

This Statutory Instrument has been made in part because of defects in SI 2006/1256, SI 2006/1257, SI 2006/1268 and SI 2006/1270, and is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2006 No. 2625

WEIGHTS AND MEASURES

The Measuring Instruments (Amendment) Regulations 2006

<i>Made</i>	- - - -	<i>1st October 2006</i>
<i>Laid before Parliament</i>		<i>5th October 2006</i>
<i>Coming into force</i>	- -	<i>30th October 2006</i>

The Secretary of State is a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to, and for purposes ancillary to, the regulation of specifications, construction, placing on the market and use of articles, instruments, containers or other equipment intended for weighing, measuring or testing.

The Secretary of State makes the following Regulations in exercise of the powers conferred on him by section 2(2) of that Act, and in relation to regulation 3 of the Regulations, in exercise of the powers conferred on him by sections 15(1) and 86(1) of the Weights and Measures Act 1985(c).

Citation and commencement

1. These Regulations may be cited as the Measuring Instruments (Amendment) Regulations 2006 and shall come into force on 30th October 2006.

Amendment to the Measuring Instruments (Non-Prescribed Instruments) Regulations 2006

2. The Measuring Instruments (Non-Prescribed Instruments) Regulations 2006(d) are amended as follows—

(a) in regulation 8, after paragraph (4) insert—

“(5) The Gas and Electricity Markets Authority or the Northern Ireland Authority for Energy Regulation may charge fees to recover the full costs reasonably incurred by it in—

(a) making a designation under regulation 4; or

(b) carrying out an inspection under regulation 6(2).

(6) Where, in accordance with regulation 4(6), the Gas and Electricity Markets Authority, acting on behalf of the Northern Ireland Authority for Energy Regulation makes a

(a) S.I.1975/427.
(b) 1972 c.68.
(c) 1985 c.72.
(d) S.I. 2006/1270.

designation under regulation 4 or carries out an inspection under regulation 6(2), the Gas and Electricity Markets Authority may charge fees to recover the full costs reasonably incurred by it in making the designation or carrying out the inspection.”; and

(b) in Schedule 1, omit paragraphs 22 and 32.

Amendment to the Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006

3. Regulation 16(1) of the Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006(a) is amended by substituting “1.0%” for “0.1%” in column 2 of Table 1.

Amendment to the Measuring Instruments (Automatic Catchweighers) Regulations 2006

4. The Measuring Instruments (Automatic Catchweighers) Regulations 2006(b) are amended as follows—

(a) in regulation 6(1)(a)(iv), for “D” substitute “D1”; and

(b) in regulation 6(1)(a)(v), for “F” substitute “F1”.

Amendment to the Measuring Instruments (Cold-water Meters) Regulations 2006

5. The Measuring Instruments (Cold-water Meters) Regulations 2006(c) are amended by substituting for paragraph 18 of Schedule 1 the following paragraph—

“18. The distributor or the person legally designated for installing the cold-water meter shall verify that the conditions referred to in paragraphs 14(a) to (c) are met, so that the instrument is appropriate for the accurate measurement of consumption that is foreseen or foreseeable.”.

1st October 2006

Sainsbury of Turville
Parliamentary Under Secretary of State for Science and Technology
Department of Trade and Industry

(a) S.I.2006/1256.
(b) S.I. 2006/1257.
(c) S.I. 2006/1268.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend four sets of Regulations which, with other Regulations, implement Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments (OJ No. L135, 30.4.04, p.1) (“the Directive”).

Regulation 2(a) amends regulation 8 of the Measuring Instruments (Non-Prescribed Instruments) Regulations 2006 (S.I. 2006/1270) by providing that, in the case of the designation of notified bodies for the assessment of volume conversion devices, the designating authority may charge fees to recover its reasonable costs of designating those bodies and for carrying out periodic inspections of the activities of those bodies.

Regulation 2(b) corrects Schedule 1 to S.I. 2006/1270 by deleting the requirements relating to the putting into use of water meters and heat meters.

Regulation 3 corrects a typographical error in regulation 16 of the Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006 (S.I. 2006/1256), and indicates that in the case of an automatic rail-weighbridge which falls within accuracy class 1 in column 1 of the table in regulation 16, the maximum permissible error in column 2 of that table shall be 1.0%.

Regulation 4 corrects Regulation 6 of the Measuring Instruments (Automatic Catchweighers) Regulations 2006 (S.I. 2006/1257) by providing that the conformity assessment procedures to be used for mechanical systems referred to in regulation 6(1)(a)(iv) and (v) shall be those set out in Annex D1 and Annex F1 respectively to the Directive.

Regulation 5 corrects paragraph 18 of Schedule 1 to the Measuring Instruments (Cold-water Meters) Regulations 2006 (S.I. 2006/1268) by placing directly on the distributor or person legally designated for installing the cold-water meter the obligation to verify that the requirements relating to flowrate range, temperature range and relative pressure are met.

A Regulatory Impact Assessment (RIA) has been produced in respect of regulation 2 of these Regulations. The other regulations have no new impact on the costs of business. As these Regulations do not transpose new European legislation, no Transposition Note (TN) has been prepared. RIAs and TNs are available in respect of S.I. 2006/1256, S.I. 2006/1257, S.I. 2006/1268 and S.I. 2006/1270. Copies of all the RIAs and TNs can be obtained from the National Weights and Measures Laboratory, Stanton Avenue, Teddington, Middlesex TW11 0JZ or from its website at www.nwml.gov.uk. Copies have been placed in the libraries of both Houses of Parliament.

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