



Australian Government
Department of Industry, Science,
Energy and Resources

National
Measurement
Institute

COST RECOVERY IMPLEMENTATION STATEMENT

Pattern Approval, Trade Measurement Licensing and Legal Metrology Appointments

Effective 2020–2021

The Australian Government Charging Framework¹, which includes the Cost Recovery Guidelines, sets out the overarching framework under which government entities design, implement and review cost recovered activities. Cost recovery involves government entities charging individuals or non-government organisations some or all of the efficient costs of a specific government activity. This may include goods, services, or regulation, or a combination of these.

¹ Information on the Australian Government Charging Framework is available on the Department of Finance website (finance.gov.au/resource-management/charging-framework/)

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1. INTRODUCTION

1.1 Purpose of the Cost Recovery Implementation Statement

This Cost Recovery Implementation Statement (CRIS) provides information on how the National Measurement Institute (NMI) implements cost recovery for the activities associated with the administration of Pattern Approval (PA), Trade Measurement Licensing (Licensing) and Legal Metrology Authority Appointments (Appointments).

This CRIS also reports financial and non-financial performance information for the NMI and contains financial forecasts for 2020–21 and three forward years.

In April 2015, the Australian Government agreed to implement a whole-of-government charging framework, the Australian Government Charging Framework (the Charging Framework), to apply across the general government sector. The Charging Framework provides that where an individual or organisation creates the demand for a government activity, they should generally be charged for it, unless the Government has found it appropriate to fund the activity through public resources. The Charging Framework consists of:

- A charging policy statement, which provides the rationale for Australian Government charging activities.

Based on the type of activity, policy outcomes sought, and relevant public interest considerations, the Government may decide to charge for an activity, taking into account the Government's charging policy statement.

- Charging considerations to guide decision-making on whether charging might be appropriate.

There are a number of considerations in determining whether it may be appropriate to charge for a government activity. These include broad policy considerations, such as the effect of charging on the policy problem and proposed solution, and specific considerations, such as whether charging is the most efficient and effective source of funding for an activity. Different pricing models can be used based on the purpose and type of the charging activity.

- Charging principles to assist with the design, implementation and review of charging activities, which could be regulatory, resource (use of public property, lease etc.) or commercial.

The six charging principles, transparency, efficiency, performance, equity, simplicity and policy consistency, guide all the processes involved in a government charging activity.

The Charging Framework is administered by the Department of Finance and is outlined in Resource Management Guide 302, Charging Framework and Resource Management Guide 304, the Australian Government Cost Recovery Guidelines (Guidelines). According to the Guidelines, a CRIS must be prepared for cost recovery arrangements for regulatory activities.

The Charging Framework builds on the 2014 Cost Recovery Guidelines. It encourages a common approach to planning, implementing and reviewing government charging, which should lead to improved and consistent government charging. The Charging Framework supports:

- the Australian Government's role in delivering quality public programs to Australian citizens, communities and the economy more broadly, by assisting to improve program funding decisions
- legislative responsibilities of Commonwealth entities, as detailed in the *Public Governance, Performance and Accountability Act 2013* (PGPA Act)

More information on the Australian Government Charging Framework is available on the Department of Finance website (finance.gov.au/resource-management/charging-framework/).

1.2 Description of the regulatory charging activity

NMI, a division of the Department of Industry, Science, Energy and Resources administers Australia's measurement framework under the *National Measurement Act 1960* (the Act), supporting Regulations and Guidelines.

NMI contributes to Australia's prosperity by leading a national system of measurement that is fit for purpose and trusted both nationally and internationally.

NMI's regulatory activities are undertaken as key elements within the wider national system of measurement. These activities include approving the design or pattern of measuring instruments (Pattern Approval or PA), and Licensing and Appointments of third parties; for example to verify measuring instruments and verify reference standards. These activities are undertaken by NMI's Legal Metrology Branch.

Legal metrology comprises all measurements carried out for any legal purpose. It includes measurements that are subject to regulation by law or government decree together with the supporting technical and regulatory infrastructure. Trade measurement refers to all transactions where the price of commodities or goods is determined by a measured quantity or quality component. The primary purpose of the Australian trade measurement system is to ensure that the calculated price of traded goods is based on accurate measurement.

NMI also offers a broad range of services in biological, chemical, and physical measurement. Some examples include analytical services in chemistry and microbiology for food and environmental testing, specialist chemical analysis for illicit drugs or drugs in sport, calibration of measuring instruments and of physical standards such as reference masses, and training in measurement techniques. While NMI charges for these services, they are outside the scope of this statement as they are not regulatory activities.

1.2.1 National measurement policy statement

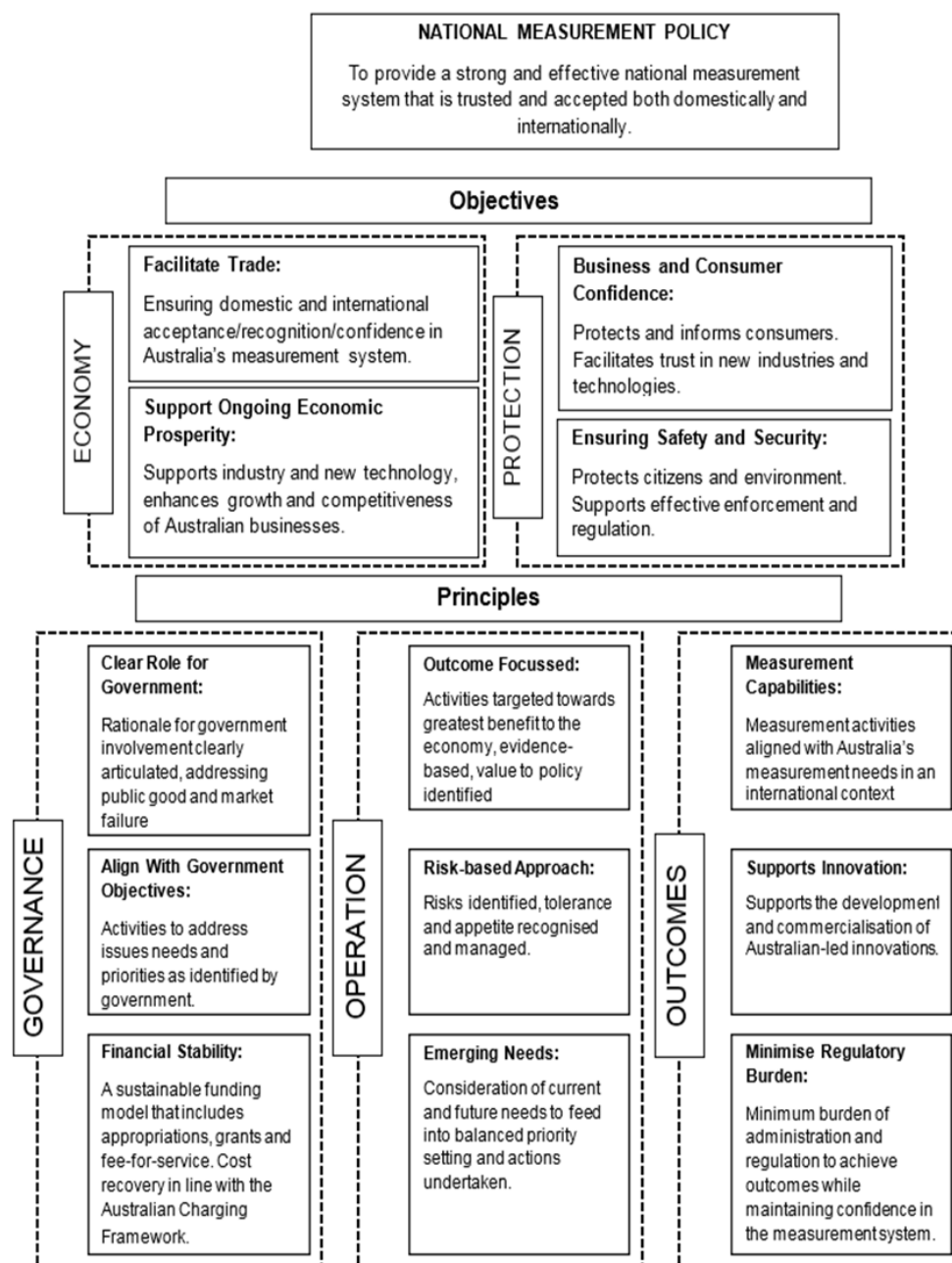
The National Measurement Policy Statement was released in November 2017 to clearly state the Government's intentions for Australia's national measurement system and set out principles underpinning government decision making in relation to measurement. The primary objective of the Australian Government's role in measurement is to provide a strong and effective national measurement system that is trusted and accepted both domestically and internationally.

