
STATUTORY INSTRUMENTS

1988 No. 1184

FEES AND CHARGES

The Measuring Instruments (EEC Requirements) (Fees) Regulations 1988

<i>Made</i>	- - - -	<i>8th July 1988</i>
<i>Laid before Parliament</i>		<i>11th July 1988</i>
<i>Coming into force</i>	- -	<i>1st August 1988</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.—(1) These Regulations may be cited as the Measuring Instruments (EEC Requirements) (Fees) Regulations 1988 and shall come into force on 1st August 1988.

(2) The Measuring Instruments (EEC Initial Verification Requirements) (Fees) Regulations 1982⁽²⁾, the Measuring Instruments (EEC Initial Verification Requirements) (Fees) (Amendment) Regulations 1985⁽³⁾, the Measuring Instruments (EEC Initial Verification Requirements) (Fees) (Amendment) Regulations 1987⁽⁴⁾ and the Measuring Instruments (EEC Pattern Approval Requirements) (Fees) Regulations 1987⁽⁵⁾ are hereby revoked.

2. In these Regulations—

“the principal Regulations” means the Measuring Instruments (EEC Requirements) Regulations 1988⁽⁶⁾; and

“the relevant Community obligations” means the Community obligations of the United Kingdom under Council Directive No. [71/316/EEC](#)⁽⁷⁾ (which relates to measuring instruments in general) and the Council Directives listed in Schedule 1 to these Regulations.

(1) [1973 c. 51](#).

(2) [S.I.1982/811](#).

(3) [S.I. 1985/386](#).

(4) [S.I. 1987/802](#).

(5) [S.I. 1987/803](#).

(6) [S.I. 1988/186](#), amended by [S.I. 1988/1128](#).

(7) O.J. No. L202, 6.9.1971, p.1 (OJ/SE 1971 (II) p.707), as amended by Council Directives No. [72/427/EEC](#) (O.J. No. L291, 28.12.1972, p.156, OJ/SE 1972, 28—30 Dec, p.71), No. [83/575/EEC](#) (O.J. No. L332, 28.11.1983, p.43), No. [87/354/EEC](#) (O.J. No. L192, 11.7.1987, p.43) and No. [87/355/EEC](#) (O.J. No. L192, 11.7.1987, p.46).

3.—(1) The fees payable in connection with the services provided by the Department of Trade and Industry in pursuance of the relevant Community obligations relating to EEC initial verification, implemented by regulation 13(9) of, and Schedule 3 to, the principal Regulations, shall be determined and payable in accordance with Schedule 2 to these Regulations.

(2) The fees payable in connection with the services provided by the Department of Trade and Industry in pursuance of the relevant Community obligations relating to EEC initial verification, implemented by regulation 7 of the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977⁽⁸⁾, shall be £24.20, payable on the making of an application for consideration of the instrument for initial verification, except that, when ten or more applications are made to the Secretary of State at the same time, then the fee payable shall be £19.20 in respect of each application.

4.—(1) The fees payable in connection with the services provided by the Department of Trade and Industry in pursuance of the relevant Community obligations relating to the grant and extension of EEC pattern approval and modifications or additions to EEC approved patterns, implemented by regulation 8 of, and Schedule 2 to, the principal Regulations, shall be determined and payable in accordance with Schedule 3 to these Regulations, whether or not EEC pattern approval is granted or extended as the case may be.

(2) In the case of alcoholometers and alcohol hydrometers and taximeters, in respect of which regulation 8 of, and Schedule 2 to, the principal Regulations are applied by regulation 5 of the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977 and regulation 6 of the Taximeters (EEC Requirements) Regulations 1979⁽⁹⁾ respectively, the fees shall be determined and payable as in paragraph (1) above.

5. All fees received under these Regulations shall be paid into the Consolidated Fund.

4th July 1988

John Butcher
Parliamentary Under-Secretary of State,
Department of Trade and Industry

We consent.

8th July 1988

Peter Lloyd
Tony Durant
Two of the Lords Commissioners of Her
Majesty's Treasury

⁽⁸⁾ S.I. 1977/1753, amended by S.I. 1988/1128.

⁽⁹⁾ S.I. 1979/1379, amended by S.I. 1988/1128.

SCHEDULE 1

Regulation 2

Council Directive No.	Subject Matter	Pattern Approval	Initial Verification
71/319/EEC (10)			
Meters for liquids other than water	Yes	Meters for pressurised liquefied gas only	
71/347/EEC (11) as amended (12)	The measuring of the standard mass per storage volume of grain	Yes	Yes
71/348/EEC (13) as amended (14)	Ancillary equipment for meters for liquids other than water	Yes	No
73/360/EEC (15) as amended (16)	Non-automatic weighing machines	Yes, except for machines exempted under section 13 of the Annex to the Directive	Machines of class of special or high accuracy only
73/362/EEC (17) as amended (18)	Material measures of length	Yes	Measures in Class I only
74/148/EEC (19)	Above-medium accuracy weights	No	Yes
75/33/EEC (20)	Cold-water meters	Yes	No
75/410/EEC (21)	Continuous totalising weighing machines	Yes	No
76/765/EEC (22)	Alcoholometers and alcohol hydrometers	Yes	Yes
77/95/EEC (23)	Taximeters	Yes	Yes
77/313/EEC (24) as amended (25)	Measuring systems for liquids other than water	Yes, for those systems specified in section 3.1.1 of the Annex to the Directive	Pressurised liquefied gas measuring systems only

(10) O.J. No. L202, 6.9.1971, p.32 (OJ/SE 1971 (III) p.740).**(11)** O.J. No. L239, 25.10.1971, p.1.**(12)** Cmd. 5179-I p.181.**(13)** O.J. No. L239, 25.10.1971, p.9 (OJ/SE 1971 (III) p.860).**(14)** Cmd. 5179-I p.182.**(15)** O.J. No. L335, 5.12.1973, p.1.**(16)** O.J. No. L236, 27.8.1976, p.26.**(17)** O.J. No. L335, 5.12.1973, p.56.**(18)** O.J. No. L206, 29.7.1978, p.8.**(19)** O.J. No. L84, 28.3.1974, p.3.**(20)** O.J. No. L14, 20.1.1975, p.1.**(21)** O.J. No. L183, 14.7.1975, p.25.**(22)** O.J. No. L262, 29.7.1976, p.143.**(23)** O.J. No. L26, 31.1.1977, p.59.**(24)** O.J. No. L105, 28.4.1977, p.18.**(25)** O.J. No. L252, 27.8.1982, p.10.

