

GUERNSEY STATUTORY INSTRUMENT

2021 No. 38

The Health and Safety (Fees) Order, 2021

<i>Made</i>	21 st April, 2021
<i>Coming into operation</i>	1 st June, 2021
<i>Laid before the States</i>	, 2021

THE COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY, in exercise of the powers conferred on it by sections 1 and 3 of the Health and Safety (Fees) (Guernsey) Law, 1993^a, section 3(4) and (5) of the Public Highways Ordinance, 1967^b and all other powers enabling it in that behalf, hereby order:-

Fees payable under Explosives Law.

1. (1) The table below specifies the fees payable under and for the purposes of the Law entitled "Loi relative aux Explosifs, 1905"^c ("the 1905 Law").

(2) Column 1 sets out the provision of the 1905 Law under and for which purpose the fee is payable, column 2 sets out the matter for which the fee is payable and column 3 sets out the fee payable.

^a Ordres en Conseil No.XIV of 1993; as amended by Recueil d'Ordonnances Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016.

^b Recueil d'Ordonnances Tome XV, p. 241; as amended by Ordres en Conseil Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XXIV, p. 162; Tome XXV, p. 328; Tome XXVI, p. 176; Tome XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016.

^c Ordres en Conseil Vol. III, pp. 414 and 473; Vol. V, p. 30; Vol. XV, p.11; Vol. XXIV, p. 250; and Ordinance No. XXV of 1991.

Column 1	Column 2	Column 3
<i>Provision of the 1905 Law</i>	<i>Matter for which fee is payable</i>	<i>Fee (£)</i>
Article VIII	"Licences pour provision"	86.00
Article XXIX ("honoraires")	Factory Licence ("licence d'usine");	944.00
	- Renewal	552.00
	- Amendment	552.00
	Magazine Licence ("licence d'entrepot");	268.00
	- Renewal	117.00
	- Amendment	117.00
	Store Licence ("licence de magazine");	268.00
	- Renewal	117.00
	House Licence ("licence de maison");	198.00
	- Renewal	112.00
	Importation Licence	25.00 Plus in the case of any explosive content: (a) £1.00 for the first 50 kgs of such content, and (b) £1.00 for each additional 50 kgs of such content and for any additional explosive content remaining weighing less than 50 kgs.
Article IV	Temporary Licence	268.00

Fees payable under Petroleum Law.

2. (1) The table below specifies the fees payable under and for the purposes of the Law entitled "Loi relative aux Huiles ou Essences Minerales ou autres substances de la meme nature, 1924"^d ("the 1924 Law").

(2) Column 1 sets out the provision of the 1924 Law under and for which purpose the fee is payable, column 2 sets out the matter for which the fee is payable and column 3 sets out the fee payable.

Column 1	Column 2	Column 3
<i>Provision of the 1924 Law</i>	<i>Matter for which fee is payable</i>	<i>Fee (£)</i>
Article 2(1)	Discharge of inflammable oils	Annual fee of 100.00
Article 2(3)	Application for licence for storage of inflammable oils:	
	For a quantity not exceeding 3,000 galls	90.00
	For a quantity not exceeding 30,000 galls	148.00
	For a quantity greater than 30,000 galls	1,220.00
Article 2(4)	Services rendered by Inspector in connection with construction of places	100.00 per hour or any part of an hour

^d Ordres en Conseil Vol. VIII, p. 324; Vol. VIII, p. 149; Vol. XIX, p. 213; Recueil d'Ordonnances Tome XXIV, p. 162; and Ordinance No. XXV of 1991.

Column 1	Column 2	Column 3
<i>Provision of the 1924 Law</i>	<i>Matter for which fee is payable</i>	<i>Fee (£)</i>
	for storage of inflammable oils	
Article 2(8)	Grant or renewal of licence for storage of inflammable oils:	
	For a quantity not exceeding 3,000 galls	90.00
	For a quantity not exceeding 30,000 galls	136.00
	For a quantity greater than 30,000 galls	1,190.00

Fees payable under Health and Safety legislation.

