



Weights and Measures Act 1985

1985 CHAPTER 72

PART II

WEIGHING AND MEASURING FOR TRADE

Weighing or measuring equipment for use for trade

12 Approved patterns of equipment

- (1) Where any pattern of weighing or measuring equipment is submitted by any person to the Secretary of State for the purpose in such manner as may be prescribed, the Secretary of State shall examine in such manner as he thinks fit the suitability for use for trade of equipment of that pattern, having regard in particular to the principle, materials and methods used or proposed to be used in its construction, and—
 - (a) may require the person to provide such assistance as the Secretary of State thinks fit in connection with the examination (and shall not be obliged to proceed with the examination until the person provides it), and
 - (b) may require the person to pay in respect of the examination a fee of an amount ascertained in such manner as the Secretary of State may determine with the approval of the Treasury.
- (2) Subsection (1) above applies to a pattern consisting of an approved pattern with modifications as it applies to other patterns, and in this subsection " approved pattern " means a pattern in respect of which a certificate of approval under this section is in force.
- (3) If the Secretary of State is satisfied that any equipment in respect of which a pattern is submitted to him under subsection (1) above is suitable for use for trade, then, subject to subsection (4) and section 14(2) below, he shall issue a certificate of approval of that pattern (in this section referred to as " a certificate of approval ") and shall cause particulars of the pattern to be published.
- (4) Where the Secretary of State is satisfied as mentioned in subsection (3) above, he may require the person submitting the pattern of equipment to deposit with the Secretary

Status: This is the original version (as it was originally enacted).

of State parts of equipment of that pattern or a model or drawings of such equipment or parts of it and may withhold a certificate of approval of that pattern or, as the case may be, a declaration in pursuance of section 14(2) below in respect of the pattern, until the person complies with the requirement.

- (5) A certificate of approval may be granted subject to such conditions as the Secretary of State thinks fit.
- (6) Without prejudice to the generality of subsection (5) above, a certificate of approval may be granted subject to a condition under which it ceases to be in force at the end of a specified period of less than ten years.
- (7) Subject to any condition imposed under subsection (6) above, a certificate of approval, unless previously revoked, shall cease to be in force at the end of the period of ten years beginning with the date when it was granted.
- (8) A certificate of approval may be renewed by the Secretary of State on an application made in such manner and during such period as may be prescribed and on payment, except in such cases as the Secretary of State may determine, of a fee of an amount ascertained in such manner as the Secretary of State may determine with the approval of the Treasury; and subsections (5) to (7) above apply in relation to the renewal of a certificate of approval as they apply in relation to the grant of such a certificate.
- (9) Where application has been made to the Secretary of State in accordance with subsection (8) above for the renewal of a certificate of approval, the certificate shall remain in force until the Secretary of State gives to the applicant, in such manner as may be prescribed, notice of the Secretary of State's decision with respect to the application.
- (10) The Secretary of State, after consultation with such persons appearing to him to be interested as he thinks fit, may at any time revoke any certificate of approval (including a certificate remaining in force by virtue of subsection (9) above) and shall cause notice of any such revocation to be published.
- (11) Where a certificate of approval—
 - (a) expires (whether at the end of a period or by virtue of a notice under subsection (9) above), or
 - (b) is revoked in a case where the notice of revocation published under subsection (10) above states that this subsection and section 13(2) below are to apply with respect to the revocation,the certificate shall remain in force in relation to any equipment of the pattern in question which was used for trade at a time when the certificate was in force otherwise than by virtue of this subsection ; and the power of revocation under subsection (10) above includes power to revoke a certificate remaining in force by virtue of this subsection.
- (12) Any equipment of a pattern in respect of which a certificate of approval has been granted may, and in such cases as may be prescribed shall, be marked in the prescribed manner so as to identify it with the pattern in question.