

2003 No. 491

FEES AND CHARGES

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2003

Made - - - - - 28th November 2003

Coming into operation 29th December 2003

The Department of Enterprise, Trade and Investment(**a**), in exercise of the powers conferred upon it by section 56(1) of the Finance Act 1973(**b**) and now vested in it(**c**) and of every other power enabling it in that behalf, with the consent of the Department of Finance and Personnel(**d**), hereby makes the following Regulations: –

Citation and commencement

1. These Regulations may be cited as the Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2003 and shall come into operation on 29th December 2003.

Revocation and saving

2.—(1) Subject to paragraph (2), the Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2002(**e**) are hereby revoked.

(2) The Regulations referred to in paragraph (1) shall continue to apply in relation to any verification carried out before 29th December 2003.

Interpretation

3.—(1) The Interpretation Act (Northern Ireland) 1954(**f**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(2) In these Regulations –

“the 1988 Regulations” means the Measuring Instruments (EEC Requirements) Regulations 1988(**g**);

“the 2000 Regulations” means the Non-automatic Weighing Instruments Regulations 2000(**h**); and

“the Department” means the Department of Enterprise, Trade and Investment.

(**a**) Formerly the Department of Economic Development; *see* S.I. 1999/283 (N.I. 1), Art. 3(5)

(**b**) 1973 c. 51 to which there are amendments not relevant to these Regulations

(**c**) By S.I. 1982/846 (N.I. 11) Art. 4

(**d**) Formerly the Department of Finance; *see* S.I. 1982/338 (N.I. 6), Art. 3

(**e**) S.R. 2002 No. 309

(**f**) 1954 c. 33 (N.I.)

(**g**) S.I. 1988/186 as amended by S.I. 1988/1128

(**h**) S.I. 2000/3236

Fees relating to EEC initial verification

4.—(1) Schedule 1 shall have effect for prescribing the fee to be paid in respect of the EEC initial verification of measuring instruments to which regulation 3, as modified by regulation 13(9), of the 1988 Regulations applies.

(2) The appropriate fee shall be payable whether or not the instrument passes the EEC initial verification.

Fees relating to EC verification

5.—(1) Subject to paragraph (2), Schedule 2 shall have effect for prescribing the fee to be paid in respect of the EC verification of measuring instruments to which regulation 3(1) of the 2000 Regulations applies.

(2) Measuring instruments, to which regulation 3(2) of the 2000 Regulations applies, submitted for EEC initial verification under the 1988 Regulations shall be subject to the fee prescribed in Schedule 2 as if they were submitted for EC verification under the 2000 Regulations.

(3) The appropriate fee shall be payable whether or not the instrument passes the EC verification.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 28th November 2003.

(L.S.)

Michael J. Bohill

A senior officer of the Department of Enterprise, Trade and Investment

The Department of Finance and Personnel hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 28th November 2003.

(L.S.)

Jack Layberry

A senior officer of the Department of Finance and Personnel

SCHEDULE 1

regulation 4(1)

| NOTE – previous fees in brackets | £ | |
|--|----------------------|---------|
| A. Measuring systems for liquids, other than water, fitted to road tankers, each system, | | |
| (1) basic fee | 90.00 | (80.00) |
| (2) where more than one liquid is used in testing, each additional liquid | 25.00 | (22.00) |
| (3) for retesting of a system solely on the occasion of an occurrence as defined in either regulation 23 or 24 of the 1988 Regulations | 18.00 | (16.00) |
| B. Otherwise, each initial verification – | | |
| per man/hour spent at the place of initial verification | Inspector rate 32.00 | (28.00) |
| | Assistant rate 22.00 | (19.00) |

SCHEDULE 2

regulation 5(1) and (2)

In this Schedule, the abbreviation employed to refer to the kilogramme unit of measurement is kg.

| NOTE – previous fees in brackets | £ | |
|---|--|----------|
| A. Weighing Instruments – | | |
| (1) subject to single EC verification, each instrument or (if fitted with two or more weigh tables or platforms connected to one or more indicating mechanisms), each weigh table or platform – | | |
| capacity as marked on the machine – | | |
| not exceeding 100 kg | 18.00 | (16.00) |
| exceeding 100 kg but not exceeding 1,000 kg | 41.00 | (36.00) |
| exceeding 1,000 kg but not exceeding 5,000 kg | 98.00 | (86.00) |
| exceeding 5,000 kg but not exceeding 30,000 kg | 212.00 | (186.00) |
| exceeding 30,000 kg | 319.00 | (280.00) |
| (2) subject to two stages of EC verification, each stage verification | 50 per cent of the fee which would be payable if the weighing instrument were only subject to a single stage EC verification | |
| B. Otherwise, each verification – | | |
| per man/hour spent at the place of verification | Inspector rate 32.00 | (28.00) |
| | Assistant rate 22.00 | (19.00) |

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe the fees to be paid in respect of EC verification under the Measuring Instruments (EEC Requirements) Regulations 1988 (“the 1988 Regulations”) and the Non-automatic Weighing Instruments Regulations 2000 (“the 2000 Regulations”) and increase them by an average of 14%.

Regulation 4 and Schedule 1 prescribe the fees to be paid in respect of EEC initial verification of measuring instruments. The obligations of the Department relating to EEC initial verification are as required by regulation 13 of and Schedule 3 to the 1988 Regulations.

Regulation 5 and Schedule 2 prescribe the fees to be paid in respect of EC verification of non-automatic weighing instruments. The obligations of the Department relating to EC verification are as required by regulation 11 and, where applicable, regulation 14 of the 2000 Regulations. By a designation numbered 0326, the Department was designated as an approved body under those Regulations. Additionally Schedule 2 now makes reference to the capacity of non-automatic weighing instruments as being in kilogrammes rather than tonnes.

The Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2002 are revoked except in relation to any verification carried out before 29th December 2003.

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Dd. N1242. C2. 12/03. Gp. 130. 14567.

£1.75

ISBN 0-337-95295-7



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