The objectives of this policy statement are underpinned by a set of principles that provide guidance to government decision making about measurement. The key principles for government decision making include maintaining a sustainable funding model while supporting innovation and minimising regulatory burden on stakeholders. Figure 1 provides an overview of the policy objectives and the set of key principles.

Consistent with this policy statement, the NMI expends part of its allocated appropriation to:

- Support innovation, by providing PA test laboratories to facilitate stakeholder compliance obligations and reduce regulatory burden.
- Support the metrological system, by providing measurement activities that enhance compliance (e.g. 'conformity to type' testing).
- Meet Australia's international obligations as a member of the International Organization of Legal Metrology (OIML), which is the peak intergovernmental treaty organisation for legal metrology internationally. This membership enables Australian stakeholders to have a voice in the development and revision of international standards for measuring instruments that reduce technical barriers to trade.

Figure 1 - National Measurement Policy, its Objectives and key Principles



1.2.2 Pattern Approval

In Australia, manufacturers and importers of measuring instruments (e.g. retail scales, weighbridges, petrol pumps, breath-alcohol analysers) are required to have a PA certificate from NMI before instruments can be used for trade or other regulatory purposes.

A measuring instrument is used for trade if it is used in:

- determining the consideration in respect of a transaction
- determining the amount of a tax.

In Australia, the Act requires all measuring instruments used for trade to be pattern-approved.

PA confirms that a measuring instrument's design meets relevant documentary standards and performs as intended over a range of environmental and operating conditions. NMI examines trade and other legal measuring instruments against relevant standards and issues PA certificates that are internationally recognised.

When reviewing applications for PA, where certification has already been issued in another country, NMI recognises test reports from overseas laboratories issued in accordance with the OIML Certification System, and may also accept other test reports under certain conditions.

Where an appropriate test report is not available, NMI is able to provide PA testing services. This provides confidence in domestic and international trade as well as other functions and benefits for the whole economy.

NMI may also appoint Approving Authorities to conduct independent testing of measuring instruments for PA. Test results from an Approving Authority will be considered by the NMI when assessing the suitability of a measuring instrument for trade or legal purposes.

PA testing and certification by NMI underpins confidence in the accuracy of measuring instruments used for international and domestic trade without undue reliance on overseas authorities, who may have little focus on protecting Australian trading interests. NMI represents Australia's economic interests through the PA certification process, as its counterpart organisations do in most other comparable economies.

PA fees are set by regulation with the fee structure detailed in Schedule 13 of the National Measurement Regulations 1999.

1.2.3 Licensing

NMI licences third-party private organisations to:

- verify measuring instruments used for trade (Servicing Licensees)
- operate public weighbridges (Public Weighbridge Licensees).

Businesses across Australia rely on the capability of servicing licensees and public weighbridge licensees in order to comply with the requirements of the Act and to help maintain the metrological infrastructure for trade measurement.

NMI's approach is to ensure Australia's servicing licensee workforce is maintained at an appropriate level of competency, that verifications are performed correctly, and that verifiers have access to the necessary procedures, systems and equipment to perform their duties correctly and in accordance with the Act.

Licensees return data on instrument verifications to the NMI. This supports efficient delivery of NMI's compliance activities and lowers the overall regulatory burden on stakeholders by reducing compliance inspection costs.

Servicing licensee fees are prescribed under Division 2.4 and Public Weighbridge licence fees are prescribed under Division 3.2 of the National Trade Measurement Regulations 2009.

1.2.4 Appointments

To support the national measurement system, NMI appoints third-party, private sector organisations as authorities including:

- **Certifying authorities** to certify measuring instruments, e.g. evidential breath-alcohol analysers and grain protein measuring instruments, and Australian certified reference materials including aqueous ethanol solutions and whole-grain barley and wheat for use in calibrating appropriate measuring instruments and establish measurement traceability.
- **Verifying authorities** to verify reference standards of measurement and physical quantities of an artefact that establish measurement traceability.
- **Approving authorities** to conduct PA testing of utility meters and evidential breath-alcohol analysers.
- **Utility meter verifiers** to verify utility meters used for trade.

'Traceability' means that a measurement of a quantity can be related through an unbroken chain of comparisons (or calibrations) to a national primary standard of measurement, within a stated tolerance or measurement uncertainty.

NMI carries out the regulatory activities of Pattern Approval, licensing and legal metrology authority appointments. Table 1 provides the revenue and expenses for each of these activities for the year 2019–20.

Table 1: Total revenue and expenses for NMI's regulatory activities, 2019–20

	Pattern Approval \$000s	Servicing and Public Weighbridge Licensing \$000s	Legal Metrology Authority Appointments \$000s
Cost of activity or Expenses (Y)	\$1,331	\$608	\$68
Cost recovered or Revenue (X)	\$360	\$412	\$33

Note: All expenses include depreciation. Expenses exclude capital purchases of nil for Pattern Approval. There was nil capital purchases for Servicing and Public Weighbridge Licensing and Legal Metrology Authority Appointments.

