

**Status:** There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

**Changes to legislation:** There are currently no known outstanding effects for the The Measuring Instruments Regulations 2016, Paragraph 4. (See end of Document for details)

## SCHEDULE 3

### REVOCATIONS AND TRANSITIONAL AND CONSEQUENTIAL PROVISIONS

#### Modifications to the application of the Gas Act 1986 **E+W+S**

4.—(1) Section 17 of the Gas Act 1986<sup>M1</sup> (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(b) 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 (or, prior to commencement date, the Measuring Instruments (Gas Meters) Regulations 2006<sup>M2</sup>), it is to be deemed for the purposes of section 17(1) and (11) to have been stamped.

(3) Subsections (2)(b) and (3) to (5) must be disregarded.

(4) Sub-paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of [F1Schedule 1D to the Measuring Instruments Regulations 2016], twice the maximum permissible error as set out in relation to that class, in Table 1 in paragraph 2.1 of Annex IV to the Directive;
- (b) in relation to a Class 1.0 gas meter within the meaning of [F2Schedule 1D to the Measuring Instruments Regulations 2016], the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [F3Schedule 1D to the Measuring Instruments Regulations 2016];

(5) The Gas (Meters) Regulations 1983<sup>M3</sup> do not apply to a meter which is a regulated measuring 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<sup>M4</sup> (which provision is re-enacted in section 17 of the Gas Act 1986) shall be construed as 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 as—
  - (i) in relation to a class 1.5 gas meter within the meaning of [F4Schedule 1D to the Measuring Instruments Regulations 2016], twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [F5Schedule 1D to the Measuring Instruments Regulations 2016];
  - (ii) in relation to a Class 1.0 gas meter within the meaning of [F6Schedule 1D to the Measuring Instruments Regulations 2016], the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of [F7Schedule 1D to the Measuring Instruments Regulations 2016].

#### Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

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### Textual Amendments

- F1** Words in Sch. 3 para. 4(4)(a) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 3 para. 4(4)(b) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Sch. 3 para. 4(4)(b) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Sch. 3 para. 4(6)(c)(i) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 3 para. 4(6)(c)(i) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Sch. 3 para. 4(6)(c)(ii) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(i)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Sch. 3 para. 4(6)(c)(ii) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 27 para. 50(b)(ii)** (with Sch. 27 para. 50(a)) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

### Marginal Citations

- M1** 1986 c.44. Section 17 was substituted by paragraph 13 of Schedule 3 to the Gas Act 1995 (c.45).
- M2** S.I. 2006/2647.
- M3** S.I.1983/684.
- M4** 1972 c.60.

## Modifications to the application of the Gas Act 1986 **N.I.**

4.—(1) Section 17 of the Gas Act 1986 <sup>F8</sup> (meter testing and stamping) has effect in its application to a meter which is a regulated measuring instrument under regulation 3(2)(b) 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 (or, prior to commencement date, the Measuring Instruments (Gas Meters) Regulations 2006 <sup>F9</sup>), it is to be deemed for the purposes of section 17(1) and (11) to have been stamped.

(3) Subsections (2)(b) and (3) to (5) must be disregarded.

(4) Sub-paragraphs (2) and (3) do not apply if the error of measurement of the meter exceeds—

- (a) in relation to a Class 1.5 gas meter within the meaning of Annex IV to the Directive, twice the maximum permissible error as set out in relation to that class, in Table 1 in paragraph 2.1 of Annex IV to the Directive;
- (b) in relation to a Class 1.0 gas meter within the meaning of Annex IV to the Directive, the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV;

(5) The Gas (Meters) Regulations 1983 <sup>F10</sup> do not apply to a meter which is a regulated measuring 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—

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- (a) references, however expressed, to a meter stamped under section 30 of the Gas Act 1972<sup>F11</sup> (which provision is re-enacted in section 17 of the Gas Act 1986) shall be construed as 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 as—
  - (i) in relation to a class 1.5 gas meter within the meaning of Annex IV to the Directive, twice the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV;
  - (ii) in relation to a Class 1.0 gas meter within the meaning of Annex IV to the Directive, the maximum permissible error as set out, in relation to that class, in Table 1 in paragraph 2.1 of Annex IV.

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#### Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

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#### Textual Amendments

- F8** 1986 c.44. Section 17 was substituted by paragraph 13 of Schedule 3 to the [Gas Act 1995 \(c.45\)](#).
- F9** [S.I. 2006/2647](#).
- F10** [S.I.1983/684](#).
- F11** 1972 c.60.

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