1992 No. 440

HEALTH AND SAFETY

Health and Safety (Medical Fees) Regulations (Northern Ireland) 1992

Made	*15th October 1992*
Coming into operation . .	*4th January 1993*

The Department of Economic Development(**a**), in exercise of the powers conferred on it by Article 49 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) 1992 and shall come into operation on 4th January 1993.

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 £37·40 in respect of X-rays taken and £19·50 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) (No. 2) Regulations (Northern Ireland) 1991(**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 4th January 1993.

Sealed with the Official Seal of the Department of Economic Development on 15th October 1992.

(L.S.) *Suzanna Cooper*
Assistant Secretary

(a) S.R. 1988 No. 74
(b) S.R. 1985 No. 273
(c) S.R. 1986 No. 36
(d) S.R. 1991 No. 523

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

Provision	*Reference*	*Basic Fee*	*Additional Fees where appropriate*	
			Fee for X-rays	*Fee for Laboratory Tests*
1	2	3	4	5
(*a*) Regulation 14 of the Work in Compressed Air Special Regulations (Northern Ireland) 1963	S.R. & O. (N.I.) 1963 No. 85 (relevant amending Regulations are S.R. 1979 No. 187).	£40·00	£37·40	£19·50
(*b*) Regulation 16 of the Control of Asbestos at Work Regulations (Northern Ireland) 1988	S.R. 1988 No. 74	£43·00	£34·10	£17·50
(*c*) Regulation 11 of the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990	S.R. 1990 No. 374	£40·00	£37·40	£19·50

SCHEDULE 2 Regulation 5

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

Item	*Fee*
On the first assessment of an employee (including any clinical medical examination and laboratory tests in connection with the assessment).	£40·50
On each subsequent assessment of an employee—	
(i) for laboratory tests where these are carried out	£40·50
(ii) for a clinical medical examination where this is carried out	£18·50

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations fix fees to be paid for work done by employment medical advisers in conducting medical examinations and surveillances under—

(*a*) the Work in Compressed Air Special Regulations (Northern Ireland) 1963 (regulation 3 and Schedule 1);

(*b*) the Ionising Radiations Regulations (Northern Ireland) 1985 (regulation 4);

(*c*) the Control of Lead at Work Regulations (Northern Ireland) 1986 (regulation 5 and Schedule 2);

(*d*) the Control of Asbestos at Work Regulations (Northern Ireland) 1988 (regulation 3 and Schedule 1);

(*e*) the Control of Substances Hazardous to Health Regulations (Northern Ireland) 1990 (regulation 3 and Schedule 1).

The effect of these Regulations is to increase the levels of some of the fees previously charged under the Health and Safety (Medical Fees) (No. 2) Regulations (Northern Ireland) 1991 (S.R. 1991 No. 523) (''the 1991 Regulations'') for examinations and surveillance for the purposes of the Regulations listed at (*a*) to (*e*) above.

The fees for X-rays taken in connection with any one medical examination for the purposes of the Regulations listed at (*a*), (*b*) and (*e*) above are increased from £34·00 to £37·40.

Where the medical surveillance of an employee under the Regulations listed at (*b*) above is confined to an examination of, and making of entries in, records, the fee is increased from £16·00 to £17·00.

Fees for medical surveillance for the purposes of the Regulations listed at (*c*) above are increased from £37·50 to £40·50 for a first assessment. For subsequent assessments fees are increased from £37·50 to £40·50 for laboratory tests and from £17·00 to £18·50 for a clinical medical examination.

The fees for X-rays taken in connection with any one medical examination for the purposes of the Regulations listed at (*d*) above are increased from £31·00 to £34·10.

All other fees are unchanged from the amounts prescribed by the 1991 Regulations.

The 1991 Regulations are revoked except in relation to any medical examination or medical surveillance carried out before 4th January 1993 (regulation 6).