



National Measurement Amendment (Fee Indexation) Regulation 2015

Select Legislative Instrument No. 35, 2015

I, the Honourable Alex Chernov AC QC, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 26 March 2015

Alex Chernov
Administrator

By His Excellency's Command

Ian Macfarlane
Minister for Industry and Science

OPC60623 - C

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1 Name

This is the *National Measurement Amendment (Fee Indexation) Regulation 2015*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under the *National Measurement Act 1960*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

National Measurement Regulations 1999

1 Regulation 90B

Repeal the regulation, substitute:

90B Fees

For subsection 19A(8) of the Act, and subject to regulation 90C, the fees for activities undertaken by the Chief Metrologist (or a delegate of the Chief Metrologist) in respect of the examination and certification of patterns of measuring instruments are set out in Schedule 13.

90C Indexation of fees

- (1) At the start of each financial year (an *indexation year*) after the financial year beginning on 1 July 2014, a dollar amount mentioned in Schedule 13 is replaced by the amount worked out using the formula:

$$\text{Indexation factor for the indexation year} \times \text{Dollar amount for the previous year}$$

- (2) In subsection (1), a *dollar amount* includes:
- (a) the amount of a fee; and
 - (b) a component of a fee expressed as an hourly rate.
- (3) The *indexation factor* for an indexation year is the number worked out using the following formula:

$$\frac{\text{Index number for the reference quarter}}{\text{Index number for the base quarter}}$$

where:

base quarter means the last March quarter before the reference quarter.

index number for a quarter, means the All Groups Consumer Price Index number (being the weighted average of the 8 capital cities) published by the Australian Statistician for that quarter.

reference quarter means the March quarter in the last year before the indexation year.

- (4) An indexation factor is to be calculated to 3 decimal places (rounding up if the fourth decimal place is 5 or more).
- (5) An indexation factor that is less than 1 is to be increased to 1.
- (6) Amounts worked out under subregulation (1) are to be rounded to the nearest whole dollar (rounding 50 cents upwards).
- (7) Calculations under subregulation (3):
 - (a) are to be made using only the index numbers published in terms of the most recently published index reference period; and
 - (b) are to be made disregarding index numbers that are published in substitution for previously published index numbers (except where the substituted numbers are published to take account of changes in the index reference period).

2 Schedule 13

Repeal the Schedule, substitute:

Schedule 13—Fees

Note: See regulation 90B.

Part 1—Examination and certification of patterns of volume measuring instruments

1 Fees for activities undertaken in respect of examination and certification of patterns of volume measuring instruments

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of volume measuring instruments.

Note: In later financial years, the fees are indexed under regulation 90C.

Schedule 1 Amendments

- (2) This Part does not apply to the separate examination and certification of patterns of point of sale systems.
- (3) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of volume measuring instruments				
Item	Column 1 Activity	Column 2 Level 1 fee	Column 3 Level 2 fee	Column 4 Level 3 fee
1	Application processing	\$340	\$340	\$340
2	Application assessment	\$226/hour	\$226/hour	\$226/hour
3	Instrument performance test	\$226/hour	\$226/hour	\$226/hour
4	Temperature test	\$1 359	\$2 151	\$2 347
5	Humidity test	\$1 554	\$1 709	\$1 822
6	Voltage test	\$669	\$916	\$1 009
7	Line-borne interference test	\$1 616	\$1 637	\$1 657
8	Static discharge test	\$1 091	\$2 017	\$2 234
9	Electromagnetic susceptibility test	\$3 623	\$3 942	\$4 272
10	Endurance test	\$659	\$1 318	\$1 616
11	Checklist completion	\$226/hour	\$226/hour	\$226/hour
12	Summary report preparation	\$226/hour	\$226/hour	\$226/hour
13	Certificate preparation	\$226/hour	\$226/hour	\$226/hour
14	Consultations, performance and other tests	\$226/hour	\$226/hour	\$226/hour

2 Application of Level 1 fees

The fees in column 2 of the table in clause 1 apply in relation to volume measuring instruments of the following kinds:

- (a) simple mechanical liquor measures or dispensers;
- (b) simple mechanical indicators or counters for flow;
- (c) fuel dispenser consoles (excluding computer-based systems);
- (d) pulse counters and pulse generators.

3 Application of Level 2 fees

- (1) The fees in column 3 of the table in clause 1 apply in relation to volume measuring instruments of the following kinds:
 - (a) simple electronic and multi-liquor measuring systems;
 - (b) single product fuel dispensers (except for use with gaseous products);
 - (c) tank level gauges (excluding volume conversion and correction devices);
 - (d) electronic flowmeter indicators or calculators;
 - (e) computer-operated consoles for fuel dispensers;
 - (f) mass flowmetering systems (excluding liquefied petroleum gas).
- (2) However, for the kinds of instruments mentioned in paragraphs (1)(b) and (f):
 - (a) the fee prescribed in item 10 of the table does not apply; and
 - (b) the fee for the activity mentioned in item 10 of the table is, for the financial year beginning on 1 July 2014, \$226 per hour.

