
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 27

The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations (Northern Ireland) 2005

PART I
GENERAL

Citation, commencement, consequential disapplication and amendment

1.—(1) These Regulations may be cited as the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations (Northern Ireland) 2005 and shall come into operation on 1st March 2005.

(2) The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland) 1986(1) are hereby disappplied in respect of any filling instrument which is also a filling machine for the purposes of those Regulations.

(3) For regulation 3(2)(i) of the Weights and Measures Regulations (Northern Ireland) 1967(2), there shall be substituted the following –

“(i) filling machines and discontinuous totalisers to which the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland) 1986 and filling instruments to which the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations (Northern Ireland) 2005(3) apply, except insofar as such machines, totalisers and filling instruments are capable of also being used as a non-automatic weighing machine;”.

Interpretation

2.—(1) In these Regulations –

(a) “filling instrument” means an instrument which –

- (i) serves to determine the mass of a load by using the action of gravity on that load without the intervention of an operator;
- (ii) follows a predetermined programme of automatic processes characteristic of the instrument;
- (iii) systematically sub-divides material from bulk into separate loads of a predetermined and virtually constant mass; and
- (iv) effects an automatic feed and weighing of those loads with the appropriate control and discharge devices; and

(1) S.R. 1986 No.311 as amended by S.R. 1995 No.228, S.R. 1998 No. 374, S.R. 2002 No. 71 and S.R. 2005 No. 27
(2) S.R. & O. 1967 No.237 as amended by S.R. & O. 1972 No. 278, S.R. 1979 No. 436, S.I. 1980/1070, S.R. 1985 No. 319, S.R. 1985 No. 364, S.R. 1986 No. 311, S.R. 1991 No. 266, S.R. 1993 No. 441 and S.R. 1994 No. 322
(3) S.R. 2005 No. 27

(b) any expression and procedure which is not defined in these Regulations and is used both in these Regulations and in OIML R 61 shall bear the same meaning as in OIML R 61.

(2) In these Regulations –

“the 1981 Order” means the Weights and Measures (Northern Ireland) Order 1981;

“accuracy class” means the accuracy class, in respect of a filling instrument, determined in accordance with the provisions of regulation 6(c); provided always that the accuracy class in respect of that filling instrument shall not be of a higher level of precision than the reference value for accuracy class in respect of that instrument;

“certificate of approval” means a certificate of approval of a pattern of a filling instrument granted or renewed by the Department under Article 10 of the 1981 Order;

“control instrument” means a weighing instrument used to determine the mass of the test fills delivered by the filling instrument;

“initial verification testing” means testing in accordance with the provisions of regulation 6(c);

“level indicator” means a device which indicates when the structure to which it is attached is tilted away from its correct operating position;

“load receptor” means a part of a filling instrument on which loads are placed for the purpose of their being weighed;

“maximum capacity” means the maximum discrete load which the filling instrument is authorised to weigh and that can be weighed automatically on a load receptor;

“minimum capacity” means the minimum discrete load which the filling instrument is authorised to weigh and that can be weighed automatically on a load receptor;

“OIML R 61” means the International Recommendation OIML R 61 of the Organisation Internationale de Métrologie Légale relating to automatic gravimetric filling instruments (Edition 1996 (E));

“prescribed limits of error” has the meaning set out in regulation 10(3);

“reference particle mass” means, in respect of a product, the mass equal to the mean of ten of the largest elementary particles or pieces of the product taken from one or more loads;

“reference value for accuracy class” means, in respect of a filling instrument, the value for accuracy class of that instrument determined by static testing of the weighing unit during influence quantity testing prior to a certificate of approval being issued and shall be stated in the certificate of approval: the reference value for accuracy class shall be equal to the best accuracy class, that is to say the class of the highest level of precision, for which that filling instrument may be tested and passed as fit for use for trade;

“the stamp” or “verification mark” means the stamp prescribed by the Weights and Measures (Prescribed Stamp) Regulations (Northern Ireland) 1969(4);

“tare device” means a device for setting the weight indicating device, that is to say the device which indicates the weight of a load on a load receptor of the filling instrument, to zero when a load is placed on the load receptor –

(a) without altering the weighing range for net loads (additive tare device); or

(b) reducing the weighing range for net loads (subtractive tare device);

“weighing unit” means a device which provides information on the mass of the load being weighed by the filling instrument; and

“zero-setting device” means a device which allows the setting of that indicating device to zero when the load receptor is empty.

Application

3.—(1) Subject to paragraphs (2) and (3) and regulation 4, these Regulations apply to filling instruments and such instruments are hereby prescribed for the purposes of Article 9(1) of the 1981 Order (weighing or measuring equipment for use for trade).

(2) These Regulations shall not apply to any filling instrument which has been put into use for trade before these Regulations came into operation.

(3) These Regulations shall not apply to any filling instrument for use only for making up packages if, and only if, the packages are subsequently checked in accordance with Article 31(9) (b) of the 1981 Order, and in this paragraph “ packages” means packages as defined in Article 30 (1) of the 1981 Order .

Transitional exclusion

4.—(1) Subject to paragraph (2), these Regulations do not apply to a filling instrument –

(a) which comprises a filling machine for the purposes of the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland)1986; and

(b) which has been first passed as fit for use for trade, for the purposes of those Regulations, within a period of 10 years from the date on which these Regulations came into operation.

(2) The exception provided in paragraph (1) does not apply in the case of a filling instrument which bears the marking “R 61”.