
STATUTORY INSTRUMENTS

1993 No. 1521

GAS

The Gas (Meters) (Amendment) Regulations 1993

<i>Made</i>	- - - -	<i>16th June 1993</i>
<i>Laid before Parliament</i>		<i>21st June 1993</i>
<i>Coming into force</i>	- -	<i>12th July 1993</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 17(1), 17(3) and (8)(b) and (c), 47(4) 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 1993, and shall come into force on 12th July 1993.

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 to 8 below.

3. In regulation 2 of the Principal Regulations (interpretation), after the definition of “meter examiner”, there shall be added the following definition—

““modified prototype” means a prototype which was examined by a meter examiner prior to modification.”.

4.—(1) In regulation 3(1) of the Principal Regulations (prescribed standards for meters)—

(a) in sub-paragraph (c), after the words “a meter other than a diaphragm meter,” there shall be inserted the words, “where that meter is designed for a maximum rate of flow exceeding 10 cubic metres per hour,”;

(b) the following sub-paragraph shall be inserted after sub-paragraph (c)—

“(cc) in the case of a meter other than a diaphragm meter, where that meter is designed for a maximum rate of flow which does not exceed 10 cubic metres per hour, the meter, when used for the purpose of ascertaining the quantity of gas or air passing through it—

(i) at any rate of flow not less than

(1) See the definitions of “prescribed” and “regulations”.
(2) 1986 c. 44.
(3) S.I. 1983/684, amended by S.I. 1991/1471.

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of the greatest rate of flow for which it is designed and not more than the greatest rate of flow for which it is designed, will register such quantity of gas or air as does not differ from the actual quantity of gas or air passing through the meter by more than 2 per cent of that actual quantity; and

(ii) at any rate of flow less than

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of the greatest rate of flow for which it is designed and not less than

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of the greatest rate of flow for which it is designed, will register such quantity of gas or air as does not differ from the actual quantity of gas or air passing through the meter by more than 3 per cent of that actual quantity;”.

(2) In regulation 3(2) of the Principal Regulations (deemed conformity with prescribed standards), in place of “or (c) above”, there shall be substituted “(c) or (cc) above”.

5. The following regulation shall be inserted after regulation 3—

“Meters not stamped by, or on the authority of, a meter examiner

3A.—(1) For the purposes of section 17(1) of the Gas Act 1986 and subject to paragraph (2) below, a meter to which regulation 3(1)(cc) above applies which is manufactured or repaired in a member state of the European Communities other than the United Kingdom may be stamped by, or on the authority of, a person other than a meter examiner, if that person is authorised by the Secretary of State for the purposes of this regulation (“an authorised person”).

(2) An authorised person shall not stamp, or authorise the stamping of, any meter unless—

- (a) he is satisfied that it is of such pattern and construction and is marked in such manner as is approved by the Secretary of State for the purposes of this regulation; and
- (b) he has been provided with the requisite documentation relating to that meter.

(3) In this regulation, “requisite documentation” in relation to any meter means—

- (a) the examination report of an approved body that the meter which is the subject of that report conforms to the standards prescribed in regulations 3(1)(a) and 3(1)(cc) above, and
- (b) if requested by an authorised person the results of the tests on which the examination report is based.

(4) For the purposes of this regulation, a body making an examination report in respect of a meter is an “approved body” if it is the body in the member state in which the meter has been manufactured or repaired which has responsibility for the metrological control of gas volume meters or is a laboratory which has been accredited in that member state as being a body which conforms with the criteria set out in EN 45001(4).”.

6. The following regulation shall be inserted after regulation 3A—

(4) EN 45001 is a European Standard which has the status of the British Standard; it is identical with BS 7501 (ISBN 0 580 17939 7), “General criteria for the operation of testing laboratories”, published by the British Standards Institution and having effect from 31st October 1989.

“Periodic overhaul of meters

3B.—(1) Subject to paragraph (2) below, the Secretary of State may require, on approving the pattern and construction of any meter under section 17(3) of the Gas Act 1986 or for the purpose of regulation 3A(2)(a) above, that meters of the approved pattern and construction which are used for the purpose of ascertaining the quantity of gas supplied through pipes to any person shall be overhauled in a specified manner at specified intervals during the period of such use.