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Council Directive No.	Subject Matter	Pattern Approval	Initial Verification
78/1031/EEC(26)	Automatic checkweighing and weight grading machines	Yes	No
79/830/EEC(27)	Hot-water meters	Yes	No
86/217/EEC(28)	Tyre pressure gauges for motor vehicles	Yes	No

SCHEDULE 2

Regulation 3

FEES FOR EEC INITIAL VERIFICATION OF CERTAIN INSTRUMENTS AND SYSTEMS

The fees shall be—

- (a) an amount in respect of any time calculated to the nearest hour (a period of 30 minutes being rounded up to one hour) taken to conduct the initial verification at the rate of £41.20 per hour, payable on notification by the Secretary of State of the completion of the initial verification and of the amount of the fee and before notification of the result; and
- (b) the amount of additional expenses, if any, incurred by or occasioned to the Secretary of State by reason of any part of the initial verification taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade and Industry, payable on notification by the Secretary of State of completion of the initial verification and of the amount of the fee and before notification of the result.

SCHEDULE 3

Regulation 4

FEES FOR EEC PATTERN APPROVAL

1.—(1) Where regulation 8(1) of the principal Regulations applies (application for grant of EEC pattern approval), the fees shall be—

- (a) 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 examination staff conducting the examination at the rate of £34.40 per hour and by equipment test unit staff in testing the pattern at the rate of £28.00 per hour, including any time spent in travelling, and any time during which the pattern is tested in an environmental testing chamber at the rate of £10.40 per hour, due and payable as indicated in sub-paragraphs (2) and (3) below; and
- (b) the amount of additional expenses, if any, incurred by or occasioned to the Secretary of State, by reason of any part of the examination taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade and Industry, due and payable as indicated in sub-paragraphs (2) and (3) below.

(26) O.J. No. L364, 27.12.1978, p.1.

(27) O.J. No. L259, 15.10.1979, p.1.

(28) O.J. No. L152, 6.6.1986, p.48.

(2) Subject to sub-paragraph (3) below, the amounts referred to in sub-paragraphs (1)(a) and (b) above shall be due and payable on the service on the applicant of an invoice from the Secretary of State quarterly in arrears.

(3) On completion of the examination, the Secretary of State shall serve an invoice on the applicant for the final amount of the fees, together with the notification of such completion, and the final amount shall thereupon, and before notification of the result, be due and payable to the Secretary of State.

2.—(1) Where regulation 8(2) or (5) of the principal Regulations applies (application for approval of modifications or additions to, or for extension of, an EEC approved pattern), the fees shall be—

- (a) an amount calculated as indicated in paragraph 1(1)(a) above, due and payable as indicated in sub-paragraphs (2) and (3) below; and
- (b) the amount of additional expenses, if any, incurred by or occasioned to the Secretary of State, by reason of any part of the examination taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade and Industry, due and payable as indicated in sub-paragraph (3) below.

(2) The Secretary of State shall, on receipt of an application for approval of modifications or additions to, or for extension of, an EEC approved pattern, estimate to the nearest hour (a period of 30 minutes being rounded up to one hour) the time to be taken in conducting the examination and testing the pattern and thereby estimate the amount to be payable in accordance with sub-paragraph (1)(a) above, and shall serve an invoice on the applicant for the amount so estimated, which shall thereupon be due and payable to the Secretary of State.

(3) On completion of the examination, the Secretary of State shall—

- (a) serve an invoice on the applicant for the final amount of the fees, together with the notification of such completion, and the final amount, after deducting the amount received under sub-paragraph (2) above, shall thereupon, and before notification of the result, be due and payable to the Secretary of State; or
- (b) if the amount received under sub-paragraph (2) above exceeds the final amount, repay the balance to the applicant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations replace with amendments the Measuring Instruments (EEC Initial Verification Requirements) (Fees) Regulations 1982, as amended, and the Measuring Instruments (EEC Pattern Approval Requirements) (Fees) Regulations 1987.

2. They increase the fees payable in connection with services provided by the Department of Trade and Industry in respect of EEC initial verification of certain measuring instruments and systems (from £39.60 per hour to £41.20 per hour).

3. They also increase the single fee for services provided by the Department of Trade and Industry in respect of EEC initial verification of all classes of alcoholometers and alcohol hydrometers. The

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increase is from £23.20 to £24.20, except that, when submitted in a batch of ten or more applications, the increase is from £18.40 to £19.20 per application.

4. The Regulations also increase the fees payable in respect of EEC pattern approval as follows: for examiner staff time from £33.00 per hour to £34.40 per hour, for equipment test unit staff time from £27.00 per hour to £28.00 per hour and for use of an environmental testing chamber from £10.00 per hour to £10.40 per hour. They also add tyre pressure gauges for motor vehicles to the list of measuring instruments in respect of which fees are payable on application for the grant or extension of an EEC pattern approval, and provide for fees on application for extension to be paid in advance rather than in arrears.