

1986 No. 307

WEIGHTS AND MEASURES

Measuring Equipment (Liquid Fuel by Road Tanker) (Amendment) Regulations (Northern Ireland) 1986

Made 24th September 1986

Coming into operation 3rd November 1986

The Department of Economic Development, in exercise of the powers conferred by Articles 9(1) and (3), 10(6) and 13(1) of the Weights and Measures (Northern Ireland) Order 1981(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Measuring Equipment (Liquid Fuel by Road Tanker) (Amendment) Regulations (Northern Ireland) 1986 and shall come into operation on 3rd November 1986.

Amendment of the Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1984

2. The Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1984(c) shall be amended as follows:—

(a) in Regulation 2(1):—

(i) there shall be added at the appropriate place in alphabetical order the following definitions:—

“ “bottom loaded compartment” means a compartment which is designed for filling from the bottom and incorporates a dipstick measuring system or a contents gauging system whose calibration includes the volume of pipework between the foot valve and the outlet valve;”;

“ “frustrated delivery” means a planned delivery which cannot be completed because:—

(a) there is not enough space in the customer’s storage tank,

(b) continuing the delivery would result in prohibited mixing of fuels or contamination, or,

(c) a component of the measuring system breaks down;”;

“ “tank shell” means the skin forming the inner surface of the compartment;”;

“ “top loaded compartment” means a compartment which is designed for filling from the top;”;

(ii) in the definition of “compartment” the words “but does not include” onwards shall be deleted; and

(iii) in the definition of “prescribed limits of error”, for the words “Regulation 56(2)” there shall be substituted the words “Regulation 56(4)”;

(a) S.I. 1981/231 (N.I. 10)

(b) By S.I. 1982/846 (N.I. 11) Art. 4

(c) S.R. 1984 No. 117

(b) for paragraph 3 of Regulation 2 there shall be substituted the following paragraph:—

“(3) The abbreviations of, and symbols for, units of measurement used in these Regulations refer to the relevant units as follows:—

cubic metre	...	m ³
millimetre	...	mm
square centimetre	...	cm ²
degree celsius	...	°C
second	...	s
square millimetre	...	mm ² ”;

(c) in Regulation 3:—

- (i) in paragraph (1), for the words “paragraph (2)” there shall be substituted the words “paragraphs (2) and (3)”;
- (ii) in paragraph (2)(a), for the words “dispensed at other than ambient temperature” there shall be substituted the words “with a kinematic viscosity exceeding 100 mm²/s at 15°C”; and
- (iii) after paragraph (2) there shall be added the following paragraphs:—

“(3) Except for Regulations 5, 17 and 36, these Regulations do not apply to meter measuring systems which bear the mark of EEC initial verification.

(4) In this Regulation, “mark of EEC initial verification” means the mark described in paragraph 5 of Schedule 1 to the Measuring Instruments (EEC Requirements) Regulations 1980(a).”;

- (d) at the end of Regulation 5(2) there shall be added the words “or where a frustrated delivery has taken place and all reasonable precautions have been taken and all due diligence has been exercised to avoid a frustrated delivery”;
- (e) after Regulation 19 there shall be added the following Regulation:—

“*Approved patterns of construction and identification marks*

19A.—(1) On and after 1st September 1988, every dipstick measuring system which is incorporated in a bottom loaded compartment shall be made in accordance with a pattern in respect of which a certificate of approval is in force.

(2) Every dipstick measuring system made in accordance with a pattern as mentioned in paragraph (1) shall be legibly and durably marked with the number of the certificate of approval preceded by the words “Certification No.” or “Cert. No.” or “DED Certification No.” or “DED Cert. No.” as the case may be.”;

- (f) for Regulation 20 there shall be substituted the following Regulation:—

“*Construction of dipsticks*

20.—(1) Every dipstick shall consist of a blade and a crosspiece.

(2) The blade shall be made of hard wood treated to reduce absorption, glass-reinforced plastic or other suitable material.

(3) The blade shall be free from flaws and sufficiently straight to be satisfactory for measurement.

(4)(a) Subject to sub-paragraph (b) and paragraph (6), the blade shall extend to within 20 mm of the tank shell beneath the dipstick but not so as to touch the tank shell.

(a) S.I. 1980/1058; the relevant amending instrument is S.I. 1985/1871

(b) For compartments the use of which commenced before 1st July 1980, sub-paragraph (a) shall have effect as if for "20 mm" there were substituted "25 mm".

(5) Subject to paragraph (6), the blade of a dipstick associated with a top loaded compartment shall be sufficiently long so that it will indicate when the compartment contains liquid fuel equal to 0.5% of the nominal capacity of the compartment.

(6) For top loaded compartments the use of which commenced before 1st July 1983—

(a) the blade shall only have to comply with either the requirements of paragraph (4) or those of paragraph (5);

(b) if the blade does not comply with the requirements of both paragraphs (4) and (5), the dipstick measuring system shall not be used for trade after 31st December 1993.

(7) Subject to paragraph (8), the blades of all dipsticks associated with bottom loaded compartments shall be sufficiently long so that the total amount of liquid fuel in the tank which cannot be indicated by the dipsticks does not exceed 0.7% of the total nominal capacities of the compartments.

