

EXPLANATORY MEMORANDUM TO
THE MEASURING INSTRUMENTS (EEC REQUIREMENTS) (FEES)
(AMENDMENT) REGULATIONS 2006

2006 No. 604

1. This explanatory memorandum has been prepared by the National Weights and Measures Laboratory, an Executive Agency of the Secretary of State for Trade and Industry and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These Regulations amend the Measuring Instruments (EEC Requirements) (Fees) Regulations 2004 (S.I. 2004/1300) (the principal Regulations) which prescribe the fees to be charged in relation to certain services provided by the Secretary of State with regard to measuring instruments. The fee to be charged by the Secretary of State for approving a manufacturer's quality system and carrying out EC surveillance has been added in the principal Regulations and the hourly rate element of the variable fee for all services to which the Regulations apply has been replaced with a different hourly rate.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative Background

4.1 These Regulations are made under section 56(1) and (2) of the Finance Act 1973. They amend the principal Regulations which came into force on the 1 June 2004 and revoked the Measuring Instruments (EEC Requirements) (Fees) Regulations 1998. A Transposition Note is not required.

5. Extent

This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The purpose of the principal Regulations is to prescribe fees to be charged in relation to certain services provided by the Secretary of State with regard to measuring instruments.

7.2 The fees are calculated on a full cost recovery basis in accordance with the Treasury Fees and Charges Guide - this basis is unchanged from the position under the principal Regulations. Any increase in fees compared to those in the principal Regulations is as a result of inflation and an increase in relevant staff costs. Approval of these fees has been given by the Treasury

8. Impact

8.1 A Regulatory Impact Assessment has not been produced for this instrument as it has a negligible effect on business. The requirement to pay a fee for approval of a manufacturer's quality system and EC surveillance is not a new burden – this service is already being provided by commercial organisations, who charge a fee.

9. Contact

Sarah Glasspool at the National Weights and Measures Laboratory (e-mail: sarah.glasspool@nwm.gov.uk) can answer any queries regarding the instrument.