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STATUTORY INSTRUMENTS

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**1991 No. 1471**

**GAS**

**The Gas (Meters) (Amendment) Regulations 1991**

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| <i>Made</i>                   | - - - - | <i>25th June 1991</i> |
| <i>Laid before Parliament</i> |         | <i>28th June 1991</i> |
| <i>Coming into force</i>      | - -     | <i>19th July 1991</i> |

The Secretary of State, in exercise of the powers conferred upon him by sections 17(2) and (8)(d) and 48(1)(1) of the Gas Act 1986(2) and all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Gas (Meters) (Amendment) Regulations 1991, and shall come into force on 19th July 1991.
2. The Gas (Meters) Regulations 1983(3) (hereinafter referred to as “the Principal Regulations”) shall have effect subject to the amendments set out in regulations 3 and 4 below.
3. The following regulation shall be substituted for regulation 5 in the Principal Regulations—

**“Fees**

**5. –**

(1) Subject to the provisions of paragraphs (3) to (6) and (8) below, the fee to be paid to the Secretary of State for examining or re-examining by a meter examiner, with or without stamping, a meter (not being a prototype or modified prototype) of measuring capacity specified in column 1 of Schedule 1 to these Regulations used or intended to be used for ascertaining the quantity of gas supplied to any person shall be the corresponding fee specified in column 2 of that Schedule.

(2) Subject to the provisions of paragraphs (3), (6) and (7) below, where the meter is a prototype or is a modified prototype which is submitted for approval of its pattern and construction, there shall be paid to the Secretary of State, for examining by the meter examiner, with or without stamping, a fee calculated at the rate of £44.05 where the examination is at the office of the meter examiner or of £34.56 where the examination is at another place, for every hour or part of an hour exceeding 30 minutes spent by the meter examiner and any other examiner assisting him in the examination of the meter.

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(1) See the definitions of “prescribed” and “regulations”.

(2) 1986 c. 44.

(3) S.I.1983/684; relevant amending instruments are S.I. 1988/980 and S.I. 1990/686.

(3) Where the meter has not been delivered to the office of a meter examiner for the purpose of examination or re-examination, or where the meter is removed from the office of a meter examiner to another place for the purpose of examination or re-examination, there shall be paid to the Secretary of State, in addition to any fee payable under paragraph (1) or (2) above, a fee equivalent to the amount of—

- (a) all reasonable expenses, including incidental expenses, incurred by the meter examiner, and any other meter examiner assisting him in the examination, in travelling to and from the premises at which the meter is situated, in preparing for the examination of the meter or in dismantling any equipment used therefor; and
- (b) a sum calculated at the rate of £34.56 for every hour, or part of an hour exceeding thirty minutes, spent by the examiner and any such other meter examiner respectively in such travelling, preparing or dismantling.

(4) Where the meter is required to be re-examined by a party to such a dispute as is mentioned in regulation 4(1) above, there shall be paid to the Secretary of State, in addition to any fee payable under paragraph (1) or (3) above, a fee of £6.20.

(5) Where the meter which is submitted for examination or re-examination is not a prototype or modified prototype, and it satisfies one or more of the following criteria, namely:—

- (a) it incorporates compensating devices which cause its register to indicate the quantity of gas passing through it as if the gas were at a particular temperature and pressure or both;
- (b) it is an electronic device or it incorporates electronic components; or
- (c) it is marked in a manner referred to in regulation 3(2) above,

there shall be paid to the Secretary of State in addition to any fee payable under paragraphs (1), (3) or (4) above, for examining or re-examining by the meter examiner a fee equivalent to the amount in respect of any time spent by the meter examiner and any other examiner assisting him in examining or re-examining the meter to the nearest quarter of an hour (a period of 7.5 minutes or more being rounded up to quarter of an hour) at an hourly rate of £34.56.

(6) Where the meter cannot properly be examined or re-examined without the aid of equipment which is not in the possession of the meter examiner and has not been made available to him by the person seeking the examination or re-examination, there shall be paid to the Secretary of State, in addition to any fee payable under paragraphs (1) to (5) above, a fee equivalent to the amount of—

- (a) all reasonable expenses incurred by the examiner in procuring the use of such equipment as is needed; and
- (b) except where a fee is payable in respect of preparing and dismantling the equipment under paragraph (3)(b) above, a sum calculated at the rate of £34.56 for every hour, or part of an hour exceeding 30 minutes, spent by the examiner and any other meter examiner assisting him in the examination or re-examination, in preparing the equipment for use for the purpose of the examination or re-examination or in dismantling it subsequently.

