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STATUTORY INSTRUMENTS

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**1998 No. 1566**

**The Meters (Certification) Regulations 1998**

**Citation and commencement**

1. These Regulations may be cited as the Meters (Certification) Regulations 1998 and shall come into force on 1st August 1998.

**Commencement Information**

II Reg. 1 in force at 1.8.1998, see [reg. 1](#)

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Electricity Act 1989;

“approved” means approved by or under regulations made under paragraph 2 of Schedule 7 to the Act;

“authorised examiner” means a person who is authorised in accordance with regulation 5;

“authorised manufacturer” means a person who is authorised in accordance with regulation 3;

“authorised repairer” means a person who is authorised in accordance with regulation 4;

[<sup>F1</sup>“the Authority” means the Gas and Electricity Markets Authority;]

“certification period” means, in the case of a meter of a type specified in columns 1 to 6 of Schedule 4, the period stated in relation thereto in column 7 of that Schedule and, in the case of any other meter, the period of 10 years, the period beginning in each case on the date on which the meter is certified for the purpose of the Act;

“directions” means any directions issued by the Director under paragraph 6(1) of Schedule 7 to the Act;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992<sup>(1)</sup> as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(2)</sup>;

“EEA State” means a state which, at the date of the entry into force of these Regulations, is a Contracting Party to the EEA Agreement [<sup>F2</sup>, but does not include the United Kingdom];

“equivalent European provisions” has the meaning given by regulation 8;

“meter examiner” means a person appointed under paragraph 4 of Schedule 7 to the Act;

[<sup>F3</sup>“nominated laboratory” means a laboratory nominated by the Authority for the purpose of testing meters;] and

“permitted margins of error” means the margins of error referred to in regulation 7.

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(1) OJ No. L1, 3.1.94, p.1.

(2) OJ No. L1, 3.1.94, p.572.

(2) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation in or the Schedule to these Regulations bearing that number; any reference in a regulation or a Schedule to a numbered paragraph is a reference to the paragraph of that regulation or Schedule bearing that number; and any reference in a Schedule to a numbered table is a reference to the table bearing that number at the end of that Schedule.

#### Textual Amendments

- F1** Words in [reg. 2\(2\)](#) inserted (1.2.2003) by [The Electricity \(Approval of Pattern or Construction and Installation and Certification\) \(Amendment\) Regulations 2002 \(S.I. 2002/3129\)](#), [reg. 1\(1\)](#), **Sch. para. 5(2)(a)** (with [reg. 3](#))
- F2** Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), [reg. 1\(2\)](#), **Sch. para. 9(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [reg. 2\(2\)](#) inserted (1.2.2003) by [The Electricity \(Approval of Pattern or Construction and Installation and Certification\) \(Amendment\) Regulations 2002 \(S.I. 2002/3129\)](#), [reg. 1\(1\)](#), **Sch. para. 5(2)(b)** (with [reg. 3](#))

#### Commencement Information

- I2** [Reg. 2](#) in force at 1.8.1998, see [reg. 1](#)

#### Authorised manufacturer

[<sup>F4</sup>3.—(1) Any person who manufactures meters and satisfies the Authority that—

- (a) he owns or has available to him apparatus for the examination, testing and regulation of meters which complies with directions;
- (b) he operates at a manufacturing unit a quality assurance system in respect of every meter manufactured by him at that unit which conforms to the standard contained in European Standard EN ISO 9001:2000 or to any standard, technical regulation, manufacturing method or code of practice accepted in <sup>F5</sup>...EEA States conformity with which will achieve an equivalent assurance of quality; and
- (c) he would be capable of complying with the conditions set out in paragraph (7),

and, if, at the point of authorisation, paragraph (3) applies, that his proposals for audit are such as would, if implemented, meet the minimum requirements for audit set out in paragraph (4), may, upon payment of the appropriate fee, be authorised by the Authority for the purpose of these regulations for a period not exceeding three years in respect of meters manufactured by him at that unit.

