STATUTORY INSTRUMENTS

1981 No. 1825

FEES AND CHARGES

The Measuring Instruments (EEC Pattern Approval Requirements) (Fees) (No. 2) Regulations 1981

Made - - - -	16*th December* 1981
Laid before Parliament	23*rd December* 1981
Coming into Operation	14*th January* 1982

The Secretary of State for Trade, with the consent of the Treasury, in exercise of the powers conferred on him by section 56(1) and (2) of the Finance Act 1973(**a**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Measuring Instruments (EEC Pattern Approval Requirements) (Fees) (No. 2) Regulations 1981 and shall come into operation on 14th January 1982.

(2) The Measuring Instruments (EEC Pattern Approval Requirements) (Fees) Regulations 1981(**b**) are hereby revoked.

2. In these Regulations—

"the principal Regulations" means the Measuring Instruments (EEC Requirements) Regulations 1980(**c**);

"the relevant Community obligations" means the Community obligations of the United Kingdom under Council Directive No. 73/316/EEC(**d**) (which relates to measuring instruments in general) and the following Council Directives:—

(Council Directive No.)		(Subject matter)
71/319/EEC	(**e**)	meters for liquids other than water
71/348/EEC	(**f**)	ancillary equipment for meters for
as amended	(**g**)	liquids other than water
73/360/EEC	(**h**)	non-automatic weighing machines
as amended	(**i**)	
73/362/EEC	(**j**)	material measures of length
as amended	(**k**)	
75/33/EEC	(**l**)	cold-water meters

(**a**) 1973 c. 51. (**b**) S.I. 1981/279.
(**c**) S.I. 1980/1058, as amended by S.I. 1981/1727.
(**d**) OJ No. L 202, 6.9.1971, p.1 (OJ/SE 1971 (II) p.707), as amended by Council Directive No. 72/427/EEC (OJ No. L 291, 28.12.1972, p.156, OJ/SE 1972, 28–30 Dec, p.71) and Cmnd. 7463, p.174.
(**e**) OJ No. L 202, 6.9.1971, p.32 (OJ/SE 1971 (III) p.740).
(**f**) OJ No. L 239, 25.10.1971, p.9 (OJ/SE 1971 (III) p.860).
(**g**) Cmnd. 7463, p.175. (**h**) OJ No. L 335, 5.12.1973, p.1.
(**i**) OJ No. L 236, 27.8.1976, p.26. (**j**) OJ No. L 335, 5.12.1973, p.56.
(**k**) OJ No. L 206, 29.7.1978, p.8. (**l**) OJ No. L 14, 20.1.1975, p.1.

(Council Directive No.)		(Subject matter)
75/410/EEC	**(a)**	continuous totalising weighing machines
76/765/EEC	**(b)**	alcoholometers and alcohol hydrometers
77/95/EEC	**(c)**	taximeters
77/313/EEC	**(d)**	measuring systems for liquids other than water
78/1031/EEC	**(e)**	automatic checkweighing and weight grading machines
79/830/EEC	**(f)**	hot-water meters.

3. The fees payable in connection with the services provided by the Department of Trade in pursuance of the relevant Community obligations relating to EEC pattern approval and modifications or additions to EEC approved patterns, implemented by Regulation 7 of, and Schedule 2 to, the principal Regulations, or, in the case of alcoholometers and alcohol hydrometers, by the application of that Regulation and Schedule by Regulation 5 of the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977**(g)**, or, in the case of taximeters, by the application of the said Regulation 7 and Schedule 2 by Regulation 6 of the Taximeters (EEC Requirements) Regulations 1979**(h)**, shall be determined and payable in accordance with the Schedule hereto, whether or not EEC pattern approval is granted.

4. All fees received under these Regulations shall be paid into the Consolidated Fund.

Sally Oppenheim,
Minister of State,
Department of Trade.

12th December 1981.

J. A. Cope,
Tony Newton,
Two of the Lords Commissioners of Her Majesty's Treasury.

We consent.

16th December 1981.

(a) OJ No. L 183, 14.7.1975, p.25.
(b) OJ No. L 262, 27.9.1976, p.143.
(c) OJ No. L 26, 31.1.1977, p.59.
(d) OJ No. L 105, 28.4.1977, p.18.
(e) OJ No. L 364, 27.12.1978, p.1.
(f) OJ No. L 259, 15.10.1979, p.1.
(g) S.I. 1977/1753.
(h) S.I. 1979/1379.