2. POLICY AND STATUTORY AUTHORITY TO COST RECOVER

2.1 Government policy approval to cost recover the regulatory activity

Where the Australian Government has made a decision to charge for a regulatory activity, these activities are subject to the Australian Government Cost Recovery Guidelines (the Guidelines). The Guidelines set out the overarching framework under which government entities design, implement and review regulatory charging activities. While the overarching charging principles apply to regulatory charging activities, they must also meet the requirements in the Guidelines, including:

- policy approval from the Australian Government to charge
- statutory authority to charge
- alignment between expenses and revenue
- up-to-date, publicly available documentation and reporting.

The regulatory activities covered by this statement have been delivered by NMI or its predecessor agencies over many decades, which are driven by NMI's legislative functions.

NMI has policy authority to continue charging for the regulatory activities of Pattern Approval, licensing and legal metrology authority appointments. NMI transitioned to the new regulatory charging model in the 2019-2020 financial year with the change effective from 1 July 2019.

The regulatory charging model was developed considering the impact on stakeholders and intended policy outcomes. Under the new regulatory charging model:

- all activities other than Pattern Approval laboratory testing will be fully cost recovered
- fees for Pattern Approval laboratory testing will be increased to recover 20 per cent of the associated cost of the activity
- depending on the activity, fees increased in one step or as staged increases over four years from 1 July 2019.

2.1.1 Pattern Approval

Prior to NMI's formation in 2004, the National Standards Commission charged fees for the Pattern Approval (PA) of measuring instruments. PA of measuring instruments is a regulatory activity.

The Pattern Approval certification function (including issuing PA certificates) were partially cost recovered for the 2018–19 financial year with fees similar to previous years. Staged fee increases over a period of four years to recover 100 per cent of the associated costs, came in to effect 1 July 2019.

From 1 July 2019 costs associated with pattern approval laboratory testing are partially recovered with staged fee increases over a period of four years to recover 20 per cent of the associated costs.

2.1.2 Licensing

Following a 2007 decision of the Council of Australian Governments, a national system for trade measurement administered by NMI commenced in July 2010. Previous charging regimes were harmonised to a single set of national charges for issuing licences.

Licensing of private sector operators as servicing licensees and public weighbridge licensees by NMI is a regulatory activity and was partially cost recovered for the 2018–19 financial year with fees similar to previous years. On 1 July 2019 there was a single fee increase for public weighbridge licences and staged fee increases over a period of four years for servicing licences to recover 100 per cent of the associated costs.

2.1.3 Appointments

Appointment of private sector operators as legal metrology authorities by NMI is a regulatory activity and was partially cost recovered for the 2018–19 financial year. Staged fee increases over a period of four years to recover 100 per cent of the associated costs, came in to effect 1 July 2019.

2.2 Statutory authority to charge

Subsections 18A (3) and 19A (8) of the Act authorise fees to be charged for activities undertaken by the Chief Metrologist or their delegate. The National Measurement Regulations 1999 prescribe fees for examination and certification of patterns of measuring instruments. The *National Trade Measurement Regulations 2009* prescribe fees for issuing of servicing and public weighbridge licences.

- PA fees are set by regulation, with annual indexation method and increases detailed regulations 90C and 90D of the *National Measurement Regulations 1999*.
- Licensing fees are set by regulation and have not been increased since 2010. The fee structure is set out in Division 2.4 (Servicing Licensees) and Division 3.2 (Public Weighbridge Licensees) of the *National Trade Measurement Regulations 2009*.
- Fees for appointment of legal metrology authorities have not been set in regulations. The NMI fee per application is set administratively. It was previously set at \$1100 per application (GST exempt) and the fee increase to achieve full cost recovery will also be set administratively.

3. COST RECOVERY MODEL

3.1 Outputs and business processes of the regulatory charging activity

3.1.1 Pattern Approval

The PA team's regulatory functions include:

1. assessing documentation and issuing PA certificates (applicable to all measuring instruments submitted for PA purposes)
2. laboratory testing of measuring instruments.

In each of the last three years between 120 and 180 certificates were issued, of which between 60–80 per cent were for product lifecycle modifications or upgrades, with the remainder for new instruments.

Laboratory based testing is only required where measuring instruments are submitted without appropriate test reports as specified by NMI. NMI recognises test reports from overseas laboratories issued in accordance with the OIML Certification System, and can also accept other test reports under certain conditions.

3.1.2 Licensing and Appointments

Private sector organisations support the delivery of a robust trade measurement system for Australia. There are more than 550 licensees and approximately 70 legal metrology authorities. Servicing licensees employ around 1400 verifiers.

The business process for these activities includes:

- application receipt and processing, including file creation and acknowledgement
- application evaluation, including reviewing the documentation supplied, making further enquiries or seeking clarification if necessary, and determining whether relevant criteria are satisfied
- providing and maintaining information to assist licensees to meet their regulatory obligations
- providing a point of contact to support licensees (licensees mail box and hotline) and responding to enquiries relating to licensing conditions, verification procedures and requirements
- managing and processing verification notification forms (Form 6 and Form 6A), test reports and information submitted by the licensees as required by legislation and licence conditions

These businesses processes are considered fully regulatory and account for 100 per cent of the total cost associated with the activities of Licensing and Appointments.

3.2 Costs of the regulatory charging activity

In line with the Charging Framework, costs associated with the regulatory charging activities are categorised into direct costs and indirect costs. Each of these will be reviewed and adjusted annually based on annual estimate of resource needs, operational costs and services rendered.

Direct costs

Direct costs can be easily traced to a cost object with a high degree of accuracy. The allocation of direct costs to a cost object is relatively straightforward. The most common direct costs are staff salaries (including on-costs such as training, superannuation and leave) and supplier costs (e.g. office supplies).

Indirect costs

Indirect costs are the costs that cannot be easily linked to a cost object or for which the costs of tracking this outweigh the benefits. Indirect costs are apportioned to a cost object using the internal costing methodology. Common indirect costs include overhead costs such as corporate costs (e.g. finance, human resources, IT

and office accommodation) and salaries of staff in support areas (e.g. regulatory practice and support functions).

NMI's cost recovery models incorporate both direct costs and indirect costs which can be assigned or traced specifically to the respective regulatory activities.

Direct costs include:

- employee costs
- operational costs for providing the service, including laboratory consumables, contractors, repairs and maintenance for laboratory equipment and administrative expenses.

Indirect costs include:

- other costs (such as property and overhead charges)
- depreciation on assets used for the activity.