(8) For compartments the use of which commenced before 1st January 1986, paragraph (7) shall have effect as if for "0.7%" there were substituted "1%";

(g) in Regulation 26, after the word "figures" there shall be added the words "and letters";

(h) after Regulation 26 there shall be added the following Regulation:—

"Marking of dipstick associated with a bottom loaded compartment

26A. Every dipstick associated with a bottom loaded compartment shall be marked with the letters "BLV" before the related tank number and on the graduated face of the dipstick at the other end of the blade.";

(i) in Regulation 28, for the words "following provisions of this Regulation" there shall be substituted the words "following paragraphs";

(j) in Regulation 29, after paragraph (3) there shall be added the following paragraph:—

"(4) Means shall be provided to prevent a dipstick associated with a bottom loaded compartment being used unless the compartment's foot valve is open.";

(k) for Regulation 30 there shall be substituted the following Regulation:—

"Dimensions of dipstick guide tubes

30.—(1) The dipstick guide tube throughout its depth of immersion shall—

(a) be not less than 50 mm internal diameter or equivalent cross-sectional area; and

(b) have uniform venting of at least 0.01 square metre per metre of length, excluding any gauze covering or retaining clips.

(2) In the case of compartments used for liquid fuel other than petroleum spirit a dipstick guide tube above the level of the liquid may be used, but it shall be of such diameter and length that the dipstick is guided sufficiently near to the vertical plane so that any inaccuracy in the indication of quantity cannot exceed the prescribed limits of error.";

(l) in Regulation 33:—

(i) at the end of paragraph (1)(b) there shall be added the words "and its foot valve operating mechanism other than any emergency shut down mechanism"; and

- (ii) after paragraph (3) there shall be added the following paragraph:—
- “(4) A legible, permanent and conspicuous notice shall be positioned adjacent to the outlet valves on every road tanker which has bottom loaded compartments stating—
- (a) that the tanker has bottom loaded compartments;
 - (b) that dipsticks associated with bottom loaded compartments must not be used unless the compartment’s foot valve is open; and
 - (c) the method of indicating whether the foot valve of any bottom loaded compartment is open or closed.”;
- (m) in Regulation 35, after paragraph (4) there shall be added the following paragraph:—
- “(5) Means shall be provided to indicate whether the foot valve opening mechanism of a bottom loaded compartment has been activated.”;
- (n) in Regulation 36(2), for sub-paragraph (b) there shall be substituted the following sub-paragraph:—
- “(b) with a ticket printing mechanism which shall be used to provide an individual printed ticket.”;
- (o) for Regulation 63 there shall be substituted the following Regulation:—
- “Measuring equipment which has been subject to adjustment, alteration, addition, repair or replacement*
- 63.** An inspector shall obliterate the stamp on any measuring equipment which has, since it was last stamped, been the subject of any adjustment, alteration, addition, repair or replacement such that it could not be passed as fit for use for trade under Regulation 57.”; and
- (p) in Regulation 66(1), for sub-paragraph (b) there shall be substituted the following sub-paragraph:—
- “(b) the occurrence was confined to the stamp protecting the ticket printing mechanism;”.

Sealed with the Official Seal of the Department of Economic Development on
24th September 1986.

(L.S.)

Margaret L. Johnston
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1984 (the "principal Regulations") which apply to all measuring equipment on road tankers (other than equipment used only for the delivery of liquefied gas, lubricating or heated oil and for refuelling ships, hovercraft and aircraft) for use for trade in the making of any measurement of liquid fuel in a quantity exceeding 20 gallons or 100 litres (mainly petrol to filling stations and central heating fuel oils to houses and other premises).

The Regulations make the following changes of substance to the principal Regulations:—

- (a) additional definitions are included and certain definitions amended (Regulation 2(a));
- (b) Regulation 2(b) substitutes a new Regulation 2(3) of the principal Regulations to add to the list of abbreviations of, and symbols for, units of measurement used in those Regulations;
- (c) a more precise description of a heated oil is substituted, and certain of the Regulations are applied to meter measuring systems bearing the mark of EEC initial verification (Regulation 2(c));
- (d) provision is included to cover circumstances where a frustrated delivery takes place even though reasonable precautions have been taken and due diligence exercised to avoid a frustrated delivery (Regulation 2(d));
- (e) a new Regulation 19A is inserted to provide that with effect from 1st September 1988 patterns of dipstick measuring systems associated with bottom loaded compartments require to be approved and marked (Regulation 2(e));
- (f) Regulation 2(f) substitutes a new Regulation 20 of the principal Regulations to include length requirements for dipsticks associated with bottom loaded compartments, with relaxed requirements for compartments the use of which commenced before 1st January 1986;
- (g) the marking requirements for dipsticks are amended (Regulation 2(g));
- (h) marking requirements for dipsticks associated with bottom loaded compartments are included (Regulation 2(h) and (l));
- (i) requirements that dipsticks associated with bottom loaded compartments shall not be used unless the compartment's foot valves are open, and that a means be provided to indicate whether they are open or closed, are included (Regulation 2(j) and (m));
- (j) Regulation 2(k) substitutes a new Regulation 30 of the principal Regulations to extend the requirements for venting to all dipstick guide tubes;
- (k) the requirement for meter measuring systems and contents gauging systems to be used for trade in conjunction with a ticket printing mechanism is clarified (Regulation 2(n));
- (l) the circumstances in which an inspector shall obliterate a stamp have been redefined to include adjustments, repairs and replacements (Regulation 2(o)); and
- (m) the circumstances in which a meter measuring system may be used without a stamp are restricted (Regulation 2(p)).