
STATUTORY INSTRUMENTS

1995 No. 1376

FEES AND CHARGES

**The Measuring Instruments (EEC Requirements)
(Fees) (Amendment) Regulations 1995**

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|-------------------------------|---------|----------------------|
| <i>Made</i> | - - - - | <i>22nd May 1995</i> |
| <i>Laid before Parliament</i> | | <i>25th May 1995</i> |
| <i>Coming into force</i> | - - | <i>1st July 1995</i> |

The Secretary of State for Trade and Industry, with the consent of the Treasury, in exercise of the powers conferred on him by section 56(1) and (2) of the Finance Act 1973⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Measuring Instruments (EEC Requirements) (Fees) (Amendment) Regulations 1995 and shall come into force on 1st July 1995.

2. The Measuring Instruments (EEC Requirements) (Fees) Regulations 1993⁽²⁾ are hereby amended as follows—

- (a) in paragraph 1(a) of Schedules 2, 3, 5 and 6, for “£47.00”, substitute “£53.00”;
- (b) in paragraph 1(b)(iii) of Schedules 5 and 6, for “£48.00”, substitute “£56.00”; and
- (c) for Schedule 4 (fees for designation of approved bodies), substitute the new Schedule 4 set out in the Schedule to these Regulations.

16th May 1995

Jonathan Evans,
Parliamentary Under Secretary of State
Department of Trade and Industry

(1) 1973 c. 51.
(2) S.I. 1993/798.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We consent,

22nd May 1995

Timothy Kirkhope,
Timothy Wood,
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Regulation 2(c)

“SCHEDULE 4

Regulation 5 FEES RELATING TO THE DESIGNATION OF APPROVED BODIES

1. Where regulation 9(1) of the 1992 principal Regulations applies (designation of approved bodies) the fees are as follows—

- (a) a fixed fee of £200.00 to cover the costs of considering each initial application for designation; and
- (b) the amount of additional expense, if any, incurred by or occasioned to the Secretary of State by reason of any part of the consideration of such an application taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade and Industry; and
- (c) the amount of additional expense, if any, incurred by or occasioned to the Secretary of State by reason of employing the assistance of a third party for the consideration of any such application;

and the total shall be due and payable as indicated in paragraph 4 below.

2. Where regulation 9(3A)(a)(3) of the 1992 principal Regulations applies (variation or amendment, on request, of an approval) the fees shall be calculated on the same basis, and shall be due and payable in the same manner, as those relating to designation under paragraph 1 above except that, for the fixed fee of £200.00 for which paragraph 1(a) provides, there shall be substituted a fixed fee of £100.00.

3. Where regulation 9(3B)(3) of the 1992 principal Regulations applies (periodic inspection of approved bodies) the fees shall be calculated on the same basis, and shall be due and payable in the same manner, as those relating to designation under paragraph 1 above except that, for the fixed fee of £200.00 for which paragraph 1(a) provides, there shall be substituted an amount in respect of any time calculated to the nearest quarter of an hour (a period of 7½ minutes being rounded up to a quarter of an hour) taken by staff employed in conducting the inspection at a rate of £66.00 per hour (including any time spent in travelling).

4. On completion of the consideration of the application for designation or for variation or amendment of an approval or of the periodic inspection, the Secretary of State shall serve an invoice on the applicant or approved body for the amount of the fees, together with notification that the consideration of the application, or the periodic inspection, as appropriate, has been completed, and the amount shall, before notification of the result of such consideration or inspection, be due and payable to the Secretary of State.”

(3) Regulations 9(3A)(a) and 9(3B) are added to the 1992 principal Regulations by regulation 3 of S.I. 1995/428.

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the fees payable in connection with services undertaken by the Department of Trade and Industry under the Non-Automatic Weighing Instruments (EEC Requirements) Regulations 1992 (“the 1992 Regulations”) and other Regulations relating to instruments, for which the Measuring Instruments (EEC Requirements) (Fees) Regulations 1993 (“the 1993 Regulations”) provide. These services include those undertaken in connection with the variation or amendment of approvals granted to, and the periodic inspection of, bodies designated under regulation 9 of the 1992 Regulations for which provision has recently been made by the amendment of the 1992 Regulations by the Non-automatic Weighing Machines and Non-automatic Weighing Instruments (Amendment) Regulations 1995 (“the 1995 Regulations”).

On the coming into force of these Regulations—

- (1) the fees payable under regulations 3 and 4 of the 1993 Regulations in relation to which a rate per hour is specified in paragraphs 1(a) of Schedules 2 and 3, are amended as follows—
 - (a) the rate for EEC initial verification of certain measuring instruments and systems becomes £53.00 per hour (an increase from £47.00 per hour);
 - (b) the rate for EEC pattern approval becomes, for equipment test unit staff, £53.00 per hour (an increase from £47.00 per hour);
- (2) the fees payable under regulation 5 of the 1993 Regulations (in connection with the designation of approved bodies), specified in a new Schedule 4, are amended as follows—
 - () two paragraphs which appear in the new Schedule take account of amendments made by the 1995 Regulations to the 1992 Regulations. These amendments enable the Secretary of State to vary or amend an approval already granted to a body under regulation 9 of the 1992 Regulations and periodically to inspect an approved body so as to verify that it continues to comply with conditions to which its approval was subject and the provisions of the 1992 Regulations. Schedule 4 now provides for fees to be charged for services undertaken in connection with the variation or amendment of approvals and periodic inspection; and
- (3) the fees payable under regulations 6 and 7 of the 1993 Regulations in relation to which a rate per hour is specified in paragraphs 1(a) and (b) of Schedules 5 and 6, are amended as follows—
 - () the rates in relation to EC type-approval certificates and for EC unit verification become, for equipment test unit staff, £53.00 per hour (an increase from £47.00 per hour) and for staff testing for electromagnetic compatibility, £56.00 per hour (an increase from £48.00 per hour).