4 Application of Level 3 fees

- (1) The fees in column 4 of the table in clause 1 apply in relation to volume measuring instruments of the following kinds:
 - (a) milk metering systems;
 - (b) flowmetering systems other than those mentioned in subclause 3(1);
 - (c) controllers and calculator-indicators with conversion, linearisation or correction functions for flow;
 - (d) multi-product dispensers;
 - (e) single product dispensers for use with gaseous products;
 - (f) any other kind of volume measuring instrument not referred to in clauses 2 and 3.
- (2) However, for the kinds of instruments mentioned in paragraphs (1)(b), (d) and (e):
 - (a) the fee prescribed in item 10 of the table does not apply; and
 - (b) the fee for the activity mentioned in item 10 of the table is, for the financial year beginning on 1 July 2014, \$226 per hour.

Part 2—Examination and certification of patterns of weighing and dimensional measuring instruments

5 Fees for activities undertaken in respect of examination and certification of patterns of weighing and dimensional measuring instruments

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of weighing and dimensional measuring instruments.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) This Part does not apply to the separate examination and certification of patterns of point of sale systems.
- (3) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of weighing and dimensional measuring instruments				
Item	Column 1 Activity	Column 2 Level 1 fee	Column 3 Level 2 fee	Column 4 Level 3 fee
1	Application processing	\$340	\$340	\$340
2	Application assessment	\$226/hour	\$226/hour	\$226/hour
3	Instrument performance test	\$226/hour	\$226/hour	\$226/hour
4	Temperature test	\$1 997	\$2 594	\$2 697
5	Humidity test	\$1 101	\$1 369	\$1 729
6	Cyclic humidity test	\$3 345	\$3 603	\$3 911
7	Voltage test	\$823	\$947	\$1 019
8	Line-borne interference test	\$751	\$875	\$1 070
9	Surge test	\$751	\$875	\$1 070
10	Static discharge test	\$823	\$906	\$998
11	Electromagnetic susceptibility test	\$3 675	\$4 272	\$4 807
12	High frequency	\$1 832	\$2 275	\$2 738

Examination and certification of patterns of weighing and dimensional measuring instruments				
Item	Column 1 Activity	Column 2 Level 1 fee	Column 3 Level 2 fee	Column 4 Level 3 fee
	electromagnetic susceptibility test			
13	Endurance test	\$865	\$1 091	\$1 348
14	Checklist completion	\$226/hour	\$226/hour	\$226/hour
15	Summary report preparation	\$226/hour	\$226/hour	\$226/hour
16	Certificate preparation	\$226/hour	\$226/hour	\$226/hour
17	Consultations, performance and other tests	\$226/hour	\$226/hour	\$226/hour

6 Application of Level 1 fees

The fees in column 2 of the table in clause 5 apply in relation to weighing and dimensional measuring instruments of the following kinds:

- (a) class 3 and 4 weighing instruments with a capacity of up to 100 kg;
- (b) simple instruments for weighing or dimensional measurement.

7 Application of Level 2 fees

The fees in column 3 of the table in clause 5 apply in relation to weighing and dimensional measuring instruments of the following kinds:

- (a) class 2 non-automatic weighing instruments;
- (b) class 3 and 4 non-automatic weighing instruments with a capacity of more than 100 kg and less than 600 kg;
- (c) baseworks for non-automatic weighing instruments with a capacity of 600 kg or more;
- (d) load cells;
- (e) simple indicators with no linearisation;
- (f) overhead-track weighing instruments;
- (g) semi-automatic multi-dimensional measuring instruments;
- (h) static wheel weighers;
- (i) length measuring instruments;

- (j) area measuring instruments.

8 Application of Level 3 fees

The fees in column 4 of the table in clause 5 apply in relation to weighing and dimensional measuring instruments of the following kinds:

- (a) belt weighers;
- (b) weighing-in-motion systems for trains and road vehicles;
- (c) catchweighers;
- (d) totalising hopper weighers;
- (e) class 1 weighing instruments;
- (f) controllers and indicators with conversion or linearisation functions for weighing;
- (g) automatic multi-dimensional measuring instruments;
- (h) any other kind of weighing or dimensional measuring instrument not referred to in clauses 6 and 7.

