
STATUTORY INSTRUMENTS

2016 No. 1153

The Measuring Instruments Regulations 2016

PART 7

MARKET SURVEILLANCE AND ENFORCEMENT

CHAPTER 2

ENFORCEMENT AUTHORITIES AND PROCEDURES

Enforcement of the Regulations

67.—(1) The Secretary of State—

- (a) must enforce these regulations where required to do so in the capacity of the market surveillance authority; and
- (b) may otherwise than in the capacity of market surveillance authority, enforce these Regulations in Great Britain,

and for the purposes of this paragraph may appoint a person to act on his behalf.

(2) In Great Britain it is the duty of every local weights and measures authority to enforce these Regulations within its area in relation to regulated measuring instruments other than—

- (a) gas meters;
- (b) active electrical energy meters;
- (c) taximeters; and
- (d) exhaust gas analysers.

(3) In Northern Ireland—

- (a) the Department for Infrastructure must enforce these Regulations in relation to regulated measuring instruments of the following kinds—
 - (i) taximeters; and
 - (ii) exhaust gas analysers.
- (b) the Utility Regulator (or the Secretary of State pursuant to arrangements made under paragraph (7)) must enforce the Regulations in relation to regulated measuring instruments of the following kinds—
 - (i) gas meters; and
 - (ii) active electrical energy meters.
- (c) the Department for the Economy must enforce these Regulations (other than Part 6) insofar as they relate to regulated measuring instruments of the following kinds—
 - (i) cold water meters;
 - (ii) automatic weighing instruments;
 - (iii) material measures; and

(iv) non-water liquid measuring systems.

(4) No proceedings for an offence under these Regulations may be instituted in England and Wales except by or on behalf of a competent authority.

(5) Nothing in these Regulations shall authorise a competent authority to bring proceedings in Scotland for an offence.

(6) No proceedings shall be instituted in Northern Ireland for an offence under these Regulations in respect of a regulated measuring instrument except—

(a) by or on behalf of a competent authority which has responsibility for enforcing these Regulations in respect of that regulated measuring instrument; or

(b) the Director of Public Prosecutions for Northern Ireland.

(7) The Secretary of State and the Utility Regulator may, in relation to the enforcement of these Regulations in Northern Ireland, enter into arrangements for the Secretary of State to act on behalf of the Utility Regulator for, or in connection with, the carrying out of some or all of the functions conferred on the Utility Regulator by these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, Section 67.