(2) Any such authorisation as is mentioned in paragraph (1) may, from time to time, if the authorised person so requests and for so long as the Authority remains satisfied as to the matters described there, be renewed for a further period not exceeding three years by the Authority.

(3) This paragraph applies if the person intends to make arrangements for audit to be carried out otherwise than by the Authority.

(4) The minimum requirements for audit are:

- (a) the audit shall be carried out by a nominated laboratory or a meter examiner;
- (b) a nominated laboratory carrying out an audit shall be permitted at least the same level of access as the Authority is to be permitted under paragraph (7)(e);
- (c) in the course of any period of three months, all relevant apparatus, processes, systems and records shall be submitted to audit;

- (d) the nominated laboratory or, as the case may be, meter examiner shall make their report of each audit directly to the Authority at the same time as they report to the authorised person;
- (e) every report shall be made within 14 days of completion of the audit to which it relates.

(5) Without prejudice to other means open to the Authority to satisfy itself as to the matters contained in paragraph (1)(a) to (c), the Authority may be satisfied as to those matters on the basis of a report by a nominated laboratory which concludes that the requirements of each of sub-paragraphs (a) to (c) are met in relation to the person seeking authorisation.

Provided that the report in question is not more than three months old at the point at which the request for authorisation is made.

(6) A person to whom paragraph (3) did not apply at the point of authorisation who subsequently forms an intention to make arrangements to which that paragraph refers shall inform the Authority of his proposals in such manner as the Authority may direct.

(7) An authorisation granted by the Authority to a person who satisfies the provisions of paragraph (1) shall be subject to the following conditions—

- (a) that the authorisation shall apply only in respect of meters which have been examined, tested and regulated using the apparatus referred to in sub-paragraph (a) of paragraph (1);
- (b) that the authorised person shall operate at all times in each manufacturing unit a quality assurance system which conforms to the standard referred to in sub-paragraph (b) of paragraph (1) and shall maintain a record in permanent form of the system which he operates and of the actions taken to comply with that system in respect of the meter or meters which he intends to submit for certification in accordance with regulation 6;
- (c) that the authorised person shall secure that each meter referred to in sub-paragraph (b) of this paragraph shall be examined and tested in accordance with the provisions of Schedule 1 or one of the European provisions;
- (d) that the authorised person shall cause every meter in respect of which a certificate has been issued under regulation 7 or 9 to be so stored while it remains under his control and so packaged for delivery when it is dispatched from his control as to prevent, so far as reasonably practicable, damage which would cause it to operate in a manner which would not conform with the permitted margins of error;
- (e) that the authorised person shall permit the Authority, a meter examiner or any person acting on behalf of the Authority to have access to any manufacturing unit and to examine and test all apparatus and to inspect all records referred to in this paragraph at all reasonable times for the purpose of ensuring that the authorised person is complying with the conditions of his authorisation;
- (f) that where the authorised person has made arrangements for audit to be carried out otherwise than by the Authority and either—
  - (i) those arrangements have ceased; or
  - (ii) no audit has taken place under the arrangements for a period of three months; or
  - (iii) he proposes that the arrangements be modified in any material respectthe authorised person shall inform the Authority immediately, giving reasons in any case and, in the case of (iii), an account of the proposed modifications in such manner as the Authority may direct.
- (g) that the authorised person shall comply with directions;
- (h) that the authorised person shall promptly pay any fee payable by him in accordance with regulation 11.

(8) In the case of proposals made in pursuance of paragraph (6) or of information provided pursuant to paragraph (7)(f)(iii), the Authority shall, within 28 days of being informed of them,

notify the authorised person of its view as to whether the requirements of paragraph (4) would be met by such arrangements.

