

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2014 No. 87.

THE OCCUPATIONAL SAFETY AND HEALTH (PLANT
EXAMINATION AND WORKPLACE REGISTRATION FEES)
REGULATIONS, 2014.

ARRANGEMENT OF REGULATIONS.

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STATUTORY INSTRUMENTS

2014 No. 87.

The Occupational Safety and Health (Plant Examination and Workplace Registration Fees) Regulations, 2014.

(Under sections 41 and 119(1) of the Occupational Safety and Health Act, 2006, Act No. 9, 2006)

IN EXERCISE of the powers conferred upon the Minister by section 41 and 119(1) of the Occupational Safety and Health Act, 2006, these Regulations are made this 22nd day of October, 2013.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Occupational Safety and Health (Plant Examination and work place Registration Fees) Regulations, 2014.

2. Application.

(1) In the case of plant examination, these Regulations apply to any examination or test of a pressure vessel, lifting machine, lifting appliance, hoist of lifts, or item of lifting gear carried out for the purpose of issuing and report or certificate required under any provision of the Act or of any regulations made under it when carried out by an officer of the Government holding the post of safety inspector(engineering), or an authorised person performing the duties of the post under whatever designation the Minister may, from time to time, determine.

(2) In the case of a workplace, these Regulations apply to every workplace as provided in Schedule 3, to these Regulations.

3. Interpretation.

In these Regulations unless the context otherwise requires—

- (a) “Act” means the Occupational Safety and Health Act, 2006, Act No.9 of 2006;

- (b) “authorised person” has the meaning as given to it by the Act;
- (c) “builders’ hoist” means a barrow hoist, materials hoist or similar machine or appliance used or intended to be used for the purpose of building or construction, but does not include any such machine or appliance which is not a hoist or lift within the meaning of the Act.
- (d) “currency point” has the meaning assigned to it in Schedule 1, to these Regulations;
- (e) “Minister” means the minister responsible for occupational safety and health;
- (f) “nominal safe working load” in relation to any lifting machine or lifting appliance means that specified in the certificate of test issued by or on behalf of the manufacturer, or by an authorised person, or if the certificate is not available, the safe working load of the machine or appliance as determined by calculation;
- (g) “overhead travelling crane” means a movable girder or similar structure, incorporating a lifting machine or lifting appliance arranged to travel on fixed rails elevated above the floor or ground;
- (h) “pressure vessel” means any steam boiler, steam receiver or air receiver;
- (i) “supplementary examination” in relation to any pressure vessel, means any examination or inspection carried out subsequently to, and in addition to, any thorough examination and which, in the opinion of the person making the thorough examination, is necessary to ensure the safe working of the vessels and;
- (j) “workplace” has the meaning given to it by the Act.

PART II—PLANT EXAMINATION

4. Fees for plant examination.

(1) This Part shall regulate fees for plant examination.

(2) The appropriate basic fee and, where applicable, the appropriate additional fee shall be paid in respect of every examination or test to which these Regulations apply, as follows—

- (a) for each examination of a hoist or lift described in the second column of Part 1 of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part in the case of a hoist or lift operated by mechanical power, and in the fourth column of that Part in the case of a manually operated hoist or lift, and set opposite to that description;
- (b) for each examination of a lifting machine described in the second column of Part I of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part in the case of a lifting machine operated by mechanical power, and in the fourth column in the case of a manually operated lifting machine, and set opposite to that description;
- (c) for each examination of a lifting appliance described in the second column of Part III of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part in the case of a lifting appliance operated by mechanical power, and in the fourth column in the case of a manually operated lifting appliance, and set opposite to the description;
- (d) for each examination of an item of lifting gear described in the second column of Part IV of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part and set opposite to that description;
- (e) for each examination of a steam boiler described in the second column of Part V of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part and set opposite to that description;

- (f) for each examination of a steam receiver described in the second column of Part VI of Schedule 2 to these Regulations, the fee mentioned in the third column of that Part and set opposite to that description;
- (g) for each examination of an air receiver or pressure vessel described in the second column of Part VII of Schedule 2 to these Regulations, the fee or prescribed vessel mentioned in the third column of that Part and set opposite to that description;
- (h) for each hydraulic test of a pressure vessel, that proportion of the appropriate basic fee mentioned in the third column of item 1 of Schedule 2 to these Regulations;
- (i) for each load test of a lifting machine or lifting appliance, that proportion of the appropriate basic fee mentioned in the third column of item 2 of Part VIII of Schedule 2 to these Regulations;
- (j) for each examination of a power generator described in the second column of Part IX of Schedule 2 to these Regulations, the basic fee mentioned in the third column to these Regulations.

