



2000 CHAPTER 5

Testing by official EEA testers

2. After Article 9A of the 1981 Order (inserted by this Act) there shall be inserted the following Article—

“Testing by official EEA testers

9B.—(1) This Article applies where—

- (a) any equipment which has been tested by an official EEA tester is at any time submitted to an inspector under Article 9(3);
- (b) the test report of the official EEA tester is submitted to the inspector at that time; and
- (c) that report states which tests have been applied to the equipment and sets out the results of those tests.

(2) Article 9 shall have effect as if—

- (a) sub-paragraph (a) of paragraph (3) required the inspector not to test the equipment in the manner mentioned in that sub-paragraph; and
- (b) sub-paragraphs (b) and (c) of that paragraph required him to rely, for the purposes of those sub-paragraphs, on the test report of the official EEA tester.

(3) In this Article “official EEA tester”, in relation to the testing of equipment of any description, means a person who, at the time when the tests were applied—

- (a) had responsibility in an EEA State for the metrological control of equipment of that description; or

(b) was accredited in an EEA State as a person operating a laboratory, in conformity with the criteria set out in the applicable European Standard, for the purpose of testing equipment of that description.

(4) In paragraph (3) “EEA State” means a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993.”.