

SCHEDULE 3

Regulation 4

REVOCATIONS AND TRANSITIONAL AND CONSEQUENTIAL PROVISIONS

Instruments revoked

1. Subject to paragraph 2, the Regulations listed in the table in this paragraph are revoked.

<i>Instrument title</i>	<i>Reference</i>
The Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006	S.I.2006/1255
The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006	S.I. 2006/1256
The Measuring Instruments (Automatic Catchweighers) Regulations 2006	S.I. 2006/1257
The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006	S.I. 2006/1258
The Measuring Instruments (Beltweighers) Regulations 2006	S.I. 2006/1259
The Measuring Instruments (Capacity Serving Measures) Regulations 2006	S.I. 2006/1264
The Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006	S.I. 2006/1266
The Measuring Instruments (Material Measures of Length) Regulations 2006	S.I. 2006/1267
The Measuring Instruments (Cold Water Meters) Regulations 2006	S.I. 2006/1268
The Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006	S.I. 2006/1269
The Measuring Instruments (Non-Prescribed Instruments) Regulations 2006	S.I. 2006/1270
The Measuring Instruments (Active Electrical Energy Meters) Regulations 2006	S.I. 2006/1679
The Measuring Instruments (Exhaust Gas Analysers) Regulations 2006	S.I. 2006/2164
The Measuring Instruments (Taximeters) Regulations 2006	S.I. 2006/2304
The Measuring Instruments (Amendment) Regulations 2006	S.I. 2006/2625
The Measuring Instruments (Gas Meters) Regulations 2006	S.I. 2006/2647
The Measuring Instruments (Amendment) Regulations 2010	S.I. 2010/2881

Transitional provisions

- 2.—(1) In this paragraph, “the former law” means the Regulations referred to in paragraph 1.

(2) This sub-paragraph applies to a regulated measuring instrument placed on the market or put into use before the commencement date which was required by any provision of the former law to meet the essential requirements.

(3) A regulated measuring instrument to which sub-paragraph (2) applies which meets the requirements of the former law applicable to it is treated as meeting the requirements of these Regulations.

(4) Where a regulated measuring instrument to which sub-paragraph (2) applies does not meet the requirements of the former law, these Regulations apply to that instrument as they apply to a regulated measuring instrument placed on the market or put into use after the commencement date which does not comply with the requirements of these Regulations.

Changes to legislation: There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, SCHEDULE 3. (See end of Document for details)

(5) Part 6 (Use for trade of regulated measuring instruments) applies to instruments to which sub-paragraph (2) applies as it applies to a regulated measuring instrument placed on the market or put into use after the commencement date.

(6) A certificate granted under any provision of the former law has effect as if granted under the corresponding provision of these Regulations.

(7) An application to be recognised as a notified body which is made before the commencement date is to be treated as having been made under these Regulations if it meets the requirements of these Regulations.

(8) Except in a case where paragraph (7) applies, a requirement of these Regulations (“the relevant requirement”) is to be treated as having been satisfied by anything done on or after 20th April 2016 but before the commencement date where that thing—

- (a) was done for the purposes of complying with a requirement of the Directive; and
- (b) if it had been done on or after the commencement date it would have met the relevant requirement.

(9) Regulation 77 (offences by economic operators etc.) does not apply to the putting into use of—

- (a) an instrument to which paragraph (2) applies; or
- (b) an instrument of a kind which is listed in Schedule 2 (measuring instruments which may continue to be put into use).

[^{F1}Transitional provisions relating to UK withdrawal from the EU

2A.—(1) In this regulation—
“pre-exit period” means the period beginning with the commencement date and ending immediately before IP completion day;

(2) Subject to paragraph (3), where a regulated measuring instrument was made available on the market during the pre-exit period, despite the amendments made by Schedule 27 of the Product Safety and Metrology (Amendment etc.) (EU Exit) Regulations 2019, any obligation to which a person was subject under these Regulations as they had effect immediately before IP completion day, continues to have effect as it did immediately before IP completion day, in relation to that regulated measuring instrument.

(3) Paragraph (2) does not apply to—

- (a) any obligation of any competent authority to inform the European Commission or Member States of any matter; or
- (b) any obligation to take action outside of the United Kingdom in respect of that regulated measuring instrument.

(4) Where during the pre-exit period—

- (a) a regulated measuring instrument has not been placed on the market; and
- (b) a manufacturer has taken any action under regulation 39 as it had effect immediately before IP completion day in relation to that regulated measuring instrument,

that action has effect as if it had been done under regulation 39 as it had effect on and after IP completion day.

