

Changes to legislation: *The Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 2006 is up to date with all changes known to be in force on or before 13 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations replace with amendments the Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 1985 (“the 1985 Regulations”) in the light of the International Recommendation 50-1 concerning continuous totalising automatic weighing instruments beltweighers) issued by the International Organisation of Legal Metrology. The 1985 Regulations continue to apply to beltweighers passed as fit for use for trade before these Regulations come into operation (regulation 1(3)).

The Regulations apply to beltweighers for use for trade and continue to prescribe such beltweighers for the purposes of Article 9(1) of the Weights and Measures (Northern Ireland) Order 1981 (“the 1981 Order”). The effect of prescription is to make it unlawful to use these beltweighers for trade unless they have been tested, passed as fit for such use and stamped by an inspector of weights and measures.

The Regulations make provision for—

- (a) the purposes of use for trade (regulation 5);
- (b) the materials, principles of construction and marking of beltweighers (regulations 6 to 8);
- (c) the manner of erection and use for trade (regulations 9 to 12);
- (d) the testing of beltweighers (regulations 13 and 14); and
- (e) passing of beltweighers as fit for use for trade, and the stamping and obliteration of stamps on beltweighers (regulations 15 to 21).

The Regulations make the following changes of substance—

- (a) A new accuracy class of beltweigher, Class 0.5, may be used for trade (regulation 2(2)). Classes are to be determined in accordance with recommendations of the International Organisation of Legal Metrology (regulation 2(3)).
- (b) Regulation 3(2) of the 1985 Regulations restricted their application to beltweighers which are designed to operate at only one speed. These Regulations are of wider application as they are not restricted to single-speed beltweighers (regulation 4).
- (c) The testing of beltweighers may now be carried out elsewhere than at their place of use (regulation 13(2)(b)).
- (d) An inspector may now require a person in possession of a beltweigher to be tested to provide handling equipment and assistance (regulation 13(5)).
- (e) Tests are now to be carried out in accordance with provisions of the International Recommendation entitled “Continuous totalizing automatic weighing instruments (beltweighers) Part 1: Metrological and technical requirements – Tests” (regulation 15(1)).
- (f) Provision is now made for dispensing with testing of beltweighers imported from other States of the EEA (regulations 14 and 15(2)).

These Regulations were notified to the European Commission in accordance with the requirements of Directive [98/34/EC](#) of the European Parliament and of the Council (1998 O.J. L204/37), (formerly Council Directive [83/189/EEC](#) (1983 O.J. L109/8), as amended).

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Copies of the publications of the International Organisation of Legal Metrology (see regulation 3) are available from the Organisation at 11 rue Turgot, Paris, 75009, France, and from the National Weights and Measures Laboratory, Stanton Avenue, Teddington, Middlesex, TW11 0JZ.

Copies of British Standards (see regulation 14(3)) can be obtained from any of the sales outlets operated by the British Standards Institution (BSI) or by post from the BSI at Linford Wood, Milton Keynes, MK14 6LE and at any Stationery Office bookshop.

Contravention of these Regulations is an offence under Article 13(1) of the 1981 Order. It is also an offence, under Article 9(2) of the 1981 Order, for a person to use for trade or have in his possession for such use any beltweigher prescribed by regulation 4, which has not been passed as fit for such use and which does not bear a stamp indicating that it has been so passed which is undefaced otherwise than by fair wear and tear. Under Article 47(1) of the 1981 Order the penalty on summary conviction for any of these offences is a fine not exceeding level 3 on the standard scale (currently £1,000). The measuring equipment in respect of which the offence is committed is liable to forfeiture under Articles 9(2) and 13(1) of the 1981 Order.

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Changes and effects yet to be applied to :

- reg. 8(2) text amended by [S.R. 2010/366 reg. 3\(2\)\(i\)](#)