

AUSTRALIAN CAPITAL TERRITORY
TRADE MEASUREMENT (ADMINISTRATION) ACT 1991

DETERMINATION OF FEES

INSTRUMENT NO. 145 OF 1999

EXPLANATORY STATEMENT

The *Trade Measurement (Administration) Act 1991* (the Act) provides for the administration of the *Trade Measurement Act 1991* and related matters concerning trade measurement legislation. Section 3 of the Act defines "the trade measurement legislation" as including the *Trade Measurement (Administration) Act 1991*, *Trade Measurement Act 1991*, the *Weights and Measures (Sale of Bread) Act 1929*, and regulations made under these Acts.

Section 12(1) of the Act enables the Minister to determine fees for the purposes of trade measurement legislation.

This Determination revokes Determination of Fees No. 271 of 1997 as notified in the Australian Capital Territory Gazette No. S402 of 10 December 1997 and determines that the various fees payable under the Act shall be as set out in the Schedule to the Determination.

A review of the trade measurement fees has recently been completed. The current fee structure does not take into account the large costs of replacing and maintaining specialised trade measurement equipment nor the considerable expertise and time required to ensure the accuracy of trade measuring instruments. The proposed increases are intended to recover the costs of providing the trade measurement function and to ensure, as far as possible, that the function is self sufficient and competitive with other jurisdictions.

Items 1, 2, 3 and 4 relate to the inspection of specified measures. Previously, there was a set fee for the inspection and certification of five or less instruments. However, the fee was not indicative of the actual time taken to perform a test and certify an instrument's accuracy. The proposed fees are now based on a per half hour rate.

Items 5(a), 5(b), 5(c), 5(d), 5(e) and 5(f) relate to the inspection and certification of weighing instruments. The proposed fees are based on the amount of time required to test and certify the accuracy of each weight category and the different equipment required for heavy masses.

Item 5(g) relates to the inspection and testing of wheel load weighing instruments. The proposed fee takes into account the actual cost of providing the service.

Fee increases in respect of Items 6(a), 6(b) and 6(c) take into account the individual complexities of the different flowmeters, type of equipment required, and time taken to test and certify this type of instrument. Item 6(a) relates to the inspection of driveway flowmeters, 6(b) to road tanker meters and 6(c) to aircraft refuelling meters.

It is proposed not to increase the fees for Items 7(a) or 7(b) which relate to the testing and certification of Liquid Petroleum Gas flowmeters. The current fees already meet the costs of the time and expertise required to test this type of instrument.

Item 8 relates to the testing and certification of liquor dispensers. Normally, these instruments are in banks of six, however, each instrument is tested to ensure accuracy of measure. The proposed fee is indicative of the time taken to test and certify each instrument.

Item 9 relates to the testing and certification of instruments in accordance with Regulation 80 of the National Measurement Regulations and quality assurance work that is undertaken. The proposed fee is set in terms of actual cost recovery principles.

Items 10 and 12 have been increased to ensure that costs are recovered if officers are required to wait to test an instrument and test instruments which do not have a specified fee. Previously, these fees were not set in terms of actual cost recovery principles.

Item 11 relates to the testing of an instrument that is attached to a console, auxiliary display or computer to ensure there is an accurate transfer of data. The current fee already meets the costs of the time and expertise required to test this type of instrument.

Items 13, 14, 15, 16 and 17 relate to application and granting of service and weighbridge licenses and the issuing of duplicate licenses. The fees have not been adjusted since 1997/8 and the 4.3% increase is a cumulative affect of the 1.8% movement in the Consumer Price Index in 1998/99 and the anticipated 2.5% rise in the Consumer price Index for 1999/2000.

Item 18(a) has been increased to reflect the actual cost of hiring out specialised weighbridge testing equipment to a licensed certifier or measuring instrument owner. Previously, the fee was not set in terms of actual cost recovery principles.

Items 18 (b)[1] and [2] have been changed to reflect the local hiring patterns of masses. This is a more equitable way of charging clients for the use of this equipment as the proposed fees reflect the total mass hired, rather than the hire of individual masses. Previous fee schedules have been linked to individual masses rather than total weight required, as the ACT has a limited range of mass sizes.