(2) No requirement shall be imposed under paragraph (1) above on approving the pattern and construction of a modified prototype examined by a meter examiner before the date on which these Regulations come into force.

(3) Where the Secretary of State imposes an overhaul requirement under paragraph (1) above, he shall publish a notice in the London and Edinburgh Gazettes specifying the requirement and describing the meters in respect of which it applies.

(4) The Secretary of State may at any time withdraw a requirement imposed under paragraph (1) above by publishing a notice of withdrawal in the London and Edinburgh Gazettes.”.

7. In regulation 4 of the Principal Regulations (re-examination of disputed meters)—
- (a) the word “either” shall be omitted from both paragraph (3) and paragraph (4); and
 - (b) in each of paragraphs (3), (4) and (5), after “paragraph (1)(c)”, there shall be inserted “or (cc)”.
8. The following regulations shall be inserted after regulation 4 of the Principal Regulations—

“Revocation of approval of pattern and construction

4A.—(1) The Secretary of State may, after consultation with such persons appearing to him to be interested as he thinks fit, revoke any approval of pattern and construction which was granted under section 17(3) of the Gas Act 1986 or for the purpose of regulation 3A(2)(a) above after the date on which these Regulations come into force if he considers that—

- (a) meters of the approved pattern and construction have revealed in service a defect of a general nature which makes them unsuitable for their intended use; or
- (b) meters of the approved pattern and construction can no longer be manufactured so as to comply with standards applicable under regulation 3 above.

(2) Where the Secretary of State revokes an approval of pattern and construction under paragraph (1) above—

- (a) he shall give a statement in writing of his grounds for doing so to any person appearing to him to be concerned; and
- (b) he may publish in the London and Edinburgh Gazettes a notice requiring all meters of the pattern and construction in question used for the purpose of ascertaining the quantity of gas supplied through pipes to any person to be replaced within a period of six months beginning with the date of the notice.

(3) The Secretary of State may at any time withdraw a notice under paragraph (2)(b) above by publishing a notice of withdrawal in the London and Edinburgh Gazettes.

Offences

4B.—(1) Any person who supplies gas through a meter—

- (a) which has not been overhauled in accordance with a requirement imposed under regulation 3B(1) above; or

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

(b) which has not been replaced in accordance with a requirement of a notice published under regulation 4A(2)(b) above;

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) Where the commission by any person of an offence under paragraph (1) above is due to the act or default of some other person, that other person shall be guilty of the offence; and a person may be charged with and convicted of the offence by virtue of this paragraph whether or not proceedings are taken against the first-mentioned person.

(3) In any proceedings for an offence under paragraph (1) above it shall be a defence for the person charged to prove that he took all reasonable steps and exercised all due diligence to avoid committing the offence.”.

9. Paragraph (12) of regulation 5 of the Principal Regulations (fees) shall be omitted.

16th June 1993

Tim Eggar
Minister for Energy,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Gas (Meters) Regulations 1983 (“the 1983 Regulations”).

Regulation 4 of these Regulations inserts a new regulation 3(1)(cc) into the 1983 Regulations to prescribe standards for new designs, mainly electronic-based, of domestic gas meters. The regulation also includes consequential amendments.

Regulation 5 of these Regulations inserts a new regulation 3A into the 1983 Regulations to deal with the importation of gas meters manufactured in another Member State. This provision exercises the power under section 17(1) of the Gas Act 1986 to make arrangements for meters manufactured in other Member States to be stamped by a person other than a meter examiner. The new procedure provides for mutual recognition by the United Kingdom of equivalent standards of controls and tests carried out by other Member States where they have been suitably tested by the metrological authority in that Member State or by a laboratory accredited in that Member State as conforming with the harmonised European Standard of competence (EN 45001).

Regulation 6 inserts a new regulation 3B into the 1983 Regulations to provide for the periodic overhaul of gas meters.

Regulation 7 amends regulation 4 of the 1983 Regulations (re-examination of disputed meters) to extend its provisions to new meters covered by these Regulations.

Regulation 8 inserts a new regulation 4A into the 1983 Regulations to provide for revocation of approval of pattern and construction if defects are found in meters in service or they can no longer be manufactured to approved pattern. This regulation also inserts into the 1983 Regulations a new regulation 4B which creates offences in relation to the periodic overhaul of meters (regulation 6) and the requirement to replace meters (regulation 8).