STATUTORY RULES OF NORTHERN IRELAND

2009 No. 67

FEES AND CHARGES

Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2009

Made - - - -	*25th February 2009*
Coming into operation -	*1st April 2009*

The Department of Enterprise, Trade and Investment, with the consent of the Department of Finance and Personnel(**a**), makes the following Regulations in exercise of the powers conferred by section 56(1) and (5) of the Finance Act 1973(**b**).

Citation and commencement

1. These Regulations may be cited as the Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2009 and shall come into operation on 1st April 2009.

Revocation and saving

2.—(1) Subject to paragraph (2), the Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2007(**c**) are revoked.

(2) The Regulations referred to in paragraph (1) shall continue to apply in relation to any verification carried out before 1st April 2009.

Interpretation

3.—(1) The Interpretation Act (Northern Ireland) 1954(**d**) 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(**e**);

"the 2000 Regulations" means the Non-automatic Weighing Instruments Regulations 2000(**f**); and

"the Department" means the Department of Enterprise, Trade and Investment.

(**a**) Formerly the Department of Finance; *see* S.I. 1982/338 (N.I. 6), Art. 3
(**b**) 1973 c. 51 to which there are amendments not relevant to these Regulations
(**c**) S.R. 2007 No. 124
(**d**) 1954 c. 33 (N.I.)
(**e**) S.I. 1988/186 as amended by S.I. 1988/1128
(**f**) 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 25th February 2009

L.S.

M. 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 25th February 2009

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	112.50	(109.00)
(2) where more than one liquid is used in testing, each additional liquid	32.00	(31.00)
(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	24.00	(23.00)
B. Otherwise, each initial verification —		
per man/hour spent at the place of initial verification	Inspector rate 39.00	(38.00)
	Assistant rate 28.00	(27.00)

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	24.00	(23.00)
exceeding 100 kg but not exceeding 1,000 kg	51.50	(50.00)
exceeding 1,000 kg but not exceeding 5,000 kg	122.00	(118.00)
exceeding 5,000 kg but not exceeding 30,000 kg	266.50	(258.00)
exceeding 30,000 kg	398.50	(386.00)
(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 39.00	(38.00)
	Assistant rate 28.00	(27.00)

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 3.3%.

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 of Enterprise, Trade and Investment ("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. Such verification takes place in accordance with 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.

The Measuring Instruments (EEC Requirements) (Verification Fees) Regulations (Northern Ireland) 2007 are revoked except in relation to any verification carried out before 1st April 2009.

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