



STATUTORY INSTRUMENTS.

**S.I. No. 543 of 2010**

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LEGAL METROLOGY (EUROPEAN CONFORMITY ASSESSMENT OF  
MEASURING INSTRUMENTS) (AMENDMENT) REGULATIONS 2010

**(Prn. A10/1701)**

## LEGAL METROLOGY (EUROPEAN CONFORMITY ASSESSMENT OF MEASURING INSTRUMENTS) (AMENDMENT) REGULATIONS 2010

I, BATT O'KEEFFE, Minister for Enterprise, Trade and Innovation, in exercise of the powers conferred on me by section 3(1) of the Metrology Act 1996 (No. 27 of 1996) (as adapted by the Enterprise, Trade and Employment (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 185 of 2010)) and for the purpose of giving effect to Commission Directive 2009/137/EC of 10 November 2009<sup>1</sup> amending Directive 2004/22/EC of the European Parliament and of the Council of 31 March 2004<sup>2</sup> on measuring instruments, hereby make the following Regulations—

1. These Regulations may be cited as the Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2010.

2. These Regulations shall come into operation on 1 June 2011.

3. The Legal Metrology (European Conformity Assessment of Measuring Instruments) Regulations 2007 (S.I. No. 160 of 2007) are amended—

(a) in Regulation 2, by substituting the following for the definition of “the Directive”:

“ “the Directive” means Directive 2004/22/EC of the European Parliament and of the Council of 31 March 2004<sup>2</sup> on measuring instruments as amended by Commission Directive 2009/137/EC of 10 November 2009<sup>1</sup>;”;

(b) in Schedule MI-001, by inserting the following paragraph after paragraph 6:

“6a. The meter shall not exploit the MPE or systematically favour any party.”;

(c) in Schedule MI-002—

(i) in Part I, in Table 1, by substituting the following for “When the errors between  $Q_t$  and  $Q_{max}$  all have the same sign, they shall all not exceed 1% for class 1.5 and 0.5% for Class 1.0.”:

“The gas meter shall not exploit the MPEs or systematically favour any party.”;

<sup>1</sup>OJ L 294, 11.11.2009, p.7.

<sup>2</sup>OJ L 135, 30.4.2004, p.1.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 19th November, 2010.*

- (ii) in Part II, by inserting the following in paragraph 8 after “*Note*: The error of the gas meter is not taken into account.”:

“The volume conversion device shall not exploit the MPEs or systematically favour any party.”;

- (d) in Schedule MI-003, by inserting the following at the end of paragraph 3 after “When a meter operates in different temperature ranges the relevant MPE values shall apply.”:

“The meter shall not exploit the MPEs or systematically favour any party.”;

- (e) in Schedule MI-005, by inserting the following paragraph after paragraph 2.7:

“2.8. The measuring system shall not exploit the MPEs or systematically favour any party.”.



GIVEN under my Official Seal,  
16 November 2010.

BATT O’KEEFFE,  
Minister for Enterprise, Trade and Innovation.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation).*

These Regulations are made to give effect to Commission Directive 2009/137/EC of 10 November 2009 amending Directive 2004/22/EC of the European Parliament and of the Council on measuring instruments.

The changes provide for conformity assessment procedures to take account of the protection of parties against the exploitation of unduly biased errors inside the allowed range of measurement tolerances for the following measuring instruments:

- Cold water meters
- Gas meters and volume conversion devices
- Active electrical energy meters
- Measuring systems for liquid fuel (other than liquefied gases)
- Measuring systems for milk

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