

Extraordinary

B 263



Federal Republic of Nigeria Official Gazette

No. 24

Lagos - 13th April, 2012

Vol. 99

Government Notice No. 96

The following is published as Supplement to this *Gazette*:

S. I. No.	Short Title	Page
9	Weights and Measures (Legal Metrology and Related Services) Regulations, 2012 B 263-268

Printed and Published by The Federal Government Printer, Lagos, Nigeria.
FGP 24/42012/650 (OL 21)

Annual Subscription from 1st January, 2012 is Local : ₦25,500.00 Overseas : ₦37,500.00 [Surface Mail]
₦24,500.00 [Second Class Air Mail]. Present issue ₦1,000.00 per copy. Subscribers who wish to obtain *Gazette*
after 1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

**WEIGHTS AND MEASURES ACT
(CAP. W3 LFN 2004)**

WEIGHTS AND MEASURES (LEGAL METROLOGY AND RELATED SERVICES) REGULATIONS, 2012

[15th Day of April, 2012]

To give effect to section 47 of the Weights and Measures Act Cap. W3 LFN 2004 and all other powers enabling me in that behalf, I, the Minister of Trade and Investment, hereby make the following regulations:



ARRANGEMENT OF REGULATIONS

Regulation : The regulations contained in these regulations shall be referred to as "the regulations".

1. Weights and measures services
2. Fees guidance
3. Special weighing and measuring equipment
4. Measuring instruments directive
5. Application of fees and charges
6. Interpretation
7. Citation

Weights and measures services

(1) The verification fee for a weighbridge or a motor measuring system covers the first three hours and two and a half hours on the premises, respectively, and any additional time spent may be charged at the hourly rate.

(2) Where, in the case of petrol pump cutbacks, the seals:

- (a) are broken before work begins, the verification fee shall be charged;
- (b) are not broken before work begins, and remain unbroken, the hourly rate shall be charged;

(3) are not broken before work begins, but are subsequently broken, the hourly rate shall be charged for work done before the seal is broken and, in addition, a verification fee shall be charged.

(4) The hourly rate shall be charged for:

- (a) petrol pump ancillary equipment; and
- (b) repairs to a ticket printer of a motor measuring system.

(5) Verification fee shall be charged for work carried out during normal office hours of 08:00 to 15:00 Hours from Monday to Friday.

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Weights and
measures
services

Fees
guidance

S. I. No. 9 of 2012
WEIGHTS AND MEASURES ACT
(CAP. W3 LFN 2004)

WEIGHTS AND MEASURES (LEGAL METROLOGY AND RELATED SERVICES) REGULATIONS, 2012

[13th Day of April, 2012]

Commencement.

In exercise of the powers conferred upon me by section 47 of the Weights and Measures Act Cap. W3, Laws of the Federation of Nigeria, 2004 and all other powers enabling me in that behalf, I, OLUSEGUN AGANGA, Minister of Trade and Investment, hereby make the following Regulations—

1.—(1) The minimum hourly charge set out in regulation 2 to these Regulations shall apply where an owner or user of any weight, measure or instrument requests in writing for an inspector to visit his premises, without regard to the nature or amount of work requested or completed.

(2) A visit carried out partly or entirely outside of normal office hours may incur a surcharge of not less than fifty percent of the standard fee or standard hourly rate, per officer per hour.

(3) Pursuant to the powers of an inspector under section 16 of the Act and the provisions of section 16 (3) of the Pre-shipment Inspection of Export Act (Cap. P25 LFN 2004), a special service-driven fee shall be charged to oil and gas, electricity, water, and telecommunication sectors.

2.—(1) Hourly rate, where applicable, shall be charged for an inspector who is in the premises for training purposes.

Fees guidance.

(2) The verification fee for a weighbridge or a meter measuring system covers the first three hours and two and a half hours on the premises, respectively and any additional time spent may be charged at the hourly rate.

(3) Where, in the case of petrol pump cutbacks, the seals :

- (a) are broken before work begins, the verification fee shall be charged ;
- (b) are not broken before work begins, and remain unbroken, the hourly rate shall be charged ;
- (c) are not broken before work begins, but are subsequently broken, the hourly rate shall be charged for work done before the seal is broken and in addition, a verification fee shall be charged.

(4) The hourly rate shall be charged for :

- (a) petrol pump ancillary equipment ; and
- (b) repairs to a ticket printer of a meter measuring system.

(5) Verification fee shall be charged for work carried out during normal office hours of 08.00 to 15.00 Hours from Monday to Friday.

(6) Work carried out outside of the normal office hours shall be charged at the following rate in addition to the verification fee :

- (a) Monday to Friday, ₦7,125.00 per hour ; and
- (b) Friday to Monday and Public Holidays ₦14,250.00 per hour.

(7) Special service driven fees shall apply for sectors of the economy where on-line monitoring of metering devices for custody transfer of commodities or services in trade transactions may be required.