Figure 2 provides an overview of the methodology used for cost allocation specific to each regulatory activity. Table 2 provides the direct, indirect and capital costs for the activities for 2019–20.

Figure 2: NMI cost allocation methodology for regulatory activities

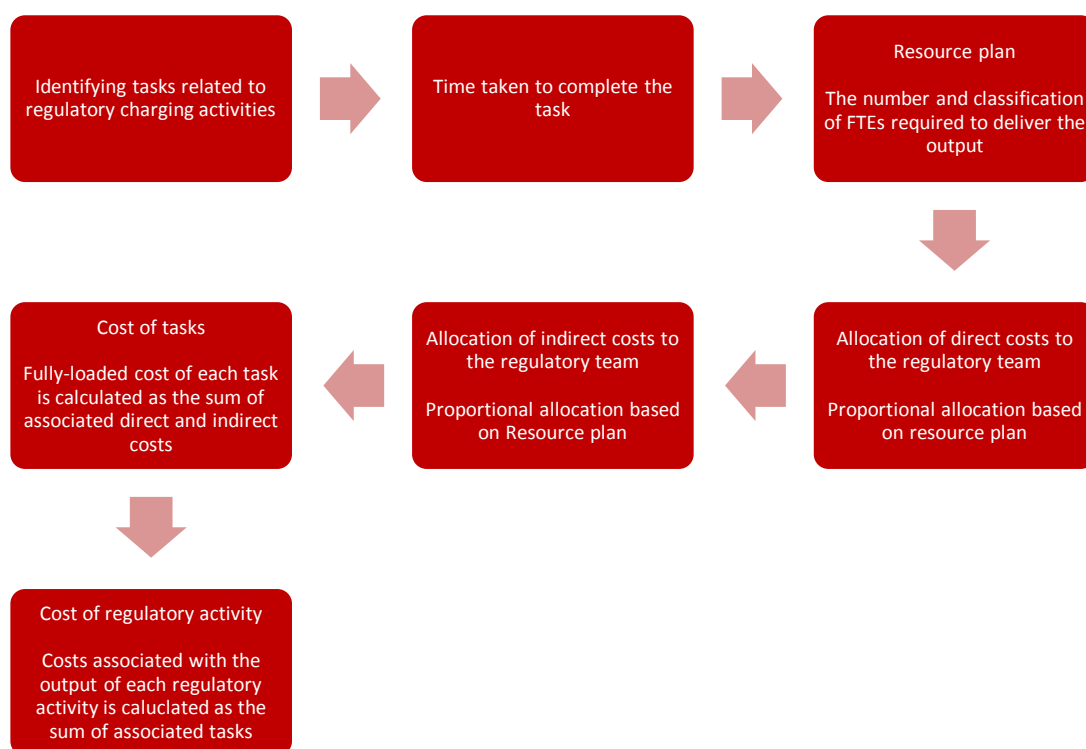


Table 2: NMI cost estimates for regulatory activities, 2020–21

	Direct costs \$'000s	Indirect costs[^] \$'000s	Capital costs \$'000s
Pattern Approval	\$688	\$696	\$8
Licensing	\$595	\$65	\$0
Appointments	\$66	\$7	\$0
TOTAL	\$1,349	\$768	\$8

[^] Indirect costs include depreciation.

3.3 Design of regulatory charges

The characteristics of a government activity determine the type of cost recovery charge used. Fees are charged when a good, service or regulation is provided directly to a specific individual or organisation.

Fees are designed to reflect as closely as possible the underlying cost of maintaining the capability and capacity to deliver the services, based on previous and projected demands. Fees for Pattern Approval include set fees and hourly fees, which are based on the services and tests required. Appointments are charged as a flat fee and licensing fees are tiered to reflect different levels of effort involved.

In the case of servicing licences, the ongoing costs of supporting each licensee vary substantially depending on the licensee's service area, complexity of instruments and the number of verifications which are difficult to estimate in advance. Therefore the tiered fees aligned to sole, small, medium and large business (based on the number of verifiers) will continue to be used at this time.

These ongoing costs include:

- supplying labels to servicing licensees to enable them to mark the instruments that they verify
- providing and maintaining information to assist licensees to meet their regulatory obligations
- providing a point of contact to support licensees (licensees mail box and hotline) and responding to enquiries relating to licensing conditions, verification procedures and requirements
- managing and processing verification notification forms (Form 6 and Form 6A), test reports and information submitted by the licensees as required by legislation and licence conditions

The Australian Government's Charging Policy is that individuals or groups that create the need for an activity should pay for that activity, unless the Government decides otherwise. There needs to be a significant policy case for a charge to not reflect the full cost of an activity.

In this context, a key consideration when charging for NMI's regulatory activities is the impact on volume of demand associated each activity.

This includes:

- measuring instrument manufacturers withdrawing from developing and manufacturing new technologies in Australia and no longer requiring Pattern Approval testing
- Licensees and Authorities withdrawing from participating in the national measurement framework.

In the case of Pattern Approval (PA), the costs of laboratory testing and of desktop assessment are significantly different. Fees for these two activities have been set separately within the PA function, to reflect the higher cost of laboratory testing (particularly fixed costs associated with equipment and property).

The projected demand for these regulatory activities is assumed to be:

- 125 PA certificates issued
- 40 PA testing modules
- 325 organisations licensed to verify trade measuring instruments
- 234 organisations licensed to operate public weighbridges
- 70 organisations appointed as authorities.

Factors which may influence future demands for these activities include:

- ongoing innovation and development of measuring instrument technology
- market factors affecting manufacturing of measuring instruments in Australia
- demand from servicing licensee clients to verify trade measuring instruments at a commercially viable rate
- demand from licensees clients to use public weighbridges at a commercially viable rate
- demand from authority clients to use their services at a commercially viable rate.

The design of regulatory charges may change in the future as a result of the Measurement Law Review that is underway. The Measurement Law Review is identifying aspects of Australia's measurement framework that can be modernised, streamlined or simplified. This will include a review and evaluation of the current charging structure. The review will develop reform options for the consideration of the Australian Government in 2021.

The review is gathering input and insights from stakeholders about Australia's measurement legislation. The NMI's Measurement Law Review work program includes the release of six discussion papers, each examining a specific aspect of Australia's measurement framework. One of the discussion papers considers third party arrangements (including licensees and appointed authorities) and seeks feedback on what arrangements would best support Australia's measurement framework and technical measurement infrastructure.

4. RISK ASSESSMENT

In accordance with the Australian Government Charging Framework, NMI undertook a preliminary Charging Risk Assessment (CRA) which included the following key components:

- level of change for cost recovery activities
- level of cost recovery revenue
- complexity in the cost recovery arrangements (i.e. both fees and charges)
- level of change in legislative arrangements
- level of complexity of working with other government entities to deliver the regulatory functions
- level of impact of cost recovery on clients
- outcome of consultation with stakeholders (i.e. any significant issues raised).