(3) For the avoidance of doubt, the fees to be charged in respect of plant examination shall be as specified in Schedule 2 to these Regulations.

PART III—WORKPLACE REGISTRATION

5. Fees for registration of workplace.

The fees to be charged in respect of workplace registration shall be as specified in Schedule 3 to these Regulations.

6. Different operations by same occupier and premises.

Where different operations, using different raw materials in Schedule 2 and producing different products are being undertaken by the same occupier under the premises, those operations shall be treated as separate entities and shall be regulated independently under these Regulations.

PART IV—GENERAL

7. Recovery of fees.

Any fee payable under these Regulations which remain unpaid for two months after the date of assessment for registration, plant examination or test in respect of which the fee is payable shall be recovered summarily as a civil debt under the Debts (Summary Recovery) Act.

8. Revocation.

The following statutory instruments are revoked—

- (a) the Factories (Plant Examination Fees), Rules, S.I. No 220-2;
- (b) the Occupational Safety and Health Act (Plant Examination Fees) Rules, 2009, S.I. No.47 of 2009;and
- (c) the Occupational Safety and Health (Work place Registration, fees) Rules, 2009 S.I No. 48 of 2009.

SCHEDULE 1

CURRENCY POINT

Regulation 4

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

FEES FOR PLANT EXAMINATION

PART I

BASIC FEES FOR EXAMINATION OF HOISTS AND LIFTS

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>	
		<i>Power Operated</i>	<i>Manually Operated</i>
L.1		Currency Points	Currency Points
(a)	Hoists or Lifts	35.5	19.65
(b)	Builder's Hoists	25.1	—

PART II
BASIC FEES FOR EXAMINATION OF OVERHEAD TRAVELLING
CRANES AND OTHER LIFTING MACHINES

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>	
		<i>Power Operated</i>	<i>Manually Operated</i>
L.2 (a)	Overhead travelling cranes having a nominal safe working load of more than 250 tons... ..	195	120
(b)	Overhead travelling cranes having a nominal safe working load of between 200 tons and 250 tons ...	180.2	110.1
(c)	Overhead travelling cranes having a nominal safe working load of between 175 tons and 200 tons	165.5	100.2
(d)	Overhead travelling cranes having a nominal safe working load of between 150 tons and 175 tons	150.1	90.5
(e)	Overhead travelling cranes having a nominal safe working load of between 125 tons and 150 tons	135.5	80.2
(f)	Overhead travelling cranes having a nominal safe working load of between 100 tons and 125 tons	120.2	70.9
(g)	Overhead travelling cranes having a nominal safe working load of between 75 tons and 100 tons	105.5	64.5
(h)	Overhead travelling cranes having a nominal safe working load of between 50 tons and 75 tons	95.8	50
(i)	Overhead travelling cranes having a nominal safe working load of between 30 tons and 50 tons	85.5	40.9
(g)	Overhead travelling cranes having a nominal safe working load of between 20 tons and 30 tons	75.5	38.4

(k)	Overhead travelling cranes having a nominal safe working load of between 10 tons and 20 tons... ..	60.5	30.2
(l)	Overhead travelling cranes having a nominal safe working load of more than 5 tons and less than 10 tons ...	50.5	27.2
(m)	Overhead travelling cranes having a nominal safe working load of 5 tons or less	35.9	24.6
Lifting Machines Other Than Overhead Travelling Cranes			
(n)	Lifting machines having a nominal safe working load of 50 tons or over	205	130
(o)	Lifting machines having a nominal safe working load of more than 45 tons, but less than 50 tons	190	120
(p)	Lifting machines having a nominal safe working load of more than 40 tons, but less than 45 tons or over	175	110
(q)	Lifting machines having a nominal safe working load of more than 35 tons, but less than 40 tons	160	100
(r)	Lifting machines having a nominal safe working load of more than 30 tons, but less than 35 tons... ..	145	90
(s)	Lifting machines having a nominal safe working load of more than 25 tons, but less than 30 tons	130	80
(t)	Lifting machines having a nominal safe working load of more than 20 tons, but less than 25 tons	115.5	70.5
(u)	Lifting machines having a nominal safe working load of more than 15 tons, but less than 20 tons	100	60.5
(v)	Lifting machines having a nominal safe working load of more than 10 tons, but less than 15 tons	75.5	50.2

