STATUTORY RULES OF NORTHERN IRELAND

1999 No. 444

ELECTRICITY

Meters (Certification) Regulations (Northern Ireland) 1998

Made - - - -	*15th December 1999*
Coming into operation	*1st February 1999*

The Director General of Electricity Supply for Northern Ireland, in exercise of the powers conferred on him by Articles 34 and 64 of, and paragraph 6 of Schedule 7 to, the Electricity (Northern Ireland) Order 1992(**1**), and of every other power enabling him in that behalf, and with the consent of the Department of Economic Development in accordance with Article 2(2) of that Order, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Meters (Certification) Regulations (Northern Ireland) 1998 and shall come into operation on 1st February 1999.

Interpretation

2. In these Regulations—

"approved" means approved by or under Regulations made under paragraph 3 of Schedule 7 to the Order;

"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;

"certification period" means, in the case of a meter of a type specified in columns 1 to 6 (inclusive) 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 Order;

"directions" means any directions issued by the Director under paragraph 7(1) of Schedule 7 to the Order;

"EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992(**2**) as adjusted by the Protocol signed at Brussels on 17th March 1993(**3**).

(**1**) S.I. 1992/231 (N.I. 1)
(**2**) O.J. No. L1, 3.1.94, p. 3
(**3**) O.J. No. L1, 3.1.94, p. 572

"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;

"equivalent European provisions" has the meaning given by regulation 8;

"meter examiner" means a person appointed under paragraph 5 of Schedule 7 to the Order;

"the Order" means the Electricity (Northern Ireland) Order 1992; and

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

Authorised manufacturer

3.—(1) Subject to paragraph (3) any person who manufactures meters and satisfies the Director 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(**4**), or to any standard, technical regulation, manufacturing method or code of practice accepted in other 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 (2),

may be authorised by the Director for the purpose of these Regulations in respect of meters manufactured by him at that manufacturing unit for a period not exceeding three years but so that any authorisation may be renewed from time to time.

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

(a) that the authorisation will only apply 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 will operate at all times at each manufacturing unit a quality assurance system which conforms to the standard referred to in sub-paragraph (*b*) of paragraph (1) and will 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*) shall be examined and tested in accordance with the provisions of Schedule 1 or one of the equivalent 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 to be 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 will permit the Director or any persons duly authorised by him 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; and

(f) that the authorised person will comply with directions.

(**4**) EN ISO 9001 is a European Standard entitled "Quality systems. Model for quality assurance in design, development, production, installation and servicing" which has been adopted in the United Kingdom as BS EN ISO 9001 and is published by the British Standards Institution (ISBN 0 580 23439 8) and was effective from 15th July 1994

(3) An authorisation under this regulation may be terminated at any time by the Director upon giving not less than 28 days' notice to the authorised person if he is in breach of any condition of his authorisation and (in the case of a breach which is capable of being remedied) has failed to remedy that breach as soon as reasonably practicable after notice has been given to him by the Director specifying the breach.

(4) For the purpose of this regulation and Schedule 2—

(a) a person shall be treated as manufacturing a meter if he has caused the meter to be assembled so as to comply with the conditions of his authorisation but has not himself manufactured every component part of 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; and

(c) "manufacturing unit" means premises specified to the Director in writing (which may identify the premises by reference to a plan) at which meters are manufactured but excludes any premises or that part of any premises which are used, otherwise than as provided in sub-paragraph (*b*), for the cleaning and repair of meters which have previously been used for measuring the quantity of electricity supplied.

Authorised repairer

4.—(1) Subject to paragraph (3) any person who repairs meters and satisfies the Director 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 EuropeanStandard EN ISO 9002(**5**), or to any standard, technical regulation, manufacturing method or code of practice accepted in any EEA State 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 (2), may be authorised by the Director for the purpose of these Regulations in respect of meters repaired by him at that repair unit for a period not exceeding three years but so that any authorisation may be renewed from time to time.