(9) An authorisation under this regulation may be terminated in accordance with paragraph (11) at any time by the Authority if in the reasonable opinion of the Authority the authorised person is in breach of any condition of his authorisation and—

- (a) the Authority has notified the authorised person of the breach;
- (b) in the case of a breach which is, in the opinion of the Authority, capable of being remedied, the authorised person has refused or failed within a reasonable time to remedy that breach after notice has been given to him by the Authority notifying of the breach; and
- (c) the period specified in paragraph (10) has expired.

(10) The period for the purposes of paragraph (9) is, as the case may be, 28 days,—

- (a) in a case to which paragraph (9)(b) applies, from the date on which the Authority notifies the authorised person of its opinion that the authorised person has refused or failed within a reasonable time to remedy the breach;
- (b) in any other case, from the date on which the Authority notified the breach.

(11) Termination of authorisation shall be effected by notice in writing by the Authority served upon the authorised person.

(12) For the purposes of this regulation and Schedule 2—

- (a) a person may be treated as having manufactured a meter notwithstanding that he has not himself manufactured every component part of that meter provided he has assembled the meter;
- (b) “assembled” includes the carrying out of repairs or modifications to a meter within a period of twelve months after the date upon which a certificate in respect of that meter was first issued under regulation 7 or 9;
- (c) “audit” means an audit of the apparatus, processes, systems (including quality assurance systems) and records available, utilised operated or maintained by the authorised person in connection with his activities as an authorised person under this regulation;
- (d) “inspection” means an inspection to ascertain compliance with any conditions of authorisation and includes any monitoring of directions issued by the Authority;
- (e) “manufacturing unit” means any premises specified to the Authority in writing (which may identify the premises by reference to a plan) at which meters are manufactured but excludes any premises which are used, otherwise than as provided for in sub-paragraph (b), for the cleaning and repair of meters which have previously been used for measuring the quantity of electricity supplied.

(13) Nothing in this regulation shall have effect so as to prevent the Authority at any time or in any case carrying out or procuring an audit or an inspection in connection with the performance of its functions under this regulation or charging the requisite fee for so doing.]

#### Textual Amendments

- F4** Reg. 3 substituted (1.2.2003) by [The Electricity \(Approval of Pattern or Construction and Installation and Certification\) \(Amendment\) Regulations 2002 \(S.I. 2002/3129\)](#), reg. 1(1), **Sch. para. 6** (with reg. 3)
- F5** Word in reg. 3(1)(b) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), reg. 1(2), **Sch. para. 9(3)**; 2020 c. 1, Sch. 5 para. 1(1)

## Authorised repairer

[<sup>F6</sup>4.—(1) Any person who repairs meters and satisfies the Authority that—

- (a) he owns or has available to him apparatus for the examination, testing and regulation of meters which complies with directions;
- (b) he operates at a repair unit a quality assurance system in respect of every meter repaired by him at that unit which conforms to the standard contained in European Standard EN ISO 9001:2000 or to any standard, technical regulation, manufacturing method or code of practice accepted in <sup>F7</sup>...EEA States conformity with which will achieve an equivalent assurance of quality; and
- (c) he would be capable of complying with the conditions set out in paragraph (7),

and, if, at the point of authorisation, paragraph (3) applies, that his proposals for audit are such as would, if implemented, meet the minimum requirements for audit set out in paragraph (4), may, upon payment of the appropriate fee, be authorised by the Authority for the purpose of these regulations for a period not exceeding three years in respect of meters repaired by him at that unit.

(2) Any such authorisation as is mentioned in paragraph (1) may, from time to time, if the authorised person so requests and for so long as the Authority remains satisfied as to the matters described there, be renewed for a further period not exceeding three years by the Authority.

(3) This paragraph applies if the person intends to make arrangements for audit to be carried out otherwise than by the Authority.

