
STATUTORY INSTRUMENTS

2006 No. 1679

**The Measuring Instruments (Active
Electrical Energy Meters) Regulations 2006**

PART 4

MISCELLANEOUS AND SUPPLEMENTAL

Adaptation for Northern Ireland

24. In their application to Northern Ireland, these Regulations shall have effect subject to Schedule 5.

GEMA's power to act on behalf of Northern Ireland Regulator

25. GEMA and NIAER shall be entitled—

- (a) to enter into arrangements for GEMA to act on behalf of NIAER for, or in connection with, the carrying out of some or all of the functions conferred on NIAER by these Regulations; and
- (b) to give effect to those arrangements.

Service of documents

26.—(1) Any document required or authorised by these Regulations to be served on a person may be so served—

- (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address;
- (b) if the person is a body corporate, by serving it in accordance with sub-paragraph (a) on the secretary or clerk of that body corporate; or
- (c) if the person is a partnership, by serving it in accordance with that sub-paragraph on a partner or on a person having control or management of the partnership business.

(2) For the purposes of paragraph (1), and for the purposes of section 7 of the Interpretation Act 1978(1) (which relates to the service of documents by post) in its application to that paragraph, the proper address of any person on whom a document is to be served by virtue of these Regulations shall be his last known address except that—

- (a) in the case of service on a body corporate or its secretary or clerk, it shall be the address of the registered or principal office of the body corporate; and
- (b) in the case of service on a partnership or a partner or a person having the control or management of a partnership business, it shall be the principal office of the partnership,

and for the purposes of this paragraph the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

Savings for certain privileges

27.—(1) Nothing in these Regulations shall be taken as requiring a person to produce any documents or records if he would be entitled to refuse to produce those documents or records in any proceedings in any court on the grounds that they are the subject of legal professional privilege or, in Scotland, that they contain a confidential communication made by or to an advocate or solicitor in that capacity, or as authorising a person to take possession of any documents or records which are in the possession of a person who would be so entitled.

(2) Nothing in these Regulations shall be construed as requiring a person to answer any question or give any information if to do so would incriminate that person or that person's spouse or civil partner.

(3) Subsection (1) of section 14 of the Civil Evidence Act 1968⁽²⁾ (which relates to the privilege against self-incrimination) shall apply to the right conferred by paragraph (2) as it applies to the right described in subsection (1) of that section; but this paragraph does not extend to Scotland.

Consequential modifications of enactments: Great Britain

28.—(1) Schedule 7 to the Electricity Act 1989⁽³⁾ (use etc. of electricity meters) shall have effect in its application to a meter which is a relevant instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations, it shall, for the purpose of paragraphs 2(1)(a), 3(1)(a) and 9(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules shall apply—

- (a) for the purposes of paragraphs 2(1)(b) and 3(1)(b), the meter shall be deemed to be certified under paragraph 5;
- (b) for the purpose of the application of paragraphs 7(1)(c) and (2) and 9(3) and (4), “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 15 of Schedule 1 to these Regulations.

(3) Paragraphs 5(2)(a) and 7(1)(b) of Schedule 7 must be disregarded.

(4) Paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 15 of Schedule 1 to these Regulations.

(5) If a meter which is a relevant instrument is put into use within the meaning of and in accordance with these Regulations—

- (a) regulation 10 of the Meters (Certification) Regulations 1998⁽⁴⁾; and
- (b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations 1998⁽⁵⁾,

shall not apply to the meter.

(2) 1968 c. 64.

(3) 1989 c. 29.

(4) S.I. 1998/1566.

(5) S.I. 1998/1565.

Consequential modifications of enactments: Northern Ireland

29.—(1) Schedule 7 to the Electricity (Northern Ireland) Order 1992⁽⁶⁾ (use etc. of electricity meters) shall have effect in its application to a meter which is a relevant instrument subject to paragraphs (2) to (4) below.

(2) If the meter is put into use within the meaning of and in accordance with these Regulations, it shall, for the purpose of paragraphs 3(1)(a), 4(1)(a) and 10(3) of the Schedule, be deemed to be of an approved pattern or construction and installed in an approved manner; and the following rules shall apply—

(a) for the purposes of paragraphs 3(1)(b) and 4(1)(b), the meter shall be deemed to be certified under paragraph 6; and

(b) for the purpose of the application of paragraphs 8(1)(c) and (2) and 10(3) and (4), “prescribed margins of error” shall mean the maximum permissible error as set out in paragraph 15 of Schedule 1 to these Regulations.

(3) Paragraphs 6(2)(a) and 8(1)(b) of Schedule 7 must be disregarded.

(4) Paragraph (2)(a) above does not apply if the error of measurement of the meter exceeds the maximum permissible error as set out in paragraph 15 of Schedule 1 to these Regulations.

(5) If a meter which is a relevant instrument is put into use within the meaning of and in accordance with these Regulations—

(a) regulation 10 of the Meters (Certification) Regulations (Northern Ireland) 1998⁽⁷⁾; and

(b) regulation 3 of the Meters (Approval of Pattern or Construction and Manner of Installation) Regulations (Northern Ireland) 1998⁽⁸⁾,

shall not apply to the meter.

⁽⁶⁾ S.I. 1992 No. 231 (N.I. 1).

⁽⁷⁾ S.R.N.I. 1998 No. 444.

⁽⁸⁾ S.R.N.I. 1998 No. 443.