Item 18 (b)[3] is a new charge levied to cover the time spent by an inspector in delivering/picking up of equipment hired out and to cover the cost of repair/recalibration of equipment upon return, should the equipment be returned in a damaged state.

The fee for Item 18(c) has been increased to reflect the cost of hiring out expensive measuring equipment.

Item 19 is a proposed fee levied to cover the cost of printing certifier's return books supplied by the Superintendent to licensed certifiers. Presently the books are supplied free of charge and the certifiers are not returning unused portions of the books for reissue.

A statement of the old and proposed fees is attached.

Circulated by the Authority of Gary Humphries MLA, Minister for Justice and Community Safety

| COLUMN 1 | COLUMN 2 | 1997/98 FEE | 1998/99 PROPOSED FEE |
|--|---|--------------------------------------|---|
| Item in respect of which fee is payable | MATTER | | |
| Section 10 - Trade Measurement (Administration) Act 1991 1 | Inspection of masses (not associated with a particular weighing instrument) - for each 5 masses or part thereof | \$17.00 per 5 masses (set fee) | \$56.00 per half hour |
| Section 10 - Trade Measurement (Administration) Act 1991 2 | Inspection of volume measures - for each 5 volume measures or part thereof | \$23.00 masses (set fee) | \$56.00 per half hour |
| Section 10 - Trade Measurement (Administration) Act 1991 3 | Inspection of beverage & oil measuring instruments - for each 5 instruments or part thereof | \$23.00 masses (set fee) | \$56.00 per half hour |
| Section 10 - Trade Measurement (Administration) Act 1991 4 | Inspection of length measuring instruments - for each 5 instruments or part thereof | \$23.00 masses (set fee) | \$56.00 per half hour |
| Section 10 - Trade Measurement (Administration) Act 1991 5 (a) | Inspection of weighing instruments | \$35.00 | \$57.00 each instrument not exceeding 30kg capacity including a set of masses |
| Section 10 - Trade Measurement (Administration) Act 1991 5 (b) | Inspection of weighing instruments | \$59.00 | \$85.50 each instrument exceeding 30kg but not exceeding 200kg in capacity |
| Section 10 - Trade Measurement (Administration) Act 1991 5 (c) | Inspection of weighing instruments | \$80.00 | \$142.50 each instrument exceeding 200kg but not exceeding 1 tonne capacity |
| Section 10 - Trade Measurement (Administration) Act 1991 5 (d) | Inspection of weighing instruments | \$158.00 | \$240.00 each instrument exceeding 1 tonne but not exceeding 3 tonnes in capacity |

| COLUMN 1 | COLUMN 2 | 1997/98 FEE | 1998/99 PROPOSED FEE |
|--|--|-------------|--|
| Item in respect of which fee is payable | MATTER | | |
| Section 10 - Trade Measurement (Administration) Act 1991 5 (e) | Inspection of weighing instruments | \$209.00 | \$350 each instrument exceeding 3 tonnes but not exceeding 20 tonnes in capacity |
| Section 10 - Trade Measurement (Administration) Act 1991 5(f) | Inspection of weighing instruments | \$348.00 | \$500.00 each instrument exceeding 20 tonnes but not exceeding 90 tonnes in capacity |
| Section 10 - Trade Measurement (Administration) Act 1991 5(g)) | Inspection of wheel load weighers | \$40.00 | \$56.00 per half hour |
| Section 10 - Trade Measurement (Administration) Act 1991 6(a) | Inspection of flowmeters (excluding LPG Flowmeters) | \$70.00 | \$85.50 each instrument not exceeding 100 litres/min flow rate |
| Section 10 - Trade Measurement (Administration) Act 1991 6(b) | Inspection of flowmeters (excluding LPG Flowmeters) | \$117.00 | \$285.00 each instrument exceeding 100 litres/min but not exceeding 1000 litres/min flow rate |
| Section 10 - Trade Measurement (Administration) Act 1991 6(c) | Inspection of flowmeter (excluding LPG Flowmeters) | \$230.00 | \$570.00 each instrument exceeding 1000 litres/min flow rate |

