



STATUTORY INSTRUMENTS.

S.I. No. 626 of 2025

LEGAL METROLOGY (EUROPEAN CONFORMITY ASSESSMENT OF
MEASURING INSTRUMENTS) (AMENDMENT) REGULATIONS 2025

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I, PETER BURKE, Minister for Enterprise, Tourism and Employment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) (as amended by section 2 of the European Communities Act 2007 (No. 18 of 2007)) and for the purpose of giving full effect to Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019¹ and of giving further effect to Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014², hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2025.

Interpretation

2. (1) In these Regulations, “Principal Regulations” means the Legal Metrology (European Conformity Assessment of Measuring Instruments) Regulations 2018, as amended by the Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2023.

(2) A word or expression that is used in these Regulations has the same meaning that it has in the Principal Regulations.

(3) A word or expression that is used in these Regulations and is also used in Regulation (EU) 2019/1020 has, unless the context otherwise requires, the same meaning in these Regulations as it has in Regulation (EU) 2019/1020.

Market surveillance authority

3. Except in paragraph (1) of Regulation 2 and in Regulations 34, 34A and 39A, references to the Director in the Principal Regulations shall be construed as references to the Legal Metrology Service, references to “he or she” shall be construed as references to “it” and references to “his or her” shall be construed as references to “its”.

Amendments to the Principal Regulations

4. The Principal Regulations are amended as follows:

- (a) paragraph (1) of Regulation 2 is amended by the insertion of the following:

¹ OJ No. L 169, 25.6.2019, p. 1

² OJ No. L 96, 29.3.2014, p. 149

“‘Member State’ means a Member State of the European Union and, in so far as may be necessary to give effect to the obligations of the State pursuant to the Agreement on the European Economic Area signed in Oporto on 2 May 1992³, shall be construed as including a reference to a State (not being a Member State of the European Union) which is a contracting party to that Agreement;

‘person in charge’ means, in relation to a place—

- (a) the person under whose direction and control the activities at that place are being conducted, or
- (b) the person whom the authorised officer has reasonable grounds for believing is the person referred to in subparagraph (a);

‘Regulation (EU) 2019/1020’ means Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No. 765/2008 and (EU) No. 305/2011;

‘market surveillance authority’ means—

- (a) in the State, the Legal Metrology Service, or
 - (b) in another Member State, any authority or body designated as market surveillance authority by that Member State for the purposes of the Directive;”,
- (b) the heading for Part 2 as appeared in the Principal Regulations when first made is deleted,
 - (c) Regulation 6A is amended by the substitution of “Part” for “Part 2”,
 - (d) paragraph (7) of Regulation 30 is amended by the substitution of “is withdrawn following submissions made pursuant to paragraph (3) or (4) of Regulation 33B” for “is withdrawn under Regulation 35(5)”,
 - (e) paragraph (10) of Regulation 30 is amended by the substitution of “is withdrawn or amended following submissions made pursuant to paragraph (3) or (4) of Regulation 33B” for “is withdrawn or amended under Regulation 35(5)”,
 - (f) paragraph (5) of Regulation 32 is amended by the substitution of “is withdrawn or amended following submissions made pursuant to paragraph (3) or (4) of Regulation 33B” for “is withdrawn or amended under Regulation 35(5)”,
 - (g) the heading before Regulation 33A is substituted by “General”,