SCHEDULE

Fees for EEC Pattern Approval

1.—(1) Where Regulation 7(1) of the principal Regulations applies (application for EEC pattern approval), the fees shall be—

(*a*) a minimum fee of £50, due and payable on service on the applicant of an invoice from the Secretary of State after receipt of the application, and such amount shall be deducted from the total of the amounts calculated in accordance with sub-paragraphs (*b*) and (*c*) below;

(*b*) subject to sub-paragraph (*a*) above, an amount calculated to the nearest quarter of an hour at the rate of £22 per hour, in respect of any time taken on or before 31st December 1982, and at the rate of £30.25 per hour in respect of any time taken thereafter, in conducting the examination, including any time spent in travelling, due and payable as indicated in sub-paragraphs (2) and (3) below;

(*c*) subject to sub-paragraph (*a*) above, the amount of additional expenses, if any, incurred by or occasioned to the Secretary of State, by reason of any part of the examination taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade, due and payable as indicated in sub-paragraphs (2) and (3) below.

(2) Subject to sub-paragraph (3) below, the amounts referred to in sub-paragraphs (1)(*b*) and (*c*) above shall be due and payable on the service on the applicant of an invoice from the Secretary of State quarterly in arrears, and in the event that, in any quarter, the total of such amounts, after taking into account the deduction referred to in sub-paragraph (1)(*a*) above, is less than £100, it may be carried over to the next quarter.

(3) On completion of the examination, the Secretary of State shall serve an invoice on the applicant for the final amount of the fees, together with the notification of such completion, and the final amount shall thereupon, and before notification of the result, be due and payable to the Secretary of State.

2.—(1) Where Regulation 7(2) of the principal Regulations applies (application for approval of modifications or additions to an EEC approved pattern), the fees shall be—

(*a*) an amount calculated to the nearest hour at the rate of £19.35 per hour, in respect of time taken in conducting the examination, including any time spent in travelling, due and payable as indicated in sub-paragraphs (2) and (3) below; and

(*b*) the amount of additional expenses, if any, incurred by or occasioned to the Secretary of State, by reason of any part of the examination taking place at a place other than the National Weights and Measures Laboratory of the Department of Trade, due and payable as indicated in sub-paragraph (3) below.

(2) The Secretary of State shall, on receipt of an application for approval of modifications or additions to an EEC approved pattern, estimate to the nearest hour the time to be taken in conducting the examination and thereby estimate the amount to be payable in accordance with sub-paragraph (1)(*a*) above, and shall serve an invoice on the applicant for the amount so estimated, which shall thereupon be due and payable to the Secretary of State.

(3) On completion of the examination, the Secretary of State shall—

(*a*) serve an invoice on the applicant for the final amount of the fees, together with the notification of such completion, and the final amount, after deducting the amount received under sub-paragraph (2) above, shall thereupon, and before notification of the result, be due and payable to the Secretary of State; or

(*b*) if the amount received under sub-paragraph (2) above exceeds the final amount, repay the balance to the applicant.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace the Measuring Instruments (EEC Pattern Approval Requirements) (Fees) Regulations 1981 (S.I. 1981/279). They increase the fees payable in connection with services provided by the Department of Trade in respect of EEC pattern approval of, and approval of modifications or additions to EEC approved patterns of, the following measuring instruments—

(*a*) meters for liquids other than water;
(*b*) ancillary equipment for such meters;
(*c*) non-automatic weighing machines;
(*d*) material measures of length;
(*e*) cold-water meters;
(*f*) continuous totalising weighing machines;
(*g*) alcoholometers and alcohol hydrometers;
(*h*) taximeters;
(*i*) measuring systems for liquids other than water;
(*j*) automatic checkweighing and weight grading machines.

The fees for pattern approval under S.I. 1981/279 were an amount of £25 payable on submission of the application to the Secretary of State, together with an amount calculated at a rate of £16 per hour to the nearest hour in respect of the time taken to conduct the examination of the equipment, payable on completion of the examination. The new fees are a minimum fee of £50 payable on receipt of an invoice from the Secretary of State, together with an amount calculated at a rate of £22 per hour to the nearest quarter of an hour in respect of the time taken on or before 31st December 1982 to conduct the examination and at a rate of £30.25 per hour thereafter, payable quarterly in arrears, together with any additional expenses incurred, these two latter amounts being subject to the deduction of the minimum fee.

The fees for approval of modifications or additions to EEC approved patterns were calculated under S.I. 1981/279 at a rate of £16 per hour, together with any additional expenses incurred, payable on completion of the examination. The new fees are an amount calculated at a rate of £19.35 per hour to the nearest hour, payable in advance of the examination on the basis of an estimate and subject to adjustment on its completion, together with any additional expenses incurred, payable on completion of the examination and before notification of the result.

The Regulations also specify hot-water meters as instruments in respect of which such fees are payable, consequent on the implementation by the Measuring Instruments (EEC Requirements) (Amendment) Regulations 1981 of the United Kingdom's obligations under Council Directive No. 79/830/EEC in respect of such instruments.

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