(4) The minimum requirements for audit are:

- (a) the audit shall be carried out by a nominated laboratory or a meter examiner;
- (b) a nominated laboratory carrying out an audit shall be permitted at least the same level of access as is to be permitted the Authority under paragraph (7)(f);
- (c) in the course of any period of three months, all relevant apparatus, processes, systems and records shall be submitted to audit;
- (d) the nominated laboratory or, as the case may be, meter examiner shall make their report of each audit directly to the Authority at the same time as they report to the authorised person;
- (e) every report shall be made within 14 days of completion of the audit to which it relates.

(5) Without prejudice to other means open to the Authority to satisfy itself as to the matters contained in paragraph (1)(a) to (c), the Authority may be satisfied as to those matters on the basis of a report by a nominated laboratory which concludes that the requirements of each of sub-paragraphs (a) to (c) are met in relation to the person seeking authorisation.

Provided that the report in question is not more than three months old at the point at which the request for authorisation is made.

(6) A person to whom paragraph (3) did not apply at the point of authorisation who subsequently forms an intention to make arrangements to which that paragraph refers shall inform the Authority of his proposals in such manner as the Authority may direct.

(7) An authorisation granted by the Authority to a person who satisfies the provisions of paragraph (1) shall be subject to the following conditions—

- (a) that the authorisation shall apply only in respect of meters which have been examined, tested and regulated using the apparatus referred to in sub-paragraph (a) of paragraph (1);
- (b) that the authorised person shall operate at all times in each repair unit a quality assurance system which conforms to the standard referred to in sub-paragraph (b) of paragraph (1) and shall maintain a record in permanent form of the system which he operates and of the actions taken to comply with that system in respect of the meter or meters which he intends to submit for certification in accordance with regulation 6;

- (c) that the authorised person shall cause each meter which is repaired at a repair unit to be repaired to a standard and using such materials as would reasonably be expected to enable it to operate within the permitted margins of error for not less than the certification period;
  - (d) that the authorised person shall secure that each meter referred to in sub-paragraph (b) of this paragraph shall be examined and tested in accordance with the provisions of Schedule 1 or one of the European provisions;
  - (e) that the authorised person shall cause every meter in respect of which a certificate has been issued under regulation 7 or 9 to be so stored while it remains under his control and so packaged for delivery when it is dispatched from his control as to prevent, so far as reasonably practicable, damage which would cause it to operate in a manner which would not conform with the permitted margins of error;
  - (f) that the authorised person shall permit the Authority, a meter examiner or any person acting on behalf of the Authority to have access to any manufacturing unit and to examine and test all apparatus and to inspect all records referred to in this paragraph at all reasonable times for the purpose of ensuring that the authorised person is complying with the conditions of his authorisation;
  - (g) that where the authorised person has made arrangements for audit to be carried out otherwise than by the Authority and either—
    - (i) those arrangements have ceased; or
    - (ii) no audit has taken place under the arrangements for a period of three months; or
    - (iii) he proposes that the arrangements be modified in any material respect
 the authorised person shall inform the Authority immediately, giving reasons in any case and, in the case of (iii), an account of the proposed modifications in such manner as the Authority may direct.
  - (h) that the authorised person shall comply with directions;
  - (i) that the authorised person shall promptly pay any fee payable by him in accordance with regulation 11.
- (8) In the case of proposals made in pursuance of paragraph (6) or of information provided pursuant to paragraph (7)(g)(iii), the Authority shall, within 28 days of being informed of them, notify the authorised person of its view as to whether the requirements of paragraph (4) would be met by such arrangements.
- (9) An authorisation under this regulation may be terminated in accordance with paragraph (11) at any time by the Authority if in the reasonable opinion of the Authority the authorised person is in breach of any condition of his authorisation and—
- (a) the Authority has notified the authorised person of the breach;
  - (b) in the case of a breach which is, in the opinion of the Authority, capable of being remedied, the authorised person has refused or failed within a reasonable time to remedy that breach after notice has been given to him by the Authority notifying of the breach; and
  - (c) the period specified in paragraph (10) has expired.
- (10) The period for the purposes of paragraph (9) is, as the case may be, 28 days,—
- (a) in a case to which paragraph (9)(b) applies, from the date on which the Authority notifies the authorised person of its opinion that the authorised person has refused or failed within a reasonable time to remedy the breach;
  - (b) in any other case, from the date on which the Authority notified the breach.
- (11) Termination of authorisation shall be effected by notice in writing by the Authority served upon the authorised person.

