STATUTORY RULES OF NORTHERN IRELAND

2006 No. 5

The Weighing Equipment (Non-automatic Weighing Machines) Regulations (Northern Ireland) 2006

PART IV

TESTING

Non-automatic weighing machines imported from an EEA State

36.—(1) In relation to any non-automatic weighing machine 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 these Regulations if, together with the machine being imported, he is presented with the requisite documentation.

(2) In this regulation and in regulation 39(5)—

(a) "requisite documentation" means—

(i) the test report of an approved body that the machine which is the subject of that report has been tested on the same basis as those set out in these Regulations 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 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 paragraph (2) if it is a body in an EEA State which has the responsibility in that State for metrological control of non-automatic weighing machines or is a laboratory which has been accredited in an EEA State as being a body which conforms with the criteria set out in EN 45001(**1**).

(4) Nothing in these Regulations shall prevent an inspector testing in accordance with the foregoing provisions of this Part 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 machines being imported.

(**1**) EN 45001 is a European Standard which has the status of a British Standard; it is identical with BS 7501 (ISBN 0 580 17939 7), "General criteria for the operation of testing laboratories"