| COLUMN 1 | COLUMN 2 | 1997/98 FEE | 1998/99 PROPOSED FEE |
|--|---|-------------|--|
| Item in respect of which fee is payable | MATTER | | |
| Section 10 - Trade Measurement (Administration) Act 1991 7(a) | Inspection of LPG flowmeters | \$163.00 | \$163.00 each instrument not exceeding 100 litres/min flow rate |
| Section 10 - Trade Measurement (Administration) Act 1991 7(b) | Inspection of LPG flowmeters | \$292.00 | \$292.00 each instrument exceeding 100 litres/min flow rate |
| Section 10 - Trade Measurement (Administration) Act 1991 8 | Inspection of liquor dispensers | \$7.00 | \$9.00 per dispenser |
| Section 10 - Trade Measurement (Administration) Act 1991 9 | For a test or inspection carried out in accordance with Regulation 80 of the National Measurement Regulations or any Australian or equivalent standard | \$40.00 | \$56.00 per half hour for Reg 80 work |
| | | \$40.00 | \$56.00 per half hour for QA work |
| Section 10 - Trade Measurement (Administration) Act 1991 10 | An additional fee when the inspection must wait before the measuring instrument is available for testing | \$40.00 | \$56.00 per half hour |

| COLUMN 1 | COLUMN 2 | 1997/98 FEE | 1998/99 PROPOSED FEE |
|---|--|-------------|--|
| Item in respect of which fee is payable | MATTER | | |
| Section 10 - Trade Measurement (Administration) Act 1991 11 | An additional fee for measuring instrument with an approved device such as a console, ticket printer, cash register or card reader attached | \$45.00 | \$47.00 |
| Section 10 -Trade Measurement (Administration) Act 1991 12 | Where an inspection is carried out for which no fee or charge is specified | \$40.00 | \$56.00 per half hour |
| Section 44(1) - Trade Measurement Act 1991 13 | Application for Servicing Licence or Public Weighbridge Licence | \$59.00 | \$62.00 |
| Section 52(1) - Trade Measurement Act 1991 14 | Issue of an Annual Servicing Licence | \$230.00 | \$240.00 per annum for each business premises |
| Section 52(1) - Trade Measurement Act 1991 15 | Issue of an Annual Public Weighbridge Licence | \$174.00 | \$181.00 per annum for each public weighbridge |
| Subregulation 15(1) - Trade Measurement (Weighbridges) Regulations 16 | Application fee for a certificate of suitability for a weighbridge | \$62.00 | \$65.00 |
| Subregulation 17(1) - Trade Measurement (Weighbridges) Regulations 17 | Issue of duplicate licence or certificate | \$16.00 | \$17.00 |

| COLUMN 1 | COLUMN 2 | 1997/98 FEE | 1998/99 PROPOSED FEE |
|--|---|--|---|
| Item in respect of which fee is payable | MATTER | | |
| Section 11 - Trade Measurement (Administration) Act 1991 <i>18(a)</i> | Charges Payable for the use of the Weighbridge Test Unit provided by the Superintendent at the request of a licensed certifier or measuring instrument owner. | \$167.00 & \$49.00 | \$285.00 for first two hours and then \$56.00 per half hour after |
| Section 11 - Trade Measurement (Administration) Act 1991 <i>18(b)</i> | Charges Payable for hire of masses provided by the Superintendent at the request of a licensed certifier or measuring instrument owner | | |
| | [1] 10kg & 20kg weights | \$45.00 per day or part thereof for each mass of 500kg or part thereof | \$50.00 per day or part thereof per 200kg or part thereof |
| | [2] 1 tonne weights | \$45.00 per day or part thereof for each mass of 500kg or part thereof | \$200.00 per day or part thereof per 10 tonne or part thereof |
| | [3] Delivery, pickup, loading, unloading, repairs/recalibration | New fee | \$56.00 per half hour or part thereof |
| Section 11 - Trade Measurement (Administration) Act 1991 <i>18(c)</i> | Charges Payable for the hire of measuring instruments provided by the Superintendent at the request of a licensed certifier or measuring instrument owner | \$24.00 | \$55.00 per day or part thereof for each instrument |
| Section 11 - Trade Measurement (Administration) Act 1991 <i>19</i> | Charges payable for supply of certifier's return book | New fee | \$30.00 each |