(12) For the purposes of this regulation and Schedule 2—

- “(a) “audit” means an audit of the apparatus, processes, systems (including quality assurance systems) and records available, utilised operated or maintained by the authorised person in connection with his activities as an authorised person under this regulation;
- (b) “inspection” means an inspection to ascertain compliance with any conditions of authorisation and includes any monitoring of directions issued by the Authority; and
- (c) “repair unit” means premises specified to the Authority in writing (which may identify the premises by reference to a plan) at which meters which have previously been used for measuring the quantity of electricity supplied are cleaned, repaired, tested or regulated but excluding any premises which are used for the manufacture or assembly of meters.”

(13) Nothing in this regulation shall have effect so as to prevent the Authority at any time or in any case carrying out or procuring an audit or an inspection in connection with the performance of its functions under this regulation or charging the requisite fee for so doing.]

#### Textual Amendments

- F6** Reg. 4 substituted (1.2.2003) by [The Electricity \(Approval of Pattern or Construction and Installation and Certification\) \(Amendment\) Regulations 2002 \(S.I. 2002/3129\)](#), reg. 1(1), **Sch. para. 7** (with reg. 3)
- F7** Word in reg. 4(1)(b) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), reg. 1(2), **Sch. para. 9(4)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Authorised examiner

[<sup>F8</sup>5.—(1) If the Authority is satisfied that a person is competent to carry out the functions contained in or referred to in regulation 7, the Authority may authorise that person to be an examiner for the purpose of the Act.

(2) An authorisation under paragraph (1) may be general or may be limited to one or more descriptions of meters, according to the Authority’s determination of the competence of the person authorised and once given may be modified in the light of further evidence of competence.

(3) An authorisation granted by the Authority under paragraph (1) shall be subject to the following conditions:—

- (a) that the authorised examiner shall only certify meters in the following circumstances—
  - (i) if he is employed by an electricity supplier and a meter is submitted to him for certification by that supplier;
  - (ii) if he is employed by an authorised manufacturer or authorised repairer and a meter has been manufactured by, or, as the case may be, repaired by, and is submitted to him for certification by, that manufacturer or repairer;
  - (iii) if he is employed by a nominated laboratory, and a meter is submitted for certification to the nominated laboratory;
- (b) in the case of an authorised examiner whose authorisation is limited pursuant to paragraph (2), that he shall not certify any meter not falling within the description of meters for which he has been authorised.
- (c) that he shall not certify any meter which he has wholly or partly manufactured or repaired or one which he has examined, tested or regulated in any capacity other than that of authorised examiner;