[
^{F2}(5) Where paragraph (6) applies to a regulated measuring instrument, regulations 72 and 73 have effect in relation to that instrument, subject to the modifications set out in paragraph (7).

(6) This paragraph applies to a regulated measuring instrument that has been placed on the market—

- (a) during the pre-exit period; or
 - (b) pursuant to Article 41 of the EU withdrawal agreement.
- (7) The modifications referred to in paragraph (5) are that—
- (a) the reference in regulation 72(2)(a) to “UK marking” is to be read as a reference to the CE marking within the meaning of Article 4(22) of the Directive;
 - (b) the reference in regulation 72(2)(b) to “M marking” is to be read as a reference to the supplementary metrology marking as described in Article 21(2) of the Directive.
 - (c) the reference in regulation 72(2)(c) to “approved body” is to be read as a reference to the body that undertook the conformity assessment procedure in accordance with Article 13 of the Directive;
 - (d) the references in regulations 72(3)(b) and 73(3)(b) to “type examination certificate” are to be read as references to an “EU-type examination certificate” issued under the conformity assessment procedure set out under the heading “MODULE B: EU-TYPE EXAMINATION” in Annex II to the Directive; and
 - (e) the references in regulations 72(3)(b) and 73(3)(b) to “design examination certificate” are to be read as references to an EU-design examination certificate issued in accordance with the conformity assessment procedure set out under the heading “MODULE H1: CONFORMITY BASED ON FULL QUALITY ASSURANCE PLUS DESIGN EXAMINATION” in Annex II to the Directive.]

- [
- ^{F3}(8) Subject to paragraph (9), where before 11pm on 31st December 2024—
- (a) a regulated measuring instrument has not been placed on the market; and
 - (b) a manufacturer has taken any action under the conformity assessment procedure that applies to that product in accordance with Article 17 of the Directive

that action has effect as if it had been done under the applicable conformity assessment procedure referred to in regulation 39(1).

- (9) Paragraph (8) does not apply—
- (a) after the expiry of the validity of any certificate issued pursuant to the applicable conformity assessment procedure; and
 - (b) in any event, after 31st December 2027.]]

Textual Amendments

- F1** Sch. 3 para. 2A inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(a)** (as amended by [S.I. 2020/676](#), regs. 1(1), 2 and [S.I. 2020/852](#), reg. 4(2), **Sch. 1 para. 1(p)(v)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Sch. 3 para. 2A(5)-(7) inserted (E.W.S.) (9.12.2021) by [The Product Safety and Metrology etc. \(Amendment\) Regulations 2021 \(S.I. 2021/1273\)](#), reg. 1, **12(6)**
- F3** Sch. 3 para. 2A(8)(9) inserted (E.W.S.) (31.12.2022) by [The Product Safety and Metrology \(Amendment and Transitional Provisions\) Regulations 2022 \(S.I. 2022/1393\)](#), regs. 1(1), **18(2)**

Amendments to the Consumer Rights Act 2015

- 3.—(1) Schedule 5 to the Consumer Rights Act 2015 is amended as follows.
- (2) After paragraph 3(1)(g), add—
- “(ga) the Department for Infrastructure in Northern Ireland;

Changes to legislation: There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, SCHEDULE 3. (See end of Document for details)

- (gb) the Utility Regulator in Northern Ireland.”
- (3) Omit the following entries from the list in paragraph 10—
 - (a) “regulation 17 of the Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006 (SI 2006/1255);”;
 - (b) “regulation 18 of the Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006 (SI 2006/1256);”;
 - (c) “regulation 20 of the Measuring Instruments (Automatic Catchweighers) Regulations 2006 (SI 2006/1257);”;
 - (d) “regulation 18 of the Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (SI 2006/1258);”;
 - (e) “regulation 18 of the Measuring Instruments (Beltweighers) Regulations 2006 (SI 2006/1259);”;
 - (f) “regulation 16 of the Measuring Instruments (Capacity Serving Measures) Regulations 2006 (SI 2006/1264);”
 - (g) “regulation 17 of the Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006 (SI 2006/1266);”;
 - (h) “regulation 16 of the Measuring Instruments (Material Measures of Length) Regulations 2006 (SI 2006/1267);”;
 - (i) “regulation 17 of the Measuring Instruments (Cold-water Meters) Regulations 2006 (SI 2006/1268);”;
 - (j) “regulation 18 of the Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006 (SI 2006/1269);”.

^{F4}(4)

Textual Amendments

F4 Sch. 3 para. 3(4) omitted (23.7.2019) by virtue of [The Consumer Rights Act 2015 \(Enforcement\) \(Amendment\) Order 2019 \(S.I. 2019/1074\)](#), arts. 1, 3

Modifications to the application of the Gas Act 1986 E+W+S

4.—(1) Section 17 of the Gas Act 1986^{M1} (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(b) subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to commencement date, the Measuring Instruments (Gas Meters) Regulations 2006^{M2}), it is to be deemed for the purposes of section 17(1) and (11) to have been stamped.

(3) Subsections (2)(b) and (3) to (5) must be disregarded.

(4) Sub-paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of [^{F5}Schedule 1D to the Measuring Instruments Regulations 2016], twice the maximum permissible error as set out in relation to that class, in Table 1 in paragraph 2.1 of Annex IV to the Directive;
- (b) in relation to a Class 1.0 gas meter within the meaning of [^{F6}Schedule 1D to the Measuring Instruments Regulations 2016], the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [^{F7}Schedule 1D to the Measuring Instruments Regulations 2016];

(5) The Gas (Meters) Regulations 1983^{M3} do not apply to a meter which is a regulated measuring instrument except for regulation 4 and (so far as is necessary for the interpretation of that regulation) regulation 2.

(6) In regulation 4 of those Regulations—

- (a) references, however expressed, to a meter stamped under section 30 of the Gas Act 1972^{M4} (which provision is re-enacted in section 17 of the Gas Act 1986) shall be construed as references to a meter bearing the CE marking and M marking;
- (b) references to a stamp shall be construed as including references to those markings; and
- (c) references to the standard or standards prescribed by regulation 3 of those Regulations shall be construed as—
 - (i) in relation to a class 1.5 gas meter within the meaning of [^{F8}Schedule 1D to the Measuring Instruments Regulations 2016], twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [^{F9}Schedule 1D to the Measuring Instruments Regulations 2016];
 - (ii) in relation to a Class 1.0 gas meter within the meaning of [^{F10}Schedule 1D to the Measuring Instruments Regulations 2016], the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [^{F11}Schedule 1D to the Measuring Instruments Regulations 2016].

Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

- F5** Words in Sch. 3 para. 4(4)(a) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Sch. 3 para. 4(4)(b) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Sch. 3 para. 4(4)(b) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in Sch. 3 para. 4(6)(c)(i) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Sch. 3 para. 4(6)(c)(i) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Sch. 3 para. 4(6)(c)(ii) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Sch. 3 para. 4(6)(c)(ii) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** [1986 c.44](#). Section 17 was substituted by paragraph 13 of Schedule 3 to the [Gas Act 1995 \(c.45\)](#).
- M2** [S.I. 2006/2647](#).

M3 [S.I.1983/684.](#)

M4 [1972 c.60.](#)

Modifications to the application of the Gas Act 1986 **N.I.**

4.—(1) Section 17 of the Gas Act 1986 ^{F18} (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(b) subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to commencement date, the Measuring Instruments (Gas Meters) Regulations 2006 ^{F19}), it is to be deemed for the purposes of section 17(1) and (11) to have been stamped.

(3) Subsections (2)(b) and (3) to (5) must be disregarded.

(4) Sub-paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of Annex IV to the Directive, twice the maximum permissible error as set out in relation to that class, in Table 1 in paragraph 2.1 of Annex IV to the Directive;
- (b) in relation to a Class 1.0 gas meter within the meaning of Annex IV to the Directive, the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV;

(5) The Gas (Meters) Regulations 1983 ^{F20} do not apply to a meter which is a regulated measuring instrument except for regulation 4 and (so far as is necessary for the interpretation of that regulation) regulation 2.

(6) In regulation 4 of those Regulations—

- (a) references, however expressed, to a meter stamped under section 30 of the Gas Act 1972 ^{F21} (which provision is re-enacted in section 17 of the Gas Act 1986) shall be construed as references to a meter bearing the CE marking and M marking;
- (b) references to a stamp shall be construed as including references to those markings; and
- (c) references to the standard or standards prescribed by regulation 3 of those Regulations shall be construed as—
 - (i) in relation to a class 1.5 gas meter within the meaning of Annex IV to the Directive, twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV;
 - (ii) in relation to a Class 1.0 gas meter within the meaning of Annex IV to the Directive, the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV.

Extent Information

E4 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

F18 [1986 c.44.](#) Section 17 was substituted by paragraph 13 of Schedule 3 to the [Gas Act 1995 \(c.45\)](#).

F19 [S.I. 2006/2647.](#)

F20 [S.I.1983/684.](#)

F21 [1972 c.60.](#)

Modifications to the application of the Gas (Northern Ireland) Order 1996 **E+W+S**

5.—(1) Article 22 of the Gas (Northern Ireland) Order 1996 ^{M5} (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or prior to the commencement date, the Measuring Instruments (Gas Meters) Regulations 2006), it shall for the purposes of article 22(1) and (10), be deemed to have been stamped.

(3) Article 22(2) (insofar as it relates to the duty of a meter examiner to stamp, or authorise the stamping, of a meter) and (3) to (5) must be disregarded.

(4) Paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of [^{F12}Schedule 1D to the Measuring Instruments Regulations 2016], twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [^{F13}Schedule 1D to the Measuring Instruments Regulations 2016];
- (b) in relation to a Class 1.0 relevant instrument within the meaning of [^{F14}Schedule 1D to the Measuring Instruments Regulations 2016], the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [^{F15}Schedule 1D to the Measuring Instruments Regulations 2016].

Extent Information

- E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

- F12** Words in Sch. 3 para. 5(4)(a) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(c)(i)** (with Sch. 27 para. 50(a)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Sch. 3 para. 5(4)(a) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(c)(ii)** (with Sch. 27 para. 50(a)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Sch. 3 para. 5(4)(b) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(c)(i)** (with Sch. 27 para. 50(a)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in Sch. 3 para. 5(4)(b) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 27 para. 50(c)(ii)** (with Sch. 27 para. 50(a)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M5** [S.I. 1996 No. 275 \(N.I. 2\)](#).

Modifications to the application of the Gas (Northern Ireland) Order 1996 **N.I.**

5.—(1) Article 22 of the Gas (Northern Ireland) Order 1996 ^{F22} (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or prior to the commencement date, the Measuring Instruments (Gas Meters) Regulations 2006), it shall for the purposes of article 22(1) and (10), be deemed to have been stamped.

Changes to legislation: There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, SCHEDULE 3. (See end of Document for details)

(3) Article 22(2) (insofar as it relates to the duty of a meter examiner to stamp, or authorise the stamping, of a meter) and (3) to (5) must be disregarded.

(4) Paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of Annex IV to the Directive, twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV;
- (b) in relation to a Class 1.0 relevant instrument within the meaning of Annex IV to the Directive, the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV.

Extent Information

E5 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

F22 [S.I. 1996 No. 275](#) (N.I. 2).

Modifications to the application of the Electricity Act 1989 **E+W+S**

6.—(1) Schedule 7 to the Electricity Act 1989 ^{M6} (use etc. of electricity meters) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(c) subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to the commencement date was put into use within the meaning of and in accordance with the Measuring Instruments (Active Electrical Energy Meters) Regulations 2006 ^{M7}), it shall, for the purpose of paragraphs 2(1)(a), 3(1)(a) and 9(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules apply—

- (a) for the purposes of paragraphs 2(1)(b) and 3(1)(b) of the Schedule, the meter shall be deemed to be certified under paragraph 5;
- (b) for the purpose of the application of paragraphs 7(1)(c) and (2) and 9(3) and (4) of the Schedule, “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 3 of [^{F16}Schedule 1E of the Measuring Instruments Regulations 2016].

(3) Paragraphs 5(2)(a) and 7(1)(b) of Schedule 7 must be disregarded.

(4) Sub-paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 3 of [^{F16}Schedule 1E of the Measuring Instruments Regulations 2016].

(5) If a meter which is a regulated measuring instrument is put into use within the meaning of and in accordance with these Regulations—

- (a) regulation 10 of the Meters (Certification) Regulations 1998 ^{M8}; and
- (b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations 1998 ^{M9},

do not apply to the meter.

Textual Amendments

F16 Words in Sch. 3 para. 6 substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, Sch. 27 para. 50(d) (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

M6 1989 c.30

M7 S.I. 2006/1679.

M8 S.I. 1998/1566.

M9 S.I. 1998/1565.

Modifications to the application of the Electricity Act 1989 **N.I.**

6.—(1) Schedule 7 to the Electricity Act 1989^{F23} (use etc. of electricity meters) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(c) subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to the commencement date was put into use within the meaning of and in accordance with the Measuring Instruments (Active Electrical Energy Meters) Regulations 2006^{F24}), it shall, for the purpose of paragraphs 2(1)(a), 3(1)(a) and 9(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules apply—

(a) for the purposes of paragraphs 2(1)(b) and 3(1)(b) of the Schedule, the meter shall be deemed to be certified under paragraph 5;

(b) for the purpose of the application of paragraphs 7(1)(c) and (2) and 9(3) and (4) of the Schedule, “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 3 of Annex V to the Directive.

(3) Paragraphs 5(2)(a) and 7(1)(b) of Schedule 7 must be disregarded.

(4) Sub-paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 3 of Annex V to the Directive.

(5) If a meter which is a regulated measuring instrument is put into use within the meaning of and in accordance with these Regulations—

(a) regulation 10 of the Meters (Certification) Regulations 1998^{F25}; and

(b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations 1998^{F26},

do not apply to the meter.

Textual Amendments

F23 1989 c.30

F24 S.I. 2006/1679.

F25 S.I. 1998/1566.

F26 S.I. 1998/1565.

Modifications to the application of the Electricity (Northern Ireland) Order 1992 **E+W+S**

7.—(1) Schedule 7 to the Electricity (Northern Ireland) Order 1992 ^{M10} (use etc. of electricity meters) has effect in its application to a meter which is a regulated measuring instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to the commencement date was put into use under the Measuring Instruments (Active Electrical Energy Meters) Regulations 2006), it shall, for the purpose of paragraphs 3(1)(a), 4(1)(a) and 10(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules shall apply—

- (a) for the purposes of paragraphs 3(1)(b) and 4(1)(b), the meter shall be deemed to be certified under paragraph 6; and
- (b) for the purpose of the application of paragraphs 8(1)(c) and (2) and 10(3) and (4), “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 3 of [^{F17}Schedule 1E of the Measuring Instruments Regulations 2016].

(3) Paragraphs 6(2)(a) and 8(1)(b) of Schedule 7 must be disregarded.

(4) Paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 3 of [^{F17}Schedule 1E of the Measuring Instruments Regulations 2016].

(5) If a meter which is a regulated measuring instrument is put into use within the meaning of and in accordance with these Regulations—

- (a) regulation 10 of the Meters (Certification) Regulations (Northern Ireland) 1998 ^{M11}; and
- (b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations (Northern Ireland) 1998 ^{M12},

do not apply to the meter.

Extent Information

E3 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F17 Words in [Sch. 3 para. 7](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, [Sch. 27 para. 50\(d\)](#) (with [Sch. 27 para. 50\(a\)](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#))

Marginal Citations

M10 [S.I. 1992 No 231\(N.I. 1\)](#).
M11 [S.R.N.I. 1998 No. 444](#).
M12 [S.R.N.I. 1998 No. 443](#).

Modifications to the application of the Electricity (Northern Ireland) Order 1992 **N.I.**

7.—(1) Schedule 7 to the Electricity (Northern Ireland) Order 1992 ^{F27} (use etc. of electricity meters) has effect in its application to a meter which is a regulated measuring instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations (or, prior to the commencement date was put into use under the Measuring Instruments (Active Electrical

Energy Meters) Regulations 2006), it shall, for the purpose of paragraphs 3(1)(a), 4(1)(a) and 10(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules shall apply—

- (a) for the purposes of paragraphs 3(1)(b) and 4(1)(b), the meter shall be deemed to be certified under paragraph 6; and
 - (b) for the purpose of the application of paragraphs 8(1)(c) and (2) and 10(3) and (4), “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 3 of Annex V to the Directive.
- (3) Paragraphs 6(2)(a) and 8(1)(b) of Schedule 7 must be disregarded.
- (4) Paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 3 of Annex V to the Directive.
- (5) If a meter which is a regulated measuring instrument is put into use within the meaning of and in accordance with these Regulations—
- (a) regulation 10 of the Meters (Certification) Regulations (Northern Ireland) 1998 ^{F28}; and
 - (b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations (Northern Ireland) 1998 ^{F29},
- do not apply to the meter.

Extent Information

E6 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

- F27** [S.I 1992 No 231\(N.I. 1\)](#).
- F28** [S.R.N.I. 1998 No. 444](#).
- F29** [S.R.N.I. 1998 No. 443](#).

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, SCHEDULE 3.