Part 3—Examination and certification of patterns of evidential breath analysers

9 Fees for activities undertaken in respect of examination and certification of patterns of evidential breath analysers

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of evidential breath analysers.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of evidential breath analysers		
Item	Column 1 Activity	Column 2 Fee
1	Application processing	\$340
2	Application assessment	\$220/hour

Examination and certification of patterns of evidential breath analysers		
Item	Column 1 Activity	Column 2 Fee
3	Instrument performance test	\$220/hour
4	Temperature test	\$535
5	Humidity test	\$556
6	Voltage test	\$1 112
7	Line-borne interference test	\$2 501
8	Static discharge test	\$2 285
9	Electromagnetic susceptibility test	\$23 911
10	Mechanical shock test	the sum of the third party provider cost and \$226/hour
11	Magnetic effect test	the sum of the third party provider cost and \$226/hour
12	Hydrocarbons test	the sum of the third party provider cost and \$226/hour
13	Supply frequency test	the sum of the third party provider cost and \$226/hour
14	High temperature storage test	\$340
15	Damp heat cyclic test	\$340
16	DC power supply test	the sum of the third party provider cost and \$226/hour
17	Ripple on DC test	the sum of the third party provider cost and \$226/hour
18	Vibration test	the sum of the third party provider cost and \$226/hour
19	Durability test	the sum of the third party provider cost and \$226/hour
20	Checklist completion	\$226/hour
21	Summary report preparation	\$226/hour
22	Certificate preparation	\$226/hour
23	Consultations, performance and other tests	\$226/hour

Part 4—Examination and certification of patterns of grain protein measuring instruments

10 Fees for activities undertaken in respect of examination and certification of patterns of grain protein measuring instruments

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of grain protein measuring instruments.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of grain protein measuring instruments		
Item	Column 1 Activity	Column 2 Fee
1	Application processing	\$340
2	Application assessment	\$226/hour
3	Instrument performance test	\$226/hour
4	Temperature test	\$4 622
5	Humidity test	\$1 575
6	Voltage test	\$844
7	Line-borne interference test	\$782
8	Static discharge test	\$834
9	Electromagnetic susceptibility test	\$3 778
10	Checklist completion	\$226/hour
11	Summary report preparation	\$226/hour
12	Certificate preparation	\$226/hour
13	Consultations, performance and other tests	\$226/hour

Part 5—Examination and certification of patterns of utility meters

11 Fees for activities undertaken in respect of examination and certification of patterns of utility meters

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of utility meters.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of utility meters		
Item	Column 1 Activity	Column 2 Fee
1	Application processing	\$340
2	Application assessment	\$226/hour
3	Summary report preparation	\$226/hour
4	Certificate preparation	\$226/hour
5	Consultations, performance and other tests	\$226/hour

Part 6—Examination and certification of patterns of point of sale systems

12 Fees for activities undertaken in respect of examination and certification of patterns of point of sale systems

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of point of sale systems.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) This Part does not apply to the examination and certification of a pattern of a point of sale system as a component of another measuring instrument.

Examination and certification of patterns of point of sale systems		
Item	Column 1 Activity	Column 2 Fee
1	Application processing	\$340
2	Application assessment	\$226/hour

Part 7—Examination and certification of patterns of other measuring instruments

13 Fees for activities undertaken in respect of examination and certification of patterns of other measuring instruments

- (1) The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for activities undertaken in respect of examination and certification of patterns of measuring instruments other than the kinds of measuring instruments referred to in Parts 1 to 6 of this Schedule.

Note: In later financial years, the fees are indexed under regulation 90C.

- (2) Additional fees set out in Part 8 of this Schedule are payable for the use of equipment mentioned in that Part during the activities.

Examination and certification of patterns of other measuring instruments		
Item	Column 1 Activity	Column 2 Fee
1	Application processing	\$340
2	Application assessment	\$226/hour
3	Summary report preparation	\$226/hour
4	Certificate preparation	\$226/hour
5	Consultations, performance and other tests	\$226/hour

Part 8—Fees for use of particular equipment in examination and certification of patterns of instruments

14 Fees for use of equipment

The following table sets out prescribed fees, for the financial year beginning on 1 July 2014, for the use of particular equipment in activities undertaken in respect of the examination and certification of patterns of measuring instruments.

Note 1: These fees are in addition to the fees for the activities set out in the other Parts of this Schedule.

Note 2: In later financial years, the fees are indexed under regulation 90C.

Fees for use of equipment in examination and certification of patterns of instruments

Item	Column 1 Equipment used	Column 2 Fee
1	Large load cell facility (capacity 600 kg to 50 000 kg)	\$118/hour
2	Small load cell facility (capacity 50 kg to 500 kg)	\$90/hour
3	Liquid hydrocarbons test facility	\$211/hour
4	Liquefied petroleum gas test facility	\$211/hour
5	Compressed natural gas test facility	\$211/hour
6	Temperature controlled chamber	\$96/hour
7	Humidity test chamber	\$113/hour
8	Reliability test equipment	\$90/hour
9	Line-borne interference test equipment	\$96/hour
10	Electromagnetic susceptibility test chamber	\$268/hour
11	Electrostatic discharge test equipment	\$98/hour