An Bille um Méadreolaíocht Dlí (Uirlisí Tomhais), 2017
Legal Metrology (Measuring Instruments) Bill 2017

Meabhrán Mínitheach
Explanatory Memorandum

AN BILLE UM MÉADREOLAÍOCHT DLÍ (UIRLISÍ TOMHAIS), 2017

LEGAL METROLOGY (MEASURING INSTRUMENTS) BILL 2017

EXPLANATORY MEMORANDUM

Background

This Technical Bill is required to transpose Articles 1 and 3 of Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of Measuring Instruments (recast).

The Attorney General's Office has advised the Office of the Parliamentary Counsel to the Government (OPC) and the Department of Jobs, Enterprise and Innovation that:

- The optional provisions in Articles 1 and 3 must be transposed separately through primary legislation by means of a stand-alone Technical Bill.
- A Schedule is attached to the Bill, setting out the categories of measuring instruments and prescribed uses to which the Directive will apply.
- The other Articles of Directive 2014/32/EU can however, be transposed by way of a Ministerial Statutory Instrument (S.I.) by making Regulations under Section 3 of the European Communities Act 1972.
- The Bill and the S.I. should both come into effect on the same date.

Title of the Bill

The purpose of the Bill is to give further effect to Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast); and to provide for related matters.

Sections in the Bill

The Bill has four Sections.

Section 1 – deals with *Interpretation* and sets out the Definitions contained in the Bill.

Section 2 – deals with *Expenses*.

The Bill provides that the expenses incurred by the Minister for Jobs, Enterprise and Innovation in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Public Expenditure and Reform, be paid out of monies provided by the Oireachtas. This is a standard provision in Government Bills.

Section 3 – deals with the *Use of measuring instrument*.

The use of a measuring instrument specified in *column 1* of the *Schedule* is, for the purposes of Article 3(1) of the Directive, prescribed for the measuring task specified in *column 2* of the *Schedule* when used for the purpose specified in *column 3* of the *Schedule.*

For all these instruments, the requirements of the Directive (2014/32/EC) apply for the putting into use for the purpose of trade, except for exhaust gas analysers which is for the purpose of protecting the environment.

Section 4 – provides for *the Short title and commencement* of the Bill.

(1) The Act may be cited as the Legal Metrology (Measuring Instruments) Act 2017.

(2) The Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

An Roinn Post, Fiontar agus Nuálaíochta,
Meitheamh, 2017.

Wt. —. 330. 6/17. Essentra. (66709). Gr. 30-15.