
STATUTORY INSTRUMENTS

2006 No. 1268

The Measuring Instruments (Cold-water Meters) Regulations 2006

PART II

PLACING ON THE MARKET AND PUTTING INTO USE OF COLD-WATER METERS

Designation of United Kingdom notified bodies

7.—(1) The Secretary of State may, on the application of a person, designate that person to be a United Kingdom notified body.

(2) The Secretary of State shall not make a designation under paragraph (1) unless he is satisfied that the person meets the notified body criteria.

(3) A person who meets the criteria laid down in a national standard shall be presumed to meet that part of the notified body criteria which corresponds to the criteria in the national standard.

(4) A designation under paragraph (1)—

- (a) shall be in writing;
- (b) may be made subject to such conditions as may be specified in the designation, which may include conditions which—
 - (i) are to apply upon or following termination of the designation;
 - (ii) require the use of test equipment for the purpose of conformity assessment appropriate to the cold-water meter being assessed; and
 - (iii) limit the description of any cold-water meter for which the person is designated;
- (c) subject to regulation 10, may last for such period as may be specified in the designation;
- (d) shall specify the conformity assessment procedures and specific tasks (which may be framed by reference to any circumstances) which the person has been designated to carry out; and
- (e) may include a requirement to publish from time to time the scale of fees which the person charges pursuant to regulation 11 or such information about the basis of calculation of such fees as may be specified.

(5) In exercising the power conferred on him by paragraph (1), the Secretary of State may (in addition to the matters of which he is required to satisfy himself pursuant to paragraph (2)) have regard to any matter appearing to him to be relevant.

(6) For the purposes of paragraph (3), “national standard” means a standard applicable to the designation of notified bodies—

- (a) implementing a harmonised standard that has been published in the Official Journal of the European Union; and
- (b) the reference of which is published—

- (i) in the United Kingdom by the Secretary of State; or
- (ii) in another member State by the competent authority pursuant to Article 11.2.