(2) Any authorisation granted by the Director to a person who satisfies the provisions of paragraph (1) shall be subject to the following conditions—

(a) that the authorisation will only apply 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 will operate at all times at each repair unit a quality assurance system which conforms to the standard referred to in sub-paragraph (*b*) of paragraph (1) and will 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 will 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;

(**5**) EN ISO 9002 is a European Standard entitled "Quality systems. Model for quality assurance in production, installation and servicing" which has been adopted in the United Kingdom as BS EN ISO 9002 and is published by the British Standards Institution (ISBN 0 580 23440 1) and was effective from 1st July 1994

(d) that the authorised person shall secure that each meter referred to in sub-paragraph (*b*) shall be examined and tested in accordance with the provisions of Schedule 1 or one of the equivalent 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 to be 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 will permit the Director or any person duly authorised by him to have access to any repair 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; and

(g) that the authorised person will comply with directions.

(3) An authorisation under this regulation may be terminated at any time by the Director upon giving not less that 28 days' notice to the authorised person if he is in breach of any condition of his authorisation and (in the case of a breach which is capable of being remedied) has failed to remedy that breach as soon as reasonably practicable after notice has been given to him by the Director specifying the breach.

(4) For the purpose of this regulation and Schedule 2 "repair unit" means premises specified to the Director 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 or that part of any premises which are used for the manufacture or assembly of meters.

Authorised examiner

5.—(1) A public electricity supplier, an authorised manufacturer or an authorised repairer may nominate a competent person for the purpose of this regulation.

(2) If the Director is satisfied that a person nominated under paragraph (1) is competent to carry out the functions contained or referred to in regulation 7 the Director may authorise that person to be an examiner for the purpose of certifying meters for the purpose of the Order.

(3) Subject to paragraphs (6) and (7), an authorisation under paragraph (2) shall be granted for a period of 3 years but so that any such authorisation may be renewed from time to time.

(4) A person authorised to be an examiner shall not be authorised to examine any meter which he has (wholly or partly) manufactured or repaired, or one which he has examined, tested or regulated in a capacity other than that of an examiner authorised under paragraph (2).

(5) An authorisation granted by the Director to a person who satisfies the provisions of paragraph (2) shall be subject to the following conditions—

(a) that the authorisation will only apply in respect of meters which have been manufactured or repaired (as the case may be) by the person by whom he was nominated under paragraph (1);

(b) that, where regulation 9 applies, he will examine and test not less than the number of meters selected in accordance with a sampling procedure determined by the Director having regard to national or international sampling procedures or plans;

(c) that he will send to the Director 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; and

(d) that he will retain a copy of each certificate issued by him for a period of not less than one year from the date of issue and will produce the copy to the Director if requested to do so.

(6) An authorisation under this regulation may be terminated at any time by the Director upon giving not less than 28 days' notice to the authorised person if—

(a) he is in breach of any condition of his authorisation and (in the case of a breach which is capable of being remedied) has failed to remedy that breach as soon as reasonably practicable after notice has been given to him by the Director specifying the breach;

(b) he fails to exercise proper care and attention in performing his functions under regulation 7 or 9; or

(c) he is unable (otherwise than temporarily) to perform his functions under regulation 7 or 9.

(7) Where—

(a) a person nominated under paragraph (1) and authorised under paragraph (2) is temporarily unable for any reason to act as an authorised examiner; and

(b) the person by whom he was nominated has nominated another person under paragraph (1) who has been authorised under paragraph (2); and

(c) the person referred to in sub-paragraph (a) of this paragraph is again able to act as an authorised examiner,

the Director may give not less than 28 days in writing to the authorised person referred to in sub-paragraph (*b*) of this paragraph terminating his authorisation.

Application for certification

6.—(1) A person who requires a meter to be certified for the purposes of the Order may submit the meter to an authorised examiner who is authorised to certify a meter submitted by that person, or to a meter examiner.

(2) Each meter which is submitted for certification pursuant to regulation 9 shall be accompanied by a report signed by an authorised manufacturer, an authorised repairer or a public electricity supplier.

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

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 6(2)(*a*) of Schedule 7 to the Order 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 2.5 per centum plus or 3.5 per centum minus at any load at which the meter is designed to operate.