Feedback on the regulatory fees proposed as part of the draft CRIS have been taken into account in the government's decisions and in finalisation of this CRIS. The decision to allow partial cost recovery rather than full cost recovery for Pattern Approval laboratory activities directly responds to identified risks.

To ensure cost increases are not prohibitive, and to facilitate innovation and market access, government support for PA testing will continue, limiting the fees charged to around 20 per cent of the full cost of that testing. Laboratory testing for PA is a comprehensive process intended to demonstrate that the measuring instrument can maintain its calibration (and hence accuracy) in the full range of Australian operating conditions. Testing can include measuring performance under varying conditions such as different temperature, humidity, and electromagnetic interference. The laboratory testing requires a high level of skill and is infrastructure intensive.

Phasing-in fee increases for other regulatory services (licensing, Pattern Approval and appointments) will allow full cost recovery to be achieved over a period of time. This approach mitigates the risk of sudden shocks to the national trade measurement system.

5. STAKEHOLDER ENGAGEMENT

In the Australian measurement framework, NMI is part of a complex environment of stakeholders, which interact to deliver regulatory services for a wide range of sectors, including manufacturers, licensed and appointed authorities and service providers. NMI actively engages with stakeholders throughout the year through a range of engagement activities and communication channels.

NMI undertook public consultations for the Draft CRIS from 14 December 2017 to 8 February 2018. Feedback from these consultations was considered in the revised schedule of fees and charges outlined for the period 2019–23. The decisions to phase-in full cost recovery for most regulatory services, and to allow partial cost recovery for Pattern Approval laboratory activities, responds to stakeholder feedback.

The public consultation process received 49 written submissions from 36 different organisations, representing a total of 426 stakeholders (including industry associations). 70 stakeholders from across Australia participated in the face to face meetings held on 30 January 2018, in Adelaide, Brisbane, Melbourne, Sydney and Perth.

Some of the key issues raised through public consultation on Draft CRIS 2017–2018 include:

- A majority of the respondents (56 per cent) expressed concerns and did not support any fee increase. Of the remaining respondents, half (22 percent overall) supported fee increases to achieve full cost recovery and half (another 22 percent) acknowledged a fee increase may be required to cover fixed costs and the current services, but not to the extent proposed in the Draft CRIS.
- Some of the major impacts of the proposed fee increases to **Pattern Approval laboratory testing**, as identified by the respondents, were:
 - it would not be financially viable for Australian businesses to continue accessing these services from the NMI
 - a complete reduction in demand for these services would threaten the NMI's technical capability and consequently industry confidence in Australia's measurement system
 - reduced demand would result in the financial projections for the NMI not being realised
 - adverse impacts would include significant barriers to innovation and weakening of the trade measurement system.
- Stakeholder feedback indicated that they have the capacity to absorb the fee increase for Pattern Approval **certification** by amortising it across their customer base.
- There were varied responses to the impact of fee increases for servicing licensees, but a level of acceptance that the fees would likely increase. The impact of the proposed fee increase for servicing licensees would be felt across the whole industry, with bigger businesses with long-term supply contracts being impacted along with significant impacts on regional, smaller and medium businesses.
- The proposed fee increase to Legal Metrology Authority Appointments (LMAAs) could force Legal Metrology Authorities to reduce or shut down their services which support Australian industry (especially in the electricity and water metering space).
- State and territory government enforcement agencies indicated that the proposed increases to Pattern Approval and LMAA fees could have a direct impact on community safety.
- Thirty organisations (83 per cent of the respondents) that provided written submissions agreed that they would pass on the increase in costs to their consumers, with the view that the end user should pay.
- 67 per cent of the respondents consider that maintaining the laboratory and associated skills in Australia is very important for supporting Australian industries.
- Businesses indicated that there would be an expectation of improved turnaround times and better service delivery from NMI as a result of any increase in fees for services.

NMI will undertake consultation relating to licensees and appointed authorities as part of the current Measurement Law Review, which will develop reform options for the consideration of the Australian Government in the 2020-21 financial year.

In considering Australia's measurement framework, the review has four objectives:

1. Developing and advancing measurement activities that support Australia and its economy.
2. Strengthening strategic measurement capabilities.
3. Supporting confidence in measurement—domestically and internationally.
4. Promoting innovation through a modern approach to measurement infrastructure.

The Measurement Law Review gathers input and insights from stakeholders about Australia's measurement legislation, including through six publicly released discussion papers, each examining a specific aspect of Australia's measurement framework. One of the discussion paper considers third party arrangements (including licensees and appointed authorities) and seeks feedback on what arrangements would best support Australia's measurement framework and technical measurement infrastructure. A stratified consultation methodology is being used to inform Government of stakeholders' views.

If you wish to be kept updated regarding the progress of the review and the release of discussion papers, please contact NMI at measurementlawreview@industry.gov.au and NMI will add your details to its mailing list. Alternatively, you may visit industry.gov.au/data-and-publications/measurement-law-review.

6. FINANCIAL ESTIMATES

This section sets out the cost recovery models and budget estimates for the regulatory activities undertaken by NMI, assuming consistent market demands and similar operating costs for forward years.

Table 3 provides a summary of the NMI's budget estimates for the financial year 2020–21.

The summary of fees from 1 July 2019, include:

6.1 Pattern Approval

- The fees associated with Pattern Approval certification and laboratory testing for the 2019-20 financial year are provided in Appendix A.1.
- The 2019-20 fees associated with the processing and issuing of a Certificate will increase 18.1 per cent for the 2020-21 financial year commencing on 1 July 2020.
- The 2019-20 fees associated with laboratory based Pattern Approval testing in Appendix A.1 will increase 18.1 per cent for the 2020-21 financial year commencing on 1 July 2020.
- The fees associated with Pattern Approval certification and laboratory testing for the 2020-21 financial year are provided in Appendix A.2.

Table 4 provides a summary of the NMI's budget estimates based on the fee increases for PA for the years 2021-24. The numbers in Table 4 are provided for guidance only.

6.2 Licensing

- The fees associated with issuing of licenses for the 2019-20 financial year are provided in Appendices B.1 (Servicing Licences) & C.1 (Public Weighbridge Licences).
- The fees associated with issuing a servicing licence in Appendix B.1 will increase 12.5 per cent for the 2020-21 financial year commencing on 1 July 2020.
- The fees associated with issuing a public weighbridge licence in Appendix C.1 have remained unchanged.
- The fees associated with issuing of licenses for the 2020-21 financial year are provided in Appendices B.2 (Servicing Licences) & C.1 (Public Weighbridge Licences).