- (d) that, where regulation 9 applies, he shall examine and test not less than the number of meters selected in accordance with a sampling procedure determined by the Authority having regard to national or international sampling procedures or plans;
  - (e) that he shall send to the Authority not more than seven days after the expiry of each month a report stating the number of meters which have been submitted to him in accordance with regulation 6 and the number of meters in respect of which a certificate has been issued under regulation 7 or 9 during the preceding month;
  - (f) that he shall retain a copy of each certificate issued by him for a period of not less than one year from the date of issue and shall produce the copy to the Authority if requested to do so;
  - (g) that he shall take all reasonable steps to maintain his competence to carry out the functions in respect of which he has been authorised;
  - (h) that he shall exercise proper care and attention at all times in performing his functions under regulation 7 or 9.
- (4) An authorisation granted by the Authority under this regulation may be terminated in accordance with paragraphs (9) to (11) at any time by the Authority if in the reasonable opinion of the Authority any of the circumstances of paragraphs (5) to (7) applies in his case.
- (5) The authorised examiner is in breach of any condition of his authorisation and—
- (a) the Authority has notified the authorised examiner of the breach;
  - (b) in the case of a breach which is, in the opinion of the Authority, capable of being remedied, the authorised person has refused or failed within a reasonable time to remedy that breach after notice has been given to him by the Authority notifying of the breach; and
  - (c) the period specified in paragraph (8) has expired.
- (6) In the reasonably held opinion of the Authority the authorised examiner is no longer competent to carry out the functions for which he has been authorised.
- (7) The authorised examiner has not, for a period of one year performed the functions for which he has been authorised and there is no reason to believe that he will do so within the next following period of 3 months.
- (8) The period for the purposes of paragraph (5) is, as the case may be, 28 days,—
- (a) in a case to which paragraph (5)(b) applies, from the date on which the Authority notifies the authorised examiner of its opinion that the authorised examiner has refused or failed within a reasonable time to remedy the breach;
  - (b) in any other case, from the date on which the Authority notified the breach.
- (9) Termination of authorisation shall be effected by notice in writing by the Authority served upon the authorised examiner.
- (10) The Authority shall not terminate an authorisation in the circumstances of paragraph (6) or (7) until it has served notice on the authorised examiner of its intention and the ground on which it proposes to act and provided him with a reasonable opportunity to be heard, and in any event until a period of 28 days has expired since the service of the notice.
- (11) The Authority shall take account of all representations received before exercising the power of termination.]

#### Textual Amendments

- F8** Reg. 5 substituted (1.2.2003) by [The Electricity \(Approval of Pattern or Construction and Installation and Certification\) \(Amendment\) Regulations 2002 \(S.I. 2002/3129\)](#), reg. 1(1), **Sch. para. 8** (with reg. 3)



## Application for certification

6.—<sup>F9</sup>(1) A person who requires a meter to be certified for the purposes of the Act may submit the meter to an authorised examiner who is authorised to certify a meter of that description, to a nominated laboratory or to a meter examiner.]

<sup>F10</sup>(1A) A nominated laboratory to which a meter is submitted under paragraph (1) shall direct either—

- (a) a meter examiner; or
- (b) an authorised examiner

who is in the employ of the laboratory to carry out the procedures provided for under regulations 7 and 9; and those regulations and regulation 8 shall apply as if the meter in question had been submitted to the meter examiner or the authorised examiner so directed.]

(2) Each meter which is submitted for certification in accordance with regulation 9 shall be accompanied by a report verified and signed by the person in charge of manufacture or repair, as the case may be, or by a person nominated by him.

(3) A report for the purpose of paragraph (2) shall contain the statements and information specified in Schedule 2 including, where that meter is designed to operate with a transformer, the statements and information relating to the transformer.

### Textual Amendments

**F9** Reg. 6(1) substituted (1.2.2003) by The Electricity (Approval of Pattern or Construction and Installation and Certification) (Amendment) Regulations 2002 (S.I. 2002/3129), reg. 1(1), **Sch. para. 9(2)** (with reg. 3)

**F10** Reg. 6(1A) inserted (1.2.2003) by The Electricity (Approval of Pattern or Construction and Installation and Certification) (Amendment) Regulations 2002 (S.I. 2002/3129), reg. 1(1), **Sch. para. 9(3)** (with reg. 3)

### Commencement Information

**I3** Reg. 6 in force at 1.8.1998, see **reg. 1**

## Procedure for certification

7.—(1) Subject to regulation 9, a meter which is submitted to a meter examiner or an authorised examiner shall not be certified by him unless, in addition to being satisfied as required by paragraph 5(2)(a) of Schedule 7 to the Act that the meter is of an approved pattern or construction, he is satisfied—

- (a) either that the meter has been tested in accordance with the provisions of Schedule 3, conforms to the standards described in that Schedule and can reasonably be expected to operate within the permitted margins of error for not less than the certification period, or that it has been tested in accordance with and conforms to one of the equivalent European provisions; and
- (b) that it has been sealed in accordance with directions.

