
 STATUTORY INSTRUMENTS

1984 No. 1446

WEIGHTS AND MEASURES

The Weights and Measures (Amendment) Regulations 1984

Made - - - - - 7th September 1984
Laid before Parliament 10th September 1984
Coming into Operation 2nd October 1984

The Secretary of State, in exercise of the powers conferred by sections 11(1) and (3), 14(1), 54(1) and 58(1) of the Weights and Measures Act 1963(a) and now vested in him(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Weights and Measures (Amendment) Regulations 1984 and shall come into operation on 2nd October 1984.

2. The Weights and Measures Regulations 1963(c) are hereby amended as follows:—

(a) after Regulation 1 the following Regulation shall be added:—

“Purposes of use for trade

1A. No person shall on or after 1st June 1986 use for trade any price computing weighing instrument if—

- (a) it indicates in digital form during a weighing operation a part of a penny in the amount of the price to be paid by the buyer; or
- (b) it indicates the price in digital form and has any monetary indications in units of a part of a penny in vulgar fraction form which are capable of being used during a weighing operation to calculate the price.”;

(b) after Regulation 5(1) the following paragraphs shall be added:—

“(1A) No price computing weighing instrument shall first be passed as fit for use for trade on or after 1st June 1985 if—

- (a) it is capable of indicating during a weighing operation a part

(a) 1963 c.31; section 11(3) was amended by the Weights and Measures Act 1979 (c.45), section 16(1)(a), and a substituted section 11 was set out in Schedule 4 to that Act, and section 14(1) was amended by the Weights and Measures &c. Act 1976 (c.77), section 5.

(b) S.I. 1970/1537.

(c) S.I. 1963/1710; the relevant amending instrument is S.I. 1972/767.

of a penny in the amount of the price to be paid by the buyer;
or

- (b) it has any monetary indications in units of a part of a penny in vulgar fraction form which are capable of being used during a weighing operation to calculate the price.

(1B) No price computing weighing instrument shall first be passed as fit for use for trade on or after 1st June 1986 if it is capable of indicating in digital form during a weighing operation the amount of any price to be paid by the buyer other than a price rounded to the nearest penny, any price computed as including exactly a halfpenny being rounded up or down.”;

- (c) after Regulation 8 the following Regulation shall be added:—

“8A.— (1) Subject to the following provisions of this Regulation, where any price computing weighing instrument has, since it was last stamped, been the subject of any modification consisting of any adjustment, alteration, addition, repair or replacement which could, in the opinion of the inspector, have affected its accuracy or function, he shall obliterate the stamp on that instrument.

(2) Nothing in paragraph (1) above shall require an inspector to obliterate the stamp on any instrument which has been so modified if he is satisfied—

- (a) that the sole purpose of the modification was to prevent the instrument from being capable of indicating during a weighing operation a part of a penny in the amount of the price to be paid by the buyer;
- (b) (i) that the instrument is not capable of indicating a totalised price, has no monetary indications in units of a part of a penny in vulgar fraction form which are capable of being used during a weighing operation to calculate the price, had previously indicated in digital form during a weighing operation a part of a penny in the amount of the price to be paid by the buyer and the modification was made by covering any markings of a part of a penny on it used for so indicating a price so as to render them permanently invisible, by permanently removing any such markings of a part of a penny from the instrument or by permanently removing the power supply from that part of the instrument designed solely for so indicating a price; or
- (ii) that the instrument had previously indicated otherwise than in digital form during a weighing operation a part of a penny in the amount of the price to be paid by the buyer and the modification was made by replacing or adding a chart or pointer, or by covering any such markings of a part of a penny on the instrument so as to render them permanently invisible;

and

- (c) (i) that within the period of fifteen days following the making of the modification the requirements of paragraph (3) of this Regulation were complied with; or

- (ii) that the period for complying with those requirements has not yet expired.

(3) The requirements referred to in paragraph (2)(c) above are that the chief inspector of weights and measures for the area in which the instrument will first be used for trade after it has been modified or, if the address at which it will be so used is not known, for the area in which the modification is carried out, is furnished by the person carrying out the modification with the following particulars, namely—

- (i) his name and address;
- (ii) particulars by which the instrument may be identified;
- (iii) the name and address of the person who will first use the instrument for trade after its modification and the address at which it will be so used or, if those particulars are not known, an address at which the instrument will be available for inspection for a period of not less than 10 days beginning with the day on which notification in writing is given to the said Chief Inspector by the person carrying out the modification; and
- (iv) an indication as to whether or not the purpose of the modification was only as specified in paragraph (2)(a) above.

(4) Where the modification of the instrument involves the carrying out of two or more operations and the instrument is used, or intended to be used, for trade between the carrying out of those operations, each such operation shall be treated for the purposes of paragraph (2) above as a separate modification.

(5) In this Regulation “totalised price” means the amