

1988 No. 1048

WATER, ENGLAND AND WALES

The Water (Meters) Regulations 1988

<i>Made</i> - - - -	<i>14th June 1988</i>
<i>Laid before Parliament</i>	<i>20th June 1988</i>
<i>Coming into force</i>	
<i>Parts I, II and V</i>	<i>11th July 1988</i>
<i>Remainder</i>	<i>1st October 1988</i>

The Secretary of State, in exercise of his powers under section 5(2) to (4) of the Public Utility Transfers and Water Charges Act 1988(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PART I

CITATION, COMMENCEMENT AND INTERPRETATION

1.—(1) These Regulations may be cited as the Water (Meters) Regulations 1988.

(2) Parts I, II and V of these Regulations shall come into force on 11th July 1988, and the remainder on 1st October 1988.

(3) In these Regulations—

“the Act” means the Public Utility Transfers and Water Charges Act 1988;

“the 1988 Regulations” means the Measuring Equipment (Cold-water Meters) Regulations 1988(b);

“the customer” means the person who is liable to pay water charges in respect of any premises in relation to which a meter is fitted;

“house” and “supply pipe” have the same meaning as in the Third Schedule to the Water Act 1945(c);

“meter” means any apparatus for measuring and showing the volume of water supplied to any premises, but does not include outreading apparatus;

“outreading apparatus” means any apparatus connected to a meter for the purpose of showing or transmitting signals showing the volume measured by that meter and installed on or adjoining premises to which that meter relates;

“prescribed limits of error” means the prescribed limits of error in relation to the obliteration of the stamp or mark set out in the Schedule to the 1988 Regulations;

“stop-tap” means a tap fitted on a supply pipe inside a building to permit the flow of water in that pipe to be stopped;

“undertakers” means water undertakers; and

“water charges” means any charges which undertakers may fix under section 30 of the Water Act 1973(d) or section 2 of the Act.

(a) 1988 c.15. (b) S.I. 1988/997. (c) 1945 c.42.

(d) 1973 c.37; subsections (1)–(1B) of section 30 were substituted, and subsection (11) was added, by the Water Charges Act 1976 (c.9), section 2; and subsections (3)–(10) were repealed by Schedule 3 to the Act.

PART II

POSITIONING OF METERS AND OUTREADING APPARATUS

2.—(1) This Part applies where undertakers instal or reposition meters or outreading apparatus in circumstances in which paragraph 6 of Schedule 1 to the Act applies.

(2) Nothing in this Part shall apply to the repositioning or replacement of a meter or outreading apparatus installed before 11th July 1988.

Installation of meters

3.—(1) Meters shall be so installed as to ensure that they are reasonably accessible for reading, inspection, testing and maintenance.

(2) A meter installed outside a building shall be installed as near as is reasonably practicable either to the boundary of the premises to which it relates or to the point where the supply pipe enters the building.

(3) A meter installed inside a building shall be installed as near as is reasonably practicable to the point where the supply pipe enters the building or to the stop-tap.

(4) A meter installed outside a building and any associated pipes and fittings shall be adequately protected against damage from frost.

Installation of outreading apparatus

4.—(1) Outreading apparatus shall be installed in a position in which it is reasonably accessible for inspection, testing and maintenance, and shall (so far as reasonably practicable) be in an unobtrusive position.

(2) Outreading apparatus, other than apparatus designed to transmit signals to other premises, shall be installed either in a position where it can be read by or on behalf of the undertakers without entering a building or, where a number of meters are installed inside a building, in an entrance hall or lobby to which all the customers in that building have access.

Powers of undertakers and requests for alternative positioning

5.—(1) Subject to Regulations 3 and 4, the undertakers may determine where any meter or outreading apparatus should be positioned in relation to any premises.

(2) The undertakers shall notify the occupier of the location in which they propose to instal a meter or outreading apparatus.

(3) The occupier may request the undertakers:—

- (a) to instal the meter or outreading apparatus in a position other than that proposed by the undertakers; or
- (b) where the meter or outreading apparatus has already been installed, to reposition the meter or outreading apparatus.

(4) A request under paragraph (3) shall be made in writing, giving reasons for the request.

(5) Where the undertakers agree to such a request, they shall notify the occupier in writing of the effect of paragraph 6(3) of Schedule 1 to the Act (occupier to bear expenses of complying with request), giving an estimate of the expenses likely to be borne by the occupier under that provision.