(2) The permitted margins of error shall be an error not exceeding plus 2.5 per cent. or minus 3.5 per cent. at any load at which the meter is designed to operate.

(3) Where the examiner is satisfied that a meter complies with paragraph (1), he shall issue a certificate of compliance specifying the serial number of the meter, and thereupon that meter shall be a meter certified for the purpose of the Act.

(4) Each certificate under paragraph (3) shall be numbered in the sequence in which it is issued.

### Commencement Information

**I4** Reg. 7 in force at 1.8.1998, see [reg. 1](#)

### Equivalent European provisions

**8.**—(1) Equivalent European provisions are—

- (a) the provisions as to verification in Council Directive [76/891/EEC\(3\)](#) as amended by Commission Directive No.[82/621/EEC\(4\)](#) and Protocol 1 and Part IX of Annex II to the EEA Agreement;
- (b) European Standard EN 61036:1996(5); and
- (c) any standard, technical regulation, manufacturing method or code of practice accepted by <sup>F11</sup>... EEA States conformity with which will ensure a level of precision, security, safety, durability and fitness for purpose equivalent to that assured by conformity to Schedule 3.

(2) A meter examiner or an authorised examiner to whom a meter has been submitted under regulation 6 shall take into account the results of the tests carried out by the bodies and laboratories of <sup>F12</sup>... EEA States where such bodies and laboratories conform with European Standard EN 45001:1989(6).

### Textual Amendments

**F11** Word in [reg. 8\(1\)\(c\)](#) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), [reg. 1\(2\)](#), [Sch. para. 9\(5\)](#); 2020 c. 1, Sch. 5 para. 1(1)

**F12** Word in [reg. 8\(2\)](#) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), [reg. 1\(2\)](#), [Sch. para. 9\(5\)](#); 2020 c. 1, Sch. 5 para. 1(1)

### Commencement Information

**I5** Reg. 8 in force at 1.8.1998, see [reg. 1](#)

### Batch certification

**9.** Where—

- (1) a number of meters have been submitted to a meter examiner or an authorised examiner at the same time by the same person;
- (2) that person is a public electricity supplier, an authorised manufacturer or an authorised repairer;
- (3) each meter is of an approved pattern or construction and is accompanied by the report referred to in regulation 6(2); and
- (4) the examiner has examined and tested a sufficient number of the meters to satisfy himself that it provides a reasonable test of all of them,

(3) OJ No. L336, 4.12.76, p.30.

(4) OJ No. L252, 27.8.82, p.1.

(5) EN 61036:1996, which has the status of a British Standard, is a European Standard entitled “Alternating current static watt-hour meters for active energy (classes 1 and 2)” and is published by the British Standards Institution.

(6) EN 45001:1989, which has the status of a British Standard, is a European Standard entitled “General criteria for the operation of testing laboratories” and is published by the British Standards Institution.

he may issue a certificate in respect of all the meters so submitted to him specifying or identifying the serial number of each meter and including all the information contained in the report submitted under regulation 6(2) and thereupon each of those meters shall be a meter certified for the purpose of the Act.

**Commencement Information**

**I6** [Reg. 9](#) in force at 1.8.1998, see [reg. 1](#)

**Duration of certification**

**10.** A meter certified or deemed to be certified for the purpose of the Act shall cease to be so certified or deemed to be so certified—

- (1) if the approval of the pattern or construction of the meter is revoked;
- (2) if it is or becomes installed in a manner which is not an approved manner of installation;
- (3) if any alteration is made to the meter;
- (4) if the meter ceases to operate within the permitted margins of error;
- (5) subject to paragraph (6), at the expiry of its certification period; or
- (6) if the meter is of a type specified in columns 1 to 6 of Schedule 4 and is immediately before the coming into force of these Regulations certified for the purpose of the Act and the effect of paragraph (5) would be to cause the meter to cease to be certified sooner than if these Regulations had not been made, on the expiration of two years from the coming into force of these Regulations or at the expiry of the certification period, whichever is the later.

