
STATUTORY INSTRUMENTS

2006 No. 2647

The Measuring Instruments (Gas Meters) Regulations 2006

PART 4

MISCELLANEOUS AND SUPPLEMENTAL

Adaptation for Northern Ireland

24. In their application to Northern Ireland, these Regulations shall have effect subject to Schedule 5.

GEMA's power to act on behalf of Northern Ireland Regulator

25. GEMA and NIAER shall be entitled—

- (a) to enter into arrangements for GEMA to act on behalf of NIAER for, or in connection with, the carrying out of some or all of the functions conferred on NIAER by these Regulations; and
- (b) to give effect to those arrangements.

Service of documents

26.—(1) Any document required or authorised by these Regulations to be served on a person may be so served—

- (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address;
- (b) if the person is a body corporate, by serving it in accordance with sub-paragraph (a) on the secretary or clerk of that body corporate; or
- (c) if the person is a partnership, by serving it in accordance with that sub-paragraph on a partner or on a person having control or management of the partnership business.

(2) For the purposes of paragraph (1), and for the purposes of section 7 of the Interpretation Act 1978⁽¹⁾ (which relates to the service of documents by post) in its application to that paragraph, the proper address of any person on whom a document is to be served by virtue of these Regulations shall be his last known address except that—

- (a) in the case of service on a body corporate or its secretary or clerk, it shall be the address of the registered or principal office of the body corporate; and
- (b) in the case of service on a partnership or a partner or a person having the control or management of a partnership business, it shall be the principal office of the partnership,

and for the purposes of this paragraph the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

(1) 1978 c.30.

Savings for certain privileges

27.—(1) Nothing in these Regulations shall be taken as requiring a person to produce any documents or records if he would be entitled to refuse to produce those documents or records in any proceedings in any court on the grounds that they are the subject of legal professional privilege or, in Scotland, that they contain a confidential communication made by or to an advocate or solicitor in that capacity, or as authorising a person to take possession of any documents or records which are in the possession of a person who would be so entitled.

(2) Nothing in these Regulations shall be construed as requiring a person to answer any question or give any information if to do so would incriminate that person or that person's spouse or civil partner.

(3) Subsection (1) of section 14 of the Civil Evidence Act 1968⁽²⁾ (which relates to the privilege against self-incrimination) shall apply to the right conferred by paragraph (2) as it applies to the right described in subsection (1) of that section; but this paragraph does not extend to Scotland.

Consequential modifications of enactments: Great Britain

28.—(1) Section 17 of the Gas Act 1986⁽³⁾ (meter testing and stamping) shall have effect in its application to a meter which is a relevant 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, it shall, for the purpose of section 17(1) and (11), be deemed to have been stamped.

(3) Subsections (2)(b) 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 relevant instrument within the meaning of Schedule 1 to these Regulations, twice the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule;

(b) in relation to a Class 1.0 relevant instrument within the meaning of that Schedule, the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule.

(5) The Gas (Meters) Regulations 1983⁽⁴⁾ shall not apply to a meter which is a relevant 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⁽⁵⁾ (which provision is re-enacted in section 17 of the Gas Act 1986) shall be construed as including 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—

(i) in relation to a Class 1.5 relevant instrument within the meaning of Schedule 1 to these Regulations, twice the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule;

(ii) in relation to a Class 1.0 relevant instrument within the meaning of that Schedule, the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule.

(2) 1968 c.64.

(3) Section 17 was substituted by paragraph 13 of Schedule 3 to the Gas Act 1995 (c.45).

(4) S.I. 1983/684.

(5) 1972 c.60.

Consequential modifications of enactments: Northern Ireland

29.—(1) Article 22 of the Gas (Northern Ireland) Order 1996⁽⁶⁾ (meter testing and stamping) shall have effect in its application to a meter which is a relevant 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, it shall, for the purpose of article 22(1) and (10), be deemed to have been stamped.

(3) Article 22(2) (in so far 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 relevant instrument within the meaning of Schedule 1 to these Regulations, twice the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule;
- (b) in relation to a Class 1.0 relevant instrument within the meaning of that Schedule, the maximum permissible error as set out, in relation to that class, in Table 3 in paragraph 13 of that Schedule.

⁽⁶⁾ S.I. 1996 No. 275 (N.I. 2).