(7) Where the meter—

- (a) is a prototype submitted for approval of its pattern and construction or is a modified prototype so submitted, and
- (b) its durability is tested at the office of the meter examiner,

there shall be paid to the Secretary of State, in addition to any fee payable under paragraphs (2), (3) or (6) above, a fee equivalent to the costs of obtaining the fuel used for the purpose of the test.

(8) Subject to the provisions of paragraph 4(4) of Schedule 5 to the Gas Act 1986, any fee payable under paragraphs (1) to (7) above shall be paid on demand by the person who requires the meter to be examined or re-examined.

(9) Where any person requires the re-examination of any meter not owned by him through which gas is supplied to him and that meter, when examined on the premises at which it is situated for the purpose of ascertaining the quantity of gas, is found to register erroneously to a degree exceeding the degree permissible under regulation 3(1)(b)(i) or (c) above, the owner of the meter shall pay to that person the amount of all fees paid by him under this regulation.

(10) The fee to be paid to the Secretary of State for stamping a meter of measuring capacity described in column 1 of Schedule 1 to these Regulations (not being a prototype or a modified prototype) which has not been examined or re-examined by a meter examiner, and which is used or intended to be used for ascertaining the quantity of gas supplied to any person, shall be the corresponding fee specified in column 2 of that Schedule.

(11) Any fee payable under paragraph (10) above shall be paid on demand by the person who requires the meter to be stamped.

(12) For the purpose of this regulation a modified prototype is a prototype which prior to modification had already been examined by a meter examiner.”

4. The following Schedule shall be substituted for Schedule 1 to the Principal Regulations—

“SCHEDULE 1

Regulation 5(1) and (10)

(FEES)

| (1) Measuring capacity  | (2) Fee<br>£ |
|---|--------------|
| (a) Not exceeding 13 cubic metres per hour  | 0.73         |
| (b) exceeding 13 cubic metres per hour but not exceeding 19 cubic metres per hour     | 1.67         |
| (c) exceeding 19 cubic metres per hour but not exceeding 53 cubic metres per hour     | 5.01         |
| (d) exceeding 53 cubic metres per hour but not exceeding 228 cubic metres per hour    | 16.74        |
| (e) exceeding 228 cubic metres per hour but not exceeding 1,600 cubic metres per hour | 41.87        |
| (f) exceeding 1,600 cubic metres per hour   | 100.00”      |

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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5. The Gas (Meters) (Amendment) Regulations 1988<sup>(4)</sup> and the Gas (Meters) (Variation of Fees) Regulations 1990<sup>(5)</sup> are hereby revoked.

25th June 1991

*Colin Moynihan*  
Parliamentary Under-Secretary of State,  
Department of Energy

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<sup>(4)</sup> S.I. 1988/980.  
<sup>(5)</sup> S.I. 1990/686.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the provisions relating to fees contained in regulation 5 of, and Schedule 1 to, the Gas (Meters) Regulations 1983 “the 1983 Regulations”) previously amended by the Gas (Meters) (Amendment) Regulations 1988 and the Gas (Meters) (Variation of Fees) Regulations 1990. The revised regulation 5 is substituted in the 1983 Regulations by regulation 3 of these Regulations.

The fixed fees for examination of any prototype or modified prototype meter submitted for approval of its pattern and construction are now replaced with an hourly charge for examination of those meters. In these cases the charge will be at the rate of £44.05p where tests are carried out at the Department’s offices and £34.56p where they are carried out elsewhere. The fees for non-prototype commercial and industrial meters are unchanged except those for the examination of all special non-prototype meters (for example, those which are temperature compensated) and meters which are or incorporate electronic devices, part of the fees for which are also based on an hourly rate.

The fees payable in respect of time spent by examiners in travelling and preparing and dismantling equipment has been increased from an hourly rate of £31.80p to £34.56p. The surcharge for testing disputed meters has also been raised from £4.70p to £6.20p with an overall resultant fee for those with a measuring capacity not exceeding 13 cubic metres per hour of £6.93p.

Schedule 1 to the 1983 Regulations is replaced by a Schedule specifying the fees for meters which are neither prototypes nor modified prototypes on the basis of their respective measuring capacities. The fee in respect of those meters with a measuring capacity not exceeding 13 cubic metres per hour (those generally used in connection with domestic gas supplies) is reduced from 83p to 73p (12%). The fees in respect of meters with greater measuring capacities are unchanged.