(8) Bulk metering of electricity and water shall be charged at the rate of 0.25 per cent of tariff rate.

(9) Metering of all :

- (a) hydrocarbon commodities for export shall be charged at the rate of 0.175 percent of the Free on Board value ; and

- (b) refined hydrocarbon commodities shall be charged at the rate of 0.35 percent of Ex-Jetty Value or Ex-Refinery Value.

(10) Metering and billing systems for all mobile, fixed and all other forms of telecommunication services shall be charged at the rate of 0.35 percent of airtime tariff charged.

(11) The charges for the transportation, accommodation, auto mileage and *per diem*, required by an inspector to provide a service or a piece of equipment and the vehicle, to and from the place where the service is provided, shall be based on the allowances set out in the following Table drawn pursuant to regulation 9 of the Weights and Measures Regulations (Cap.W3 LFN 2004):

Description	Period	#
WORKING TIME	Weekdays up to 7 hours per day (Between the hours of 08.00 and 15.00, inclusive)	4,750 per hour
WAITING TIME	To be considered as working time.	4,750 per hour
OVERTIME	Weekdays over 7 hours and between 15.00 and 06.00, as well as Saturdays, Sundays and Public Holidays.	7,125 per hour

OUT OF AREA CHARGE

TRAVELLING TIME		1,875 per hour
Auto 1400cc mileage rate 170/10km (+18 percent when towing)		
½ Day	3.50 hours	15,500.00
¾ Day	5.25 hours	20,500.00
1 day	7 hours	30,000.00

Travel costs, tickets, etc Actual cost

Expenses, taxes, overweight, etc. Actual cost

Accommodation Actual cost

(12) Securing payment, if any, shall be made on completion of the work and an appropriate invoice with full details of the invoicing address together with a valid order number shall be provided to the customer.

3.—(1) The charge for examining, adjusting, testing, certifying, stamping, authorising or reporting of special weighing or measuring equipment specified in paragraph (2) of this regulation shall be at the officer hourly rate at the place where the service is provided.

(2) The special weighing and measuring equipment referred to in paragraph (1) of this regulation include :

- (a) automatic or totalising weighing machines ;
- (b) equipment designed to weigh loads in motion ;
- (c) bulk fuel measuring equipment ;
- (d) telecommunication billing software and hardware ;
- (e) weighing or measuring equipment tested by means of statistical sampling ;
- (f) the establishment of calibration curves from templates ; and
- (g) templates graduated in millilitres

(3) The testing or other services rendered in pursuance of a community obligation shall be ₦4,750.00 per officer, per hour.

4.—(1) In order to reflect additional costs associated with the examination, testing, documentation and maintenance of measuring instruments directive notified body status additional charges shall apply.

Measuring instruments directive.

(2) No extra fees shall be charged for :

(a) automatics, including automatic discontinuous totalisers, automatic rail weighbridges, automatic catch weighers, automatic gravimetric filling instruments and belt weighers ; and

(b) cold water meters.

(3) Appropriate fees shall be charged for any work carried out under the Act and regulations made under it.

5. The fees and charges apply to the following services :

(a) expenses incurred by the inspectors for accommodation, meals and incidental expenses and for transportation to and from the place where the service is provided ;

(b) registration, verification or calibration of devices, including flow meters, automatic tank gauges, test meters and other hydrocarbon flow measuring devices and instruments in accordance with the provisions of the Act ;

Application of fees and charges.

(c) verification or calibration of devices, including flow meters, automatic tank gauges, test meters and other hydrocarbon flow measuring devices or instruments for measurements and weighing of hydrocarbon commodities flow in trade transactions at the upstream sector of the oil and gas industry of Nigeria in accordance with the provisions of section 16(3) of the Pre-shipment Inspection of Export Act (Cap P25 LFN 2004);

(d) issuance of quarterly lifting permits to oil companies exporting crude oil and gas from Nigeria;

(e) inspection of commodity at the request of the owner or person in possession of the commodity;

(f) examination of a device or provision of any other service related to an application for the approval of a device or of a class type or design of a device; and

(g) alteration or adjustment of a device with or without the consent of the owner or person in possession of the device.

6. In these Regulations, except the context otherwise requires:

“Act” means the Weights and Measures Act (Cap. W3 LFN 2004);

“LFN” means Laws of the Federation of Nigeria; and

“normal office hours” means the hours of 08.00 to 15.00 from Monday to Friday.

Citation. **7.0** These Regulations may be cited as the Weights and Measures (Legal Metrology and Related Services) Regulations, 2012.

DATED this 13th day of April, 2012.

OLUSEGUN AGANGA

Minister of Trade and Investment

EXPLANATORY NOTE

(This Explanatory Note does not form part of these Regulations but is intended to explain their purport)

These Regulations prescribe fees to be paid by all sectors of the Nigerian economy for legal metrology and related services rendered by members of staff of the Weights and Measures Department of Federal Ministry of Trade and Investment.