992 No. 440

Sealed with the Official Seal of the Department of Economic Development on 21st July 1994.

(L.S.) *Philip B. Strong*
Assistant Secretary