



**The Health and Safety (Fees) Regulations  
(Northern Ireland) 2009 – S.R. 2009 No. 132**

**Impact Assessment**

An Impact Assessment (IA) is a tool, which informs policy decisions. All NI Government Departments must comply with the impact assessment process when considering any new, or amendments to, existing policy proposals. Where regulations or alternative measures are introduced an IA should be used to make informed decisions. The IA is an assessment of the impact of policy options in terms of the costs, benefits and risks of the proposal. New regulations should only be introduced when other alternatives have first been considered and rejected and where the benefits justify the costs.

The IA process is not specific to the UK Civil Service or the NI Civil Service – many countries use a similar analysis to assess their proposed regulations and large organisations appraise their investment decisions in similar ways too.

In this instance the fees remain the same or are increased in line with inflation and a full IA has not been prepared as there is no significant impact on business, charities, social enterprise or voluntary bodies. There is no impact on the public sector. Attached please find a cost analysis in respect of the Health and Safety (Fees) Regulations (Northern Ireland) 2009.

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**HEALTH AND SAFETY (FEES) REGULATIONS  
(NORTHERN IRELAND) 2009**

**NOTE ON NORTHERN IRELAND COSTS**

1. I declare that: -
  - (a) the purpose of the Health and Safety (Fees) Regulations (Northern Ireland) 2009 (“the Northern Ireland Regulations”) is to replicate for Northern Ireland, regulations 4 to 7, 9(4), 10, 13, 15, 16, 18 and 22 of, and Schedules 3 to 6, 8(part 4), 10, 12 and 13, to the Great Britain Health and Safety (Fees) Regulations 2008 (S.I. 2008/736); and
  - (b) I have seen a Northern Ireland costs analysis relating to the fees enacted by the Northern Ireland Regulations.
2. A copy of the Northern Ireland costs analysis relating to the Northern Ireland Regulations is appended to this Note.

*M. Bohill*  
Department of Enterprise, Trade and Investment

25 March 2009

## **NORTHERN IRELAND COSTS ANALYSIS**

### **Health and Safety (Fees) Regulations (Northern Ireland) 2009**

#### **Effect of the Regulations**

1. The main effect of the Health and Safety (Fees) Regulations (Northern Ireland) 2009 (“the Regulations”) is to increase the fees payable in relation to: -
  - (a) licences for storing petroleum-spirit;
  - (b) certain statutory medical examinations, where the examinations are carried out by medical specialists of the Health and Safety Executive for Northern Ireland’s Employment Medical Advisory Service (“EMAS”);
  - (c) licences for working with asbestos or renewal of (original) licence; and
  - (d) approval of a scheme or programme for examination of freight containers.
2. Each of these aspects is dealt with separately below and, in each case, the new rates of fee are the same as those charged in Great Britain for similar services since 6 April 2008.

#### **INCREASE IN FEES**

##### **(A) Petroleum-spirit licences**

3. The proposed increases in fees for licences to keep petroleum-spirit range from £1.00 to £4.00 per year.
4. The proposed increases do no more than reflect the rate of inflation and are necessary to bring the fees to full economic cost at 2007/2008 prices.
5. It is considered that increases of this scale would not have a significant effect on Northern Ireland industry.

## **(B) Statutory Medical Examinations**

6. The proposed increases in basic fees for medical examination or surveillance range from £1.00 to £2.00; fees for X-Rays would be increased by £3.00 and those for laboratory tests by £1.00.
7. The proposed increases do no more than reflect the rate of inflation and are necessary to bring the fees to full economic cost at 2007/2008 prices.
8. Taking into account the very small number of examinations, normally fewer than 20, carried out by HSENI's medical specialist it is considered that increases of this scale would not have a significant impact on Northern Ireland industry.

## **(C) Asbestos Licences**

9. HSENI proposes a 10.5% increase in the rate of fee payable for a licence to work with asbestos or a renewal of (original) licence under the Control of Asbestos Regulations (Northern Ireland) 2007. Underlying this increase is removal of lower level risk work (e.g. 'aertex removal) from the licensing regime in 2006. Comparatively higher risk work remains with the licensing regime and HSENI is undertaking a more extensive evaluation of the technical knowledge, competence and underpinning management systems of applicants. There will also be increases in the rate of fee payable for the re-assessment of a licence application, the amendment of condition, or duration, of a licence and the replacement of a licence.
10. The proposed increases in fees for new or renewal of original licences to work with asbestos is £110.00 per year.
11. HSENI records show that during 2007 there were 16 applications for a new or renewal licence. For the purposes of this exercise, a frequency of 16 new/renewal applications per year is assumed. On this basis, the estimated total annual increase to Northern Ireland industry is £1,760.00 ( $£110.00 \times 16 = £1,760.00$ ).
12. Whilst therefore the proposed increases would have some minor implications for individual licensees, it is considered that, overall, the revised fees would not have a major effect on Northern Ireland industry.

## **(D) Approval of a Scheme or Programme for Examination of Freight Containers**

13. The proposed increase in the fee payable on each application for approval of a scheme or programme for examination of containers under the Freight Containers (Safety Convention) Regulations (Northern Ireland) 1992 is £3.00.
14. The proposed increases do no more than reflect the rate of inflation and are necessary to bring the fees to full economic cost at 2007/2008 prices.

15. It is considered that increases of this scale would not have a significant effect on Northern Ireland industry.

Department of Enterprise, Trade and Investment  
25 March 2009