Table 5 provides a summary of the NMI's budget estimates based on the fee increases for Licensing for the years 2021–24. The numbers in Table 5 are provided for guidance only.

6.3 Appointed Authorities

- The fees associated with the appointment of Legal Metrology Authority Appointments for the 2019–20 financial year are provided in Appendix D.1.
- The fees associated with the appointment of Legal Metrology Authority Appointments will increase 41.3 per cent for the 2020-21 financial year commencing on 1 July 2020.
- The fees associated with the appointment of Legal Metrology Authority Appointments for the 2020–21 financial year is provided in Appendix D.2.

Table 5 provides a summary of the NMI's budget estimates based on the fee increases for Appointments for the years 2021–24. The numbers in Table 5 are provided for guidance only.

As stated in section 3.3, the design of the regulatory charging models in this document have been limited to a maximum period of five years from 1 July 2018. This is to avoid any potential conflict with any future changes to the regulatory environment resulting from the Measurement Law Review.²

The cost recovery models will be reviewed again as part of the Measurement Law Review and NMI will continue to work with industry to identify sustainable cost recovery models.

Table 6 provides a comparison of projected revenue increases based on 2018–19 baseline, for the financial years 2020 to 2023 against budget paper forecasts for the same time period.

Table 3: Financial projections for Regulatory charging activities, 1 July 2020 to 30 June 2021

Forecast Revenue for Legal Metrology Branch Regulatory Charging Activities 1 July 2020 to 30 June 2021	
Pattern Approval	\$'000s
Expenses	1,384
Revenue Total	504
Pattern Approval Certificates	396
Pattern Approval Laboratory	108
Balance	-880
Licensing	
Expenses	659
Revenue Total	627
Servicing Licences	485
Public Weighbridge Licences	142
Balance	-33
Appointments	
Expenses	73
Revenue – LMA Appointments	50
Balance	-23

Table 4: Financial Estimates for Pattern Approval Regulatory Charging Activity

Pattern Approval			
\$'000s	2021-22	2022-23	2023-24
Expenses	\$1,395	\$1,406	\$1,417
Revenue	\$599	\$711	\$740
Balance	-\$796	-\$695	-\$677
Cumulative balance	-\$1,676	-\$2,371	-\$3,048

² The Measurement Law Review, announced in 2017, will comprehensively review the *National Measurement Act 1960* and its subordinate regulations against the Terms of Reference at industry.gov.au/regulation-and-standards/measurement-standards/measurement-law-review. Reform options are expected to be provided to Government in 2021 after public consultation.

Table 5: Financial Estimates for Licensing and Appointments Regulatory Charging Activity

Licensing and Appointments			
\$'000s	2021-22	2022-23	2023-24
Expenses	\$744	\$756	\$768
Revenue Total	\$595	\$670	\$780
Servicing Licences	\$377	\$484	\$610
Public Weighbridge Licences	\$153	\$106	\$90
Appointments	\$65	\$80	\$80
Balance	-\$149	-\$87	\$12
Cumulative balance	-\$182	-\$269	-\$257

Table 6: Projected revenue increases based on 2018-19 baseline against budget paper forecasts

Projected Revenue			
\$'000s	2020-21	2021-22	2022-23
Total Revenue	\$1,194	\$1,380	\$1,520
Year on Year Increases	\$207	\$187	\$140
2018-19 Baseline increases	\$456	\$643	\$783
Budget Paper Forecasts	\$233	\$444	N/A

The projected revenues take into account the expected timing of license renewals, noting that many licenses are renewed for three years rather than annually.

7A FINANCIAL PERFORMANCE

Tables 7 and 8 illustrate the historic financial performance of the Pattern Approval, Licensing and Appointments activity groups.

Table 7 Pattern Approval

\$'000s	2015-16	2016-17	2017-18	2018-2019	2019-2020
Expenses = X	\$1,749	\$1,600	\$1,407	\$1,243	\$1,331
Revenue = Y	\$519	\$503	\$352	\$333	\$360
Balance = Y – X	-\$1,229	-\$1,097	-\$1,055	-\$910	-\$971
Cumulative balance	-\$1,229	-\$2,326	-\$3,381	-\$4,291	-\$5,262

Table 8 Licensing and Appointments

\$'000s	2015-16	2016-17	2017-18	2018-2019	2019-2020
Expenses = X	\$539	\$638	\$686	\$837	\$675
Revenue = Y	\$404	\$427	\$433	\$404	\$444
Balance = Y – X	-\$135	-\$211	-\$253	-\$433	-\$231
Cumulative balance	-\$135	-\$346	-\$599	-\$1,032	-\$1,263

7B NON-FINANCIAL PERFORMANCE

NMI's activities contribute towards Australia's national system of measurement being trusted nationally and internationally. NMI's overall performance against that measure is reported in the Department of Industry, Innovating and Science's Annual Report.

Pattern Approval

The number of certificates prepared varies with demand. Between 120 and 180 certificates were prepared in each of the last three years.

Laboratory accreditation through the National Association of Testing Laboratories has been maintained.

Suitable bilateral and multilateral arrangements are in place to support mutual recognition of testing performed within the scope of agreements with international partners and to enhance alignment with international specifications, where possible.

Licensing and Appointments

There are over 550 licensees and over 70 legal metrology authorities. Servicing licensees employ around 1400 verifiers.

8. Key Dates and Events

Date	Event
31 October each year	Review and update key performance indicators, volume forecasts, financial forecasts and results.
Ongoing to 2022	Ongoing Public consultations on measurement law review. Refer to the website industry.gov.au/data-and-publications/measurement-law-review

9. CRIS APPROVAL AND CHANGE REGISTER

Date of CRIS Change	Approver	CRIS Change
30 September 2020	Accountable Authority	Updated schedule of charges for 2020-21
30 September 2020	Accountable Authority	Updated financial reporting and forecasts.

Appendix A – Pattern Approval Fees

A.1 Pattern Approval fee for the financial year 2019-2020

Pattern Approval - National Measurement Regulations 1999 - Schedule 13-Fees																									
Financial Year 2019-2020																									
Activity	Certificate or Laboratory Function	Part 1 - Examination and certification of patterns of volume measuring instruments						Part 2 - Examination and certification of patterns of weighing and dimensional measuring instruments						Part 3 - Examination and certification of patterns of evidential breath analysers		Part 4 - Examination and certification of patterns of grain protein measuring instruments		Part 5 - Examination and certification of patterns of utility meters		Part 6 - Examination and certification of patterns of point of sale systems		Part 7 - Examination and certification of patterns of other measuring instruments		Part 8 - Fees for use of particular equipment in examination and certification of patterns of instruments	
		Level 1		Level 2		Level 3		Level 1		Level 2		Level 3													
		Fee	Hourly	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours
Application Processing	Certificate	\$430		\$430		\$430		\$430		\$430		\$430		\$430		\$430		\$430		\$430		\$430			
Application Assessment	Certificate	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour		
Instrument Performance	Laboratory	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour								
Temperature test	Laboratory	\$1,723		\$2,727		\$2,977		\$2,532		\$3,289		\$3,420		\$679		\$5,860									
Humidity test	Laboratory	\$1,969		\$2,167		\$2,310		\$1,395		\$1,736		\$2,191		\$704		\$1,996									
Cyclic Humidity test	Laboratory							\$4,241		\$4,568		\$4,959													
Voltage test	Laboratory	\$848		\$1,161		\$1,279		\$1,044		\$1,199		\$1,291		\$1,410		\$1,070									
Line-borne interference test	Laboratory	\$2,048		\$2,076		\$2,102		\$952		\$1,109		\$1,356		\$3,172		\$992									
Surges	Laboratory							\$952		\$1,109		\$1,356													
Static discharge test	Laboratory	\$1,382		\$2,557		\$2,831		\$1,044		\$1,150		\$1,266		\$2,896		\$1,058									
Electromagnetic susceptibility tests	Laboratory	\$4,596		\$4,997		\$5,416		\$4,659		\$5,416		\$6,094		\$30,315		\$4,789									
Electromagnetic susceptibility tests	Laboratory							\$2,322		\$2,884		\$3,472													
Mechanical Shock	Laboratory													\$287	per hour										
Magnetic Effect	Laboratory													\$287	per hour										
Hydrocarbons	Laboratory													\$287	per hour										
Supply Frequency	Laboratory													\$287	per hour										
High Temperature Storage	Laboratory													\$430											
Damp Heat Cyclic	Laboratory													\$430											
DC Power Supply	Laboratory													\$287	per hour										
Ripple on DC	Laboratory													\$287	per hour										
Vibration	Laboratory													\$287	per hour										
Durability	Laboratory													\$287	per hour										

Pattern Approval - National Measurement Regulations 1999 - Schedule 13-Fees

Financial Year 2019-2020

Activity	Certificate or Laboratory Function	Part 1 - Examination and certification of patterns of volume measuring instruments						Part 2 - Examination and certification of patterns of weighing and dimensional measuring instruments						Part 3 - Examination and certification of patterns of evidential breath analysers		Part 4 - Examination and certification of patterns of grain protein measuring instruments		Part 5 - Examination and certification of patterns of utility meters		Part 6 - Examination and certification of patterns of point of sale systems		Part 7 - Examination and certification of patterns of other measuring instruments		Part 8 - Fees for use of particular equipment in examination and certification of patterns of instruments	
		Level 1		Level 2		Level 3		Level 1		Level 2		Level 3													
		Fee	Hourly	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours
Endurance tests	Laboratory	\$836		\$1,670		\$2,048		\$1,096		\$1,382		\$1,710													
Checklist	Certificate	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour								
Summary report	Certificate	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour			\$287	per hour		
Certificate preparation	Certificate	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour			\$287	per hour		
Consultations, performance and other tests	Laboratory	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour	\$287	per hour			\$287	per hour		
Large load cell facility (capacity 600 kg to 50 000 kg)	Laboratory																						\$151	per hour	
Small load cell facility (capacity 50 kg to 500 kg)	Laboratory																						\$114	per hour	
Liquid hydrocarbons test facility	Laboratory																						\$268	per hour	
Liquefied petroleum gas test facility	Laboratory																						\$268	per hour	
Compresses natural gas test facility	Laboratory																						\$268	per hour	
Temperature controlled chamber	Laboratory																						\$121	per hour	
Humidity test chamber	Laboratory																						\$141	per hour	
Reliability test equipment	Laboratory																						\$114	per hour	
Line-borne interference test equipment	Laboratory																						\$121	per hour	
Electromagnetic susceptibility test chamber	Laboratory																						\$340	per hour	
Electromagnetic discharge test equipment	Laboratory																						\$124	per hour	

A.2 Pattern Approval fee for the financial year 2020-2021

Pattern Approval - National Measurement Regulations 1999 - Schedule 13-Fees																									
Financial Year 2020-2021																									
Activity	Certificate or Laboratory Function	Part 1 - Examination and certification of patterns of volume measuring instruments						Part 2 - Examination and certification of patterns of weighing and dimensional measuring instruments						Part 3 - Examination and certification of patterns of evidential breath analysers		Part 4 - Examination and certification of patterns of grain protein measuring instruments		Part 5 - Examination and certification of patterns of utility meters		Part 6 - Examination and certification of patterns of point of sale systems		Part 7 - Examination and certification of patterns of other measuring instruments		Part 8 - Fees for use of particular equipment in examination and certification of patterns of instruments	
		Level 1		Level 2		Level 3		Level 1		Level 2		Level 3													
		Fee	Hourly	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours
Application Processing	Certificate	\$508		\$508		\$508		\$508		\$508		\$508		\$508		\$508		\$508		\$508		\$508			
Application Assessment	Certificate	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour		
Instrument Performance	Laboratory	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour								
Temperature test	Laboratory	\$2,039		\$3,227		\$3,523		\$2,996		\$3,892		\$4,047		\$804		\$6,934									
Humidity test	Laboratory	\$2,330		\$2,564		\$2,734		\$1,651		\$2,054		\$2,593		\$833		\$2,362									
Cyclic Humidity test	Laboratory							\$5,019		\$5,406		\$5,869													
Voltage test	Laboratory	\$1,004		\$1,373		\$1,514		\$1,236		\$1,419		\$1,527		\$1,669		\$1,266									
Line-borne interference test	Laboratory	\$2,424		\$2,456		\$2,487		\$1,127		\$1,312		\$1,605		\$3,754		\$1,174									
Surges	Laboratory							\$1,127		\$1,312		\$1,605													
Static discharge test	Laboratory	\$1,635		\$3,026		\$3,350		\$1,236		\$1,361		\$1,498		\$3,427		\$1,252									
Electromagnetic susceptibility tests	Laboratory	\$5,439		\$5,913		\$6,410		\$5,513		\$6,410		\$7,212		\$35,874		\$5,667									
Electromagnetic susceptibility tests	Laboratory							\$2,748		\$3,413		\$4,109													
Mechanical Shock	Laboratory													\$339	per hour										
Magnetic Effect	Laboratory													\$339	per hour										
Hydrocarbons	Laboratory													\$339	per hour										
Supply Frequency	Laboratory													\$339	per hour										
High Temperature Storage	Laboratory													\$508											
Damp Heat Cyclic	Laboratory													\$508											
DC Power Supply	Laboratory													\$339	per hour										
Ripple on DC	Laboratory													\$339	per hour										
Vibration	Laboratory													\$339	per hour										
Durability	Laboratory													\$339	per hour										
Endurance tests	Laboratory	\$989		\$1,977		\$2,424		\$1,297		\$1,635		\$2,023													
Checklist	Certificate	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour								

Pattern Approval - National Measurement Regulations 1999 - Schedule 13-Fees

Financial Year 2020-2021

Activity	Certificate or Laboratory Function	Part 1 - Examination and certification of patterns of volume measuring instruments						Part 2 - Examination and certification of patterns of weighing and dimensional measuring instruments						Part 3 - Examination and certification of patterns of evidential breath analysers		Part 4 - Examination and certification of patterns of grain protein measuring instruments		Part 5 - Examination and certification of patterns of utility meters		Part 6 - Examination and certification of patterns of point of sale systems		Part 7 - Examination and certification of patterns of other measuring instruments		Part 8 - Fees for use of particular equipment in examination and certification of patterns of instruments	
		Level 1		Level 2		Level 3		Level 1		Level 2		Level 3													
		Fee	Hourly	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours	Fee	Hours
Summary report	Certificate	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour			\$339	per hour		
Certificate preparation	Certificate	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour			\$339	per hour		
Consultations, performance and other tests	Laboratory	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour	\$339	per hour			\$339	per hour		
Large load cell facility (capacity 600 kg to 50 000 kg)	Laboratory																						\$178	per hour	
Small load cell facility (capacity 50 kg to 500 kg)	Laboratory																						\$134	per hour	
Liquid hydrocarbons test facility	Laboratory																						\$317	per hour	
Liquefied petroleum gas test facility	Laboratory																						\$317	per hour	
Compresses natural gas test facility	Laboratory																						\$317	per hour	
Temperature controlled chamber	Laboratory																						\$144	per hour	
Humidity test chamber	Laboratory																						\$167	per hour	
Reliability test equipment	Laboratory																						\$134	per hour	
Line-borne interference test equipment	Laboratory																						\$144	per hour	
Electromagnetic susceptibility test chamber	Laboratory																						\$402	per hour	
Electromagnetic discharge test equipment	Laboratory																						\$147	per hour	

Appendix B – Servicing Licence Fees

B.1 Servicing Licence fees for the financial year 2019-2020

Servicing Licensees		
National Trade Measurement Regulations 2009 - Division 2.4 2.41C Prescribed fee - application for servicing licence (Act s18NA(3)(b))		
Financial Year 2019-2020		
Part 1 Kind of applicant		
Item	Applicant	Fee
1.1	Applicant that holds a servicing licence	Nil
1.2	Applicant that does not hold a licence	\$571
Part 2 Number of Verifiers		
Item	Number of verifiers nominated in application	Fee
2.1	1	\$628 x number of years of licence (including any part of a year)
2.2	At least 2 but no more than 10	\$971 x number of years of licence (including any part of a year)
2.3	At least 11 but no more than 50	\$2342 x number of years of licence (including any part of a year)
2.4	At least 51 but no more than 100	\$4056 x number of years of licence (including any part of a year)
2.5	At least 101	\$6627 x number of years of licence (including any part of a year)
Part 3 Categories of Licence		
Item	Fee	
3.1	Number of classes of servicing licence to which the application relates x \$143	

B.2 Servicing Licence fees for the financial year 2020-2021

Servicing Licensees		
National Trade Measurement Regulations 2009 - Division 2.4 2.41C Prescribed fee - application for servicing licence (Act s18NA(3)(b))		
Financial Year 2020-21		
Part 1 Kind of applicant		
Item	Applicant	Fee
1.1	Applicant that holds a servicing licence	Nil
1.2	Applicant that does not hold a licence	\$643
Part 2 Number of Verifiers		
Item	Number of verifiers nominated in application	Fee
2.1	1	\$707 x number of years of licence (including any part of a year)
2.2	At least 2 but no more than 10	\$1092 x number of years of licence (including any part of a year)
2.3	At least 11 but no more than 50	\$2634 x number of years of licence (including any part of a year)
2.4	At least 51 but no more than 100	\$4562 x number of years of licence (including any part of a year)
2.5	At least 101	\$7453 x number of years of licence (including any part of a year)
Part 3 Categories of Licence		
Item	Fee	
3.1	Number of classes of servicing licence to which the application relates x \$161	

Appendix C – Public Weighbridge Licence Fees

C.1 Public Weighbridge Licence fees for the financial year 2020-2021

Public Weighbridge Licences	
National Trade Measurement Regulations 2009 - Division 3.2	
Financial Year 2020-2021	
3.12 Prescribed fee - application for public weighbridge licence (Act s 18PA (3) (b))	
<p>For paragraph 18PA (3) (b) of the Act, the fee for an application for a public weighbridge licence is the sum of:</p> <p>(a) \$785; and</p> <p>(b) \$550 multiplied by each year, or part of a year, of the licence.</p> <p>Note: The amount of \$1335 is the component of the total fee covering the first year of the licence.</p>	
3.13 Prescribed fee—application to amend condition of public weighbridge licence (Act s 18PI (2) (b))	
<p>For paragraph 18PI (2) (b) of the Act, the fee for an application to amend a condition of a public weighbridge licence is \$196.</p>	
3.14 Prescribed fee—application to amend public weighbridge licence due to change of partnership (Act s 18PJ (3) (d))	
<p>For paragraph 18PJ (3) (d) of the Act, the fee for an application to amend a public weighbridge licence to state the people who are or will be the partners is \$785.</p>	
3.15 Prescribed fee—application to contract out public weighbridge operation (Act s 18PK (3) (d))	
<p>For paragraph 18PK (3) (d) of the Act, the fee for an application to amend a public weighbridge licence to state the person who will operate the public weighbridge is \$550 multiplied by each year, or part of a year, of the licence remaining after the application is made.</p>	
3.16 Prescribed fee—application for renewal of public weighbridge licence (Act s 18PL (2) (b))	
<p>For paragraph 18PL (2) (b) of the Act, the fee for an application for the renewal of a public weighbridge licence is \$550 multiplied by each year of the licence.</p>	

Appendix D – Legal Metrology Authority Appointment Fees

D.1 Legal Metrology Authority Appointment fees for the financial year 2019-2020

Legal Metrology Authority Appointments				
No legislative Pricing Framework				
Financial Year 2019-2020				
Appointment	Certifying Authority	Verifying Authority	Approving Authority	Utility Meter Verifier
	\$1,876	\$1,876	\$1,876	\$1,876

D.2 Legal Metrology Authority Appointment fees for the financial year 2020-2021

Legal Metrology Authority Appointments				
No legislative Pricing Framework				
Financial Year 2020-2021				
Appointment	Certifying Authority	Verifying Authority	Approving Authority	Utility Meter Verifier
	\$2,650	\$2,650	\$2,650	\$2,650