(6) Where the undertakers do not agree with such a request, they shall notify the occupier in writing of their reasons.

PART III

TESTING AND READING OF METERS

Testing of meters

6.—(1) The undertakers or any person duly authorised by them may at any time, and shall if so requested in writing by the customer, test the accuracy of any meter which has been installed.

(2) A meter shall be tested in accordance with Regulation 6(2) and (4) of the 1988 Regulations in order to determine whether it falls within the prescribed limits of error (whether or not it is a meter to which those Regulations apply).

(3) The undertakers or any person duly authorised by them may remove a meter from premises where it is necessary to do so for the purpose of testing.

(4) The equipment used for testing shall comply with clause 4.6 of BS 5750: Part 3: 1987(a).

(5) The undertakers shall provide the customer with a copy of the results of the test.

Expenses of testing

7. Where a test is carried out in accordance with Regulation 6 at the request of the customer, and the meter on being tested falls within the prescribed limits of error, the undertaker may recover from the customer the expenses reasonably incurred by them in carrying out the test, not exceeding:—

(a) where the test is carried out by removing the meter from the premises, £70;

(b) in any other case, £20.

Method of proof and effect of meter reading

8.—(1) Where undertakers fix charges in relation to any premises by reference to volume, a reading from the meter installed in relation to those premises proved in accordance with this regulation shall be evidence of the volume of water supplied to those premises, unless the meter is proved to register incorrectly.

(2) A reading from a meter may be proved by producing the certificate of a person duly authorised by the undertakers to read the meter and certify the reading.

(3) A meter shall be regarded as registering incorrectly if on being tested it is found to exceed the prescribed limits of error.

(4) Except where it is proved to have begun to register incorrectly on some later date, a meter which is found to exceed the prescribed limits of error shall be deemed to have done so since the last occasion but one on which the undertakers or any person duly authorised by them last read the meter for the purpose of ascertaining the volume of water supplied to the premises in relation to which it is installed.

Adjustment of charges

9.—(1) Subject to paragraphs (2) and (3), an account shall be taken of the sums payable by the undertakers or by the customer for any period during which the meter has or is deemed to have registered incorrectly; and the balance shall be paid or allowed by the undertakers or paid by the customer, as the case may be.

(2) Where a meter which is connected to a supply of water to a house is proved to have registered less than the volume of water supplied to that house, the balance payable by the customer shall not exceed an amount reflecting the charge for the volume of water which would ordinarily have been supplied to the house during the six months preceding the last occasion on which the undertakers or any person duly authorised by them last read the meter for the purpose of ascertaining the volume of water supplied to the house, less any sums already paid in respect of that period.

(3) Nothing in this regulation shall affect the liability of the customer or the undertakers in respect of any period of account commencing before 11th July 1988.

(a) ISBN 0 580 15946 0, published by the British Standards Institution on 29th May 1987.

PART IV
INFORMATION PROVIDED WITH BILLS

10. Where charges are fixed in relation to any premises by reference to volume, the undertaker shall, with every demand for payment of charges, provide—

- (a) information as to any code of practice adopted by the undertaker relating to payment of charges;
- (b) information as to the availability of, facilities for, and any amount payable in respect of, the testing of meters; and
- (c) a statement of, or of the effect of, Regulation 8 and section 3(6) and (7) of the Act (method of proof and effect of meter reading, liability for charges after ceasing to occupy metered premises, and offences of tampering with meters etc.).

PART V
ARBITRATION

11. Any dispute arising under these Regulations between the undertaker and any person shall be referred to the arbitration of a single arbitrator appointed by agreement between the undertaker and that person or, in default of agreement, by the Secretary of State.

14th June 1988

Nicholas Ridley
Secretary of State for the Environment

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations provide for the positioning and use of water meters and associated apparatus installed under the Public Utility Transfers and Water Charges Act 1988.

Part II governs the positioning of a meter and associated apparatus installed by or at the request of undertakers after the coming into force of these Regulations.

Part III provides for meters to be tested, and for a reading from the meter to be evidence of the volume of water supplied.

Part IV requires certain information to be included with bills for volume-related charges.

Part V provides for any dispute arising under these Regulations to be referred to arbitration.

Copies of British Standards (see Regulation 6) can be obtained from any of the sales outlets operated by the British Standards Institution (BSI) or by post from the BSI at Linford Wood, Milton Keynes, MK14 6LE.

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