3. (1) The table below specifies the fees payable for the provision of services or documents, under or for the purposes of, or in connection with the exercise of any function arising under any provision of the Health, Safety and Welfare of Employees Law, 1950^e, the Health and Safety at Work etc. (Guernsey) Law, 1979^f or any Ordinance or other subordinate legislation made under them.

(2) Column 1 sets out the matter for which the fee is payable and column 2 sets out the fee payable.

^e Ordres en Conseil Vol. XIV, p. 312; as amended by Recueil d'Ordonnances Tome XXV, p. 328; Tome. XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016.

^f Ordres en Conseil Vol. XXVII, p. 155; as amended by Vol. XXXIV, p. 586; Recueil d'Ordonnances Tome XXV, p. 328; Tome. XXVII, p. 139; Ordinance No. XXXIII of 2003; No. IX of 2016.

Column 1	Column 2
<i>Matter for which fee is payable</i>	<i>Fee (£)</i>
In the case of a major hazard site*, for the exercise of any function under section 16 of the Health and Safety at Work (General) (Guernsey) Ordinance, 1987 ^g in respect of the site, such as inspections, assessment of safety cases, specialist inspections or the preparation of reports	180.00 per hour or any part thereof
Provision of factual reports (on the basis of time expended in their preparation)	100.00 per hour or any part of an hour

* Major hazard site means the whole location where a dangerous substance is present, in a quantity equal to or in excess of the quantity listed in the entry for that substance in column 2 of Part 1 or in column 2 of Part 2 of Schedule 1 to the Control of Major Accident Hazard Regulations 2015^h, where applicable using the rule laid down in note 4 in Part 3 of that schedule.

Fees payable under Public Highways Ordinance.

4. (1) The table below specifies the fees payable under and for the purposes of the Public Highways Ordinance, 1967 ("the 1967 Ordinance").

(2) Column 1 sets out the provision of the 1967 Ordinance under and for which purpose the fee is payable, column 2 sets out the matter for which the fee is payable and column 3 sets out the fee payable.

^g Recueil d'Ordonnances Tome XXIV, p. 162; as amended by Tome XXV, p. 328; Tome. XXVII, p. 139; Ordinance No. XXXIII of 2003; No. LII of 2012; No. IX of 2016.

^h UK S.I. 2015 No. 483, as amended.

Column 1	Column 2	Column 3
<i>Provision of the 1967 Ordinance</i>	<i>Matter for which fee is payable</i>	<i>Fee (£)</i>
Section 3	Granting of a permission for scaffolding where the application under Section 2 was made 7 days or more than 7 days prior to the proposed commencement of work (standard application)	70.00
	Granting of a permission for scaffolding where the application under Section 2 was made less than 7 days prior to the proposed commencement of work (urgent application)	100.00
	Granting of a permission for scaffolding where the application under Section 2 was made after the commencement of work (retrospective application)	140.00
	Granting of a permission for a hoarding	70.00
	Granting of a permission for a banner permit	35.00

Revocation.

5. The Health and Safety (Fees) Order, 2019ⁱ, is revoked.

ⁱ G.S.I. No. 66 of 2019.

Citation.

6. This Order may be cited as the Health and Safety (Fees) Order, 2021.

Commencement.

7. This Order comes into force on the 1st June, 2021.

Dated this 21st day of April, 2021

A handwritten signature in black ink, appearing to read 'P. J. Roffey', is centered on the page.

P. J. ROFFEY

President of the States Committee for Employment & Social Security
For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the fees payable to the States of Guernsey Health and Safety Executive under and for the purposes of the Law entitled "Loi relative aux Explosifs, 1905", the Law entitled "Loi relative aux Huiles ou Essences Minerales ou autre substances de la meme nature, 1924", the Health, Safety and Welfare of Employees Law, 1950, and the Health and Safety at Work etc. (Guernsey) Law, 1979 (including the Ordinance thereunder).

This Order also enables the recovery of costs for contracted-out work required when regulating major hazard sites.

This Order also specifies, under the Public Highways Ordinance, 1967, fees payable for scaffolding, hoarding and banner permits granted under that Ordinance.

This Order comes into force on the 1st day of June, 2021.