

STATUTORY RULES OF NORTHERN IRELAND

2006 No. 157

**The Weighing Equipment (Beltweighers)
Regulations (Northern Ireland) 2006**

PART IV

TESTING

Testing

13.—(1) The inspector shall test a beltweigher in accordance with the procedures relating to metrological requirements set out in clauses 5.2.1.1, 5.2.1.2 of, and clause A.11 of Annex A to, R 50-1, and, where appropriate, that relating to the switch-on procedure for electronic beltweighers set out in clause 4.4 of R 50-1.

(2) A beltweigher shall not be tested, passed as fit for use for trade and stamped unless either—

- (a) it has been completely erected ready for use and installed at the place where it is to be used, or
- (b) save in a case where paragraph (3) has effect, it has been completely erected ready for use in conditions which are in all material respects the same as those at the place where it is to be used and it is not to be dismantled before it is installed at that place.

(3) A beltweigher which is to be re-erected at its place of use after testing shall not be passed as fit for use for trade before re-erection in accordance with paragraph (2)(b) if, in the opinion of the inspector, its dismantling, transportation and re-erection are likely to affect its function or accuracy.

(4) Every beltweigher submitted for testing shall be in a clean condition.

(5) For the purposes of the performance by an inspector of his functions under the 1981 Order or these Regulations relating to inspection, testing, passing as fit for use for trade and stamping of any beltweigher, a person submitting a beltweigher to an inspector or who an inspector has reasonable cause to believe has possession of a beltweigher for use for trade shall, if requested, provide to the inspector such material, handling equipment and assistance as the inspector may reasonably require; and any material or equipment so provided shall be returned to the person in question.

Commencement Information

11 [Reg. 13](#) in operation at 1.6.2006, see [reg. 1\(1\)](#)

Beltweighers imported from an EEA State

14.—(1) In relation to a beltweigher imported into Northern Ireland from an EEA State, (whether directly or indirectly through Great Britain), subject to paragraph (4), an inspector shall not carry out any test in accordance with regulation 13 if, together with the beltweigher being imported, he is presented with the requisite documentation.

(2) In this regulation and in regulation 15(2)—

(a) “requisite documentation” means—

- (i) the test report of an approved body that the beltweigher which is the subject of that report has been tested on the same basis as that set out in this Part of these Regulations or on an equivalent basis and stating which tests have been applied to it; and
- (ii) the test results relating to those tests; and

(b) “EEA State” means a State which is a Contracting Party to the EEA Agreement ^{F1}...; and in this paragraph “the EEA Agreement” means 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.

(3) A body is an “approved body” for the purposes of this regulation if it is a body in a member State or in an EEA State which has responsibility in that State for metrological control of beltweighers or is a laboratory which has been accredited for the purposes of testing beltweighers in a member State or in an EEA State as being a body which conforms with the criteria set out in BS EN ISO/IEC 17025:2000⁽¹⁾.

(4) Nothing in these Regulations shall prevent an inspector testing in accordance with regulation 13 where he is not satisfied—

- (a) as to the authenticity of the test report or the results presented to him; or
- (b) that the test results presented to him are results which in fact relate to the beltweigher being imported; or
- (c) either—
 - (i) that the beltweigher being imported has not been dismantled after the tests to which the test report relates were carried out; or
 - (ii) where the beltweigher being imported has been dismantled after those tests were carried out, that any such dismantling is not likely to have affected its function or accuracy.

F1 Words in reg. 14(2)(b) omitted (31.12.2020) by virtue of [The Metrology, Health and Safety and Product Safety \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/202\)](#), reg. 1(2), [Sch. 2 para. 11](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I2 [Reg. 14](#) in operation at 1.6.2006, see [reg. 1\(1\)](#)

(1) BS EN ISO 17025:2000 is the international standard “General requirements for the competence of testing and calibration laboratories” (ISBN 0 580 34929 2)

Changes to legislation:

There are currently no known outstanding effects for the The Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 2006, PART IV.