(w)	Lifting machines having a nominal safe working load of more than 5 tons, but less than 10 tons	60.2	42.2
(x)	Lifting machines having a nominal safe working load of 2 tons, but not exceeding 5 tons	45.9	34.6
(y)	Lifting machines having a nominal safe working load of less than 2 tons	35.6	26.4
(z)	Runways	...	22.5

PART III

BASIC FEES FOR EXAMINATION OF LIFTING APPLIANCES

Regulation 4

Category	Description	Basic Fee Per Unit	
		Power Operated	Manually Operated
L.3		Currency Points	Currency Points
(a)	Chain blocks having a nominal safe working load of 40 tons or over	105	98
(b)	Chain blocks having a nominal safe working load of 35 tons or more, but less than 40 tons.	90	83
(c)	Chain blocks having a nominal safe working load of 30 tons or more, but less than 35 tons.	75	68
(d)	Chain blocks having a nominal safe working load of 25 tons or more, but less than 30 tons.	60	53
(e)	Chain blocks having a nominal safe working load of 20 tons or more, but less than 25 tons.	55	48
(f)	Chain blocks having a nominal safe working load of 15 tons or more, but less than 20 tons.	40.5	33.6
(g)	Chain blocks having a nominal safe working load of 10 tons or more, but less than 15 tons.	35.2	28.6
(h)	Chain blocks having a nominal safe working load of 5 tons or more, but less than 10 tons.	30.9	23.2
(i)	Chain blocks having a nominal safe working load of 3 tons or more, but less than 5 tons.	27.6	20
(j)	Chain blocks having a nominal safe working load of less than 3 tons	25.3	15
(k)	Pulley blocks or gin wheels ...	10	5.5

PART IV
BASIC FEES FOR EXAMINATION OF LIFTING GEAR

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>
L.4 (a)	Chains, chain slings, wire ropes or wire rope slings	Currency Unit 2.50 per running foot
(b)	Rings, hooks, shackles, swivels or eye-bolts	Currency Unit 2.50 per item

PART V
BASIC FEES FOR EXAMINATION OF STEAM BOILERS WHEN COLD
Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>
P.1 (a)	Water tube boilers having an evaporative capacity of more than 100,000 lb/ hour	Currency points 162.0 plus Currency points 15.41 per 1000 lb/hr evaporation or part thereof in excess of 100,000 lb/hr
(b)	Water tube boilers having an evaporative capacity of between and including 85,000lb/hour and 100,000 lb/ hour	Currency points 162.0
(c)	Water tube boilers having an evaporative capacity of between and including 75,000lb/hour and 85,000 lb/ hour	Currency points 150.0
(d)	Water tube boilers having an evaporative capacity of between and including 55,000lb/hour and 70,000 lb/ hour	Currency points 138.0
(e)	Water tube boilers having an evaporative capacity of between and including 40,000lb/hour and 55,000 lb/ hour	Currency points 126.0
(f)	Water tube boilers having an evaporative capacity of between and including 25,000lb/hour and 40,000 lb/ hour	Currency points 104.0
(g)	Water tube boilers having an evaporative capacity of between and including 10,000lb/hour and 25,000 lb/ hour	Currency points 92.0
(h)	Water tube boilers having an evaporative capacity of less than 10,000 lb/ hour	Currency points 80.5
(i)	Locomotive type, horizontal multi-tubular, Lancashire, Cornish or externally shell-type boilers other than boilers in categories P.1 (j), P.1 (k) or P.1 (l)	Currency points 67.9

(j)	Vertical, vertical cross-tube or vertical multi-tubular boilers other than boilers in categories P.1 (k) or P.1 (l) ...	Currency points 58.4
(k)	Boilers less than 2 feet in diameter other than boilers in category P.1 (l) electrode boilers	Currency points 43.9
(l)	Economizers	Currency points 30.4
(m)	Superheaters	Currency points 28.6
(n)	Steam tube oven or steam tube hot plates	Currency points 37.2
(o)	Medical sterilizer boilers	Currency points 10.5

PART VI
BASIC FEES FOR EXAMINATION OF STEAM RECEIVERS

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>
P.2		
(a)	Steam receivers of diameter 6 feet or over ...	Currency points 65.4
(b)	Steam receivers of diameter 4 feet but less than 6 feet ...	Currency points 55.9
(c)	Steam receivers of diameter 2 feet but less than 4 feet ...	Currency points 45.4
(d)	Steam receivers of diameter 2 feet or less ...	Currency points 35.9
(e)	Steam receivers not of circular shape...	Currency points 35.9 plus 15 Currency points per square foot of heated surface in excess of 10 square ft.