³ OJ No. L 1, 3.1.1994, p 3

- (h) paragraphs (3) to (11) of Regulation 34 are revoked,
- (i) paragraph (1) of Regulation 34A is amended by the insertion of the following after “these Regulations,”:
 - “in relation to any measuring instrument to which these Regulations apply that has been made available or placed on the market or has been put into service or is in service,”,
- (j) subparagraph (e) of paragraph (2) of Regulation 33B is amended by the deletion of “or Director”,
- (k) the heading before Regulation 34A is substituted by “Powers of authorised officers (Regulation (EU) 2019/1020)”,
- (l) Regulations 35 and 36 are revoked,
- (m) paragraph (1) of Regulation 37 is amended by the substitution of “Regulation 30, 32, 33, 34B, 34F, 34I or 34K” for “Regulation 30, 32, 33, 34B, 34F, 34I 34K or 36”,
- (n) paragraph (1) of Regulation 38 is amended by the substitution of “Regulation 30, 32 or 33” for “Regulation 30, 32, 33 or 35”,
- (o) paragraph (1) of Regulation 39 is amended by the substitution of “34J or 34K” for “34J, 34K, 35(9), 36(9), 40, 46, 53 or 59”, and
- (p) paragraphs (2) to (6) of Regulation 39 are substituted by the following:
 - “(2) A person who, in relation to CE marking, other marking or any document required for the purposes of the Directive, Regulation (EU) 2019/1020 or these Regulations does one or more of the following commits an offence:
 - (a) forges or counterfeits any such document;
 - (b) gives or signs a document knowing it to be false in any material particular or makes a marking knowing it to be false in any material particular;
 - (c) knowingly uses a marking or document that is forged or counterfeited, or that is false in any material particular;
 - (d) knowingly uses as applying to any person or to any measuring instrument a marking or document which does not so apply;
 - (e) knowingly connives at any such forging, counterfeiting, giving, signing, or using referred to in subparagraphs (a) to (d);
 - (f) knowingly makes a false entry in any such document that is so required to be kept, served or sent;
 - (g) knowingly uses any false entry referred to in subparagraph (f);

- (h) knowingly makes available, places on the market or puts into use any measuring instrument with such forged or counterfeit mark, or any mark liable to be confused with the marks authorised under these Regulations,
 - (i) fails to comply with Regulation 19; or
 - (j) knowingly and without lawful authority has in his or her possession one or more of the following:
 - (i) a forged marking;
 - (ii) a forged document;
 - (iii) an altered marking;
 - (iv) an altered document.
- (3) A person who—
- (a) fails to comply with a contravention notice served under Regulation 34B within the period specified in the notice,
 - (b) fails to comply with a prohibition notice served under Regulation 34F within the period specified in the notice,
 - (c) fails to comply with any term of a forfeiture order granted under Regulation 34J that requires his or her compliance, or
 - (d) fails to comply with an information notice served under Regulation 34K within the period specified in the notice, commits an offence.

(4) Any person who obstructs or interferes with an authorised officer or a member of the Garda Síochána in the course of exercising a power conferred on him or her by these Regulations or by a warrant under Regulation 34A(6) or who impedes or prevents the exercise by the authorised officer or member, as the case may be, of such power, or fails or refuses to comply with a request or requirement of, or to answer a question asked by, an authorised officer or such a member pursuant to a power conferred by these Regulations, or in purported compliance with such request or requirement or answer to such question asked, gives information to the authorised officer or member that he or she knows to be false or misleading in any material respect, commits an offence.

(5) A person who, at any time during the period of 3 months immediately following the affixing of a notice in accordance with Regulation 37(1)(e) removes, alters, damages or defaces the notice without lawful authority commits an offence.

(6) A person who states to the Director that another person has committed an offence under this Regulation or has failed to comply with a provision of these Regulations, knowing the statement to be false, commits an offence.”

Amendments to the Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2023

5. The Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2023 are amended as follows:

- (a) paragraph (1) of Regulation 2 is revoked, and
- (b) paragraph (b) of Regulation 7 is revoked.



GIVEN under my Official Seal,
17 December, 2025.

PETER BURKE,
Minister for Enterprise, Tourism and Employment.

EXPLANATORY NOTE

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

These Regulations may be cited as the Legal Metrology (European Conformity Assessment of Measuring Instruments) (Amendment) Regulations 2025. These Regulations amend the 2023 Regulations by providing for the replacement of the Director of Legal Metrology with the Legal Metrology Service as the Market Surveillance Authority while retaining the Director's powers of appointment and prosecution; remedying all drafting errors that were identified in the 2023 Regulations; and providing for further necessary amendments.

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