**Modifications etc. (not altering text)**

**C1** [Reg. 10](#) excluded (28.12.2016) by [The Measuring Instruments Regulations 2016 \(S.I. 2016/1153\)](#), [reg. 1\(2\)](#), [Sch. 3 para. 6\(5\)\(a\)](#) (with [regs. 3\(4\)](#), [5](#), [67\(5\)](#))

**Commencement Information**

**I7** [Reg. 10](#) in force at 1.8.1998, see [reg. 1](#)

**Fees**

<sup>F13</sup>**11.**—(1) The fee payable to the Authority for the examination testing and certification of meters—

- (a) by a meter examiner who is a member of the Authority’s staff, or
- (b) by a meter examiner, not a member of the Authority’s staff, who has been instructed by the Authority, whether directly or indirectly by instruction given to the meter examiner’s employer, to examine and test meters submitted for certification,

shall be calculated in accordance with paragraph (3).

(2) The fees payable to the Authority in respect of authorisation pursuant to regulation 3 or 4 shall be calculated in accordance with paragraphs (4) and (5).

(3) The fee referred to in paragraph (1) shall be an amount equal to the aggregate of:—

- (a) in the case of a meter examiner who is a member of the authority’s staff,

- (i) a sum calculated at the rate of £45 per hour for all time that the meter examiner spent examining or testing or procuring the testing of the meter, including any time spent attending at any test carried out by another; plus
  - (ii) any reasonable expenses, including incidental expenses, of the meter examiner in travelling to and from premises other than those of the Authority for the purpose of attending at any test carried out by another; plus
- (b) a sum equal to the costs incurred by the Authority (other than the cost of employing the meter examiner referred to in sub-paragraph (a)) attributable to procuring from any person the provision of premises, equipment or personnel (including a meter examiner) for the purpose of examining or carrying out any test on the meter.
- (4) The fee for an authorisation under regulation 3(1) or 4(1) shall be an amount equal to the costs incurred by the Authority in determining whether it is satisfied as to the matters referred to in paragraphs 3(1)(a) to (c) and 4(1)(a) to (c), including the cost to the Authority of obtaining a report from a nominated laboratory in respect of the matters referred to in paragraphs 3(1)(a) to (c) and 4(1)(a) to (c).
- (5) The fee for an audit or an inspection carried out by or procured by the Authority shall be:
- (a) in the case of an audit or inspection carried out by a member or members of the Authority's staff, £110 per person per hour.
  - (b) in the case of an audit or inspection procured by the Authority, a sum equal to the costs incurred by the Authority attributable to obtaining the audit or inspection.
- (6) For the purpose of calculation under paragraphs (3) and (5) any part of an hour exceeding 30 minutes shall be charged as an hour.]

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#### Textual Amendments

- F13** Reg. 11 substituted (1.2.2003) by The Electricity (Approval of Pattern or Construction and Installation and Certification) (Amendment) Regulations 2002 (S.I. 2002/3129), reg. 1(1), **Sch. para. 10** (with reg. 3)

#### Revocation

**12.** The Meters (Certification) Order 1987(7) and the Meters (Certification) Regulations 1990(8) are revoked.

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#### Commencement Information

- I8** Reg. 12 in force at 1.8.1998, see **reg. 1**

*S. C. Littlechild,*  
Director General of Electricity Supply

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(7) S.I. 1987/730  
(8) S.I. 1990/792

I consent

*John Battle,*  
Minister for Science, Energy and Industry,  
Department of Trade and Industry

**Changes to legislation:**

There are currently no known outstanding effects for the The Meters (Certification) Regulations 1998.