PART VII
BASIC FEES FOR EXAMINATION OF AIR RECEIVERS/
PRESSURISED VESSELS

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>
(a)	Air receivers of diameter of 24 feet 6 inches or over	Currency points 80.6
(b)	Air receivers of diameter of 22 feet but less than 24 feet 6 inches	Currency points 85.6
(c)	Air receivers of diameter of 20 feet but less than 22 feet 6 inches	Currency points 80.6
(d)	Air receivers of diameter of 18 feet but less than 20 feet 6 inches	Currency points 75.6
(e)	Air receivers of diameter of 16 feet but less than 18 feet 6 inches	Currency points 70.6
(f)	Air receivers of diameter of 14 feet but less than 16 feet 6 inches	Currency points 65.6
(g)	Air receivers of diameter of 12 feet but less than 14 feet 6 inches	Currency points 60.6
(h)	Air receivers of diameter of 10 feet but less than 12 feet 6 inches	Currency points 55.6
(i)	Air receivers of diameter of 8 feet but less than 10 feet 6 inches	Currency points 50.6
(j)	Air receivers of diameter of 6 feet but less than 8 feet 6 inches	Currency points 45.6
(k)	Air receivers of diameter of 4 feet but less than 6 feet 6 inches	Currency points 40.6
(l)	Air receivers of diameter of 2 feet but less than 4 feet 6 inches	Currency points 35.6
(m)	Air receivers of diameter less than 2 feet 6 inches	Currency points 20.6

PART VIII

ADDITIONAL FEES

Regulation 4

- | | |
|--|--|
| 1. Each hydraulic test of a pressure vessel | 40 percent of the appropriate basic fees |
| 2. Each load test of a lifting machine, Lifting appliance, hoist or lift or item of lifting gear | 40 percent of the appropriate basic fees |
| 3. Each supplementary examination of a pressure vessel | 40 percent of the appropriate basic fees |

PART IX

BASIC FEES FOR EXAMINATION OF POWER GENERATORS

Regulation 4

<i>Category</i>	<i>Description</i>	<i>Basic Fee Per Unit</i>
P.4 (a)	Power generator installed for commercial or public utility with output of 10KVA -50KVA	Currency points 22.5
(b)	Power generator installed for commercial or public utility with output >50KVA, but ≤100KVA	Currency points 48.0
(c)	Power generator installed for commercial or public utility with output >100KVA, but ≤500KVA	Currency points 55.0
(d)	Power generator installed for commercial or public utility with output >500KVA	Currency points 70.0

SCHEDULE 3

Regulation 5

FEES FOR WORKPLACE REGISTRATION

BASIC REGISTRATION FEES FOR EACH WORKPLACE

Part	Nature of Activity	Criteria used where applicable	Explanatory Notes	Fees (Currency Points)
1.	Agriculture, Forestry, Fishing and Hunting	- o Number of workers - o Type & Nature of work - o Type of plant & equipment used - o Nature of materials & chemicals handled - o Nature & type of emissions	5-10 11-15 16-20 21-50 51-100 101-200 201-300 301-400 401-500 501-600 601-700 701-800 801-900 901-1000 1001 and above	7.5 12.5 15 75 150 200 260 330 410 490 570 650 730 810 890
2.	Manufacturing, Processing	- o Number of workers - o Type & Nature of work - o Type of plant & equipment used - o Nature of materials & chemicals handled - o Nature & type of emissions	5-10 11-15 16-20 21-50 51-100 101-200 201-300 301-400 401-500 501-600 601-700 701-800 801-900 901-1000 1001 and above	7.5 12.5 15 75 150 200 260 330 410 490 570 650 730 810 890
3.	Construction (Buildings for Commercial & Public use, Civil woks, roads, Dams and Bridges) Flyovers, railways,	Project Value	Project Value Less than 10m 10m-50m 51m-100m 101m-500m 501m-1Billion >1Billion-<5Bln >5Billion-<10Bln	50 80 110 150 200 300 400

	power transmission, underground transport channels		>10Billion, <20Bln 550 >20Billion, <30Bln 700 >30Billion, <40Bln 850 >50Billion, <100Bln 1000 >100Billion, <200Bln 1200 >200Billion, <300Bln 1400 >300Billion, <400Bln 1600 >400Billion, <500Bln 1800 >500Billion, <600Bln 2000 >600Billion, <700Bln 2200 >800Billion, <900Bln 2400 >900Billion, <1 Trillion 2600 >1 Trillion, <1.5 Trillion 2900 >1.5 Trillion, <2.5 Trillion 3100 >2.5 Trillion, <3.5 Trillion 3400 >3.5 Trillion, <5 Trillion 3700	
4.	General Engineering	o Number of workers (as in S/N 1 above) o Type & Nature of work o Type of plant & equipment used o Nature of materials & chemicals handled o Nature & type of emissions	1. Using no mechanical/ Electrical power 20 2. Using mechanical/ Electrical power (i) With 1 or 2 machines 70 (ii) >3 ≤5 machines 130 (iii) >5, < 7 machines 150 (iv) >7, < 10 180 (v) >10 machines 200	
5.	Communication stations/centers		Radio Broadcasting Station 130 Television Broadcasting Station 200 Masts 150	
6.	Mining and Quarrying		Self employed/ artisans 15 Mining Companies o Machinery used 400 o Chemicals used 400 o Stone Quarrying 300 Precious Stones/ metals (Gold, Diamond, etc) mining 5000	
7.	Oil Exploration, Drilling and Production	o Number of wells o Type & Nature of work o Type of plant & equipment used o Nature of materials & chemicals handled o Nature & type of emissions	- Large venture - High project value - Highly hazardous	6000

8.	Oil Refining, Natural Petroleum Gas Production Plant	- o <i>Number of Natural Gas/Oil refinery</i> - o Type & Nature of work - o Type of plant & equipment used - o Nature of materials & chemicals handled - o Nature & type of emissions	- Large venture - High project value - Highly hazardous	15,000
9.	Oil and Liquefied Petroleum Gas (LPG), Gas depots / storage facilities	- o Type of plant & equipment used - o Nature of materials & chemicals handled - o Number of workers	≤10 cubic meters (m³) 11-20 21-30 31-40 41-50 51-75 76-100 101-125 126-150 151-200 201-250 251-300 301-350 351-400 401-450 451-500 501-600 601-700 701-800 801-900 901-1000 1001-1200 1201-1400 1401-1600 1601-1800 1801-20000 20001-25000 25001-30000 30001-35000 35001-40000 45001-50000 50001 cubic meters (m³) or more	300 325 350 375 400 425 450 475 500 525 550 575 600 625 650 675 700 725 750 800 825 850 875 900 925 950 975 1000 1050 1100 1150 1200
10.	Commercial energy Generation Plants (After construction and commissioning)	- o Production capacity - o Method of generation - o Hazards involved	- Power Generation Plant ≤5MW >6 - 10MW >11 - 15MW >15 - 20MW >21 - 25MW >26- 30MW >31- 40MW >41- 50MW >51- 100MW >101- 150MW	100 150 225 250 275 300 325 350 375 400

			>151- 200MW >201- 250MW >251- 300MW >301- 400MW >401- 450MW >451- 500MW >501- 550MW >551- 600MW >601- 650MW >651- 700MW >701- 750MW >751- 800MW >801- 850MW >851- 900MW >901- 1000MW >1001- 1050MW >1051- 1100MW	425 450 475 500 525 550 575 600 625 650 675 700 725 750 775 800 825
11.	Restaurants	o No of workers o Type & Nature of work o Type of plant & equipment used o Nature of materials and chemicals handled o Nature & type of emissions	Unclassified * (one star) **(two stars) *** (three star) **** (four star) ***** (five star)	7.5 10 20 30 40 50
12.	Hotels	Star Rating System	(Lodges) * (one star) **(two stars) *** (three stars) **** (four stars) ***** (five stars)	30 100 200 300 400 500
13.	Listed Work	o Number of workers o Type & Nature of work o Type of plant & equipment used o Nature of materials and chemicals handled o Nature & type of emissions	working in high rise structures (masts, pylons, painting of high walls, etc) working in confined space	
14.	Public and Private Institutions	o Holding capacity	≥20 21-50 51-100 101-150 151-200 201-250 251-300 301-400 401-500 501-600 601-700	10 12.5 15 17.5 20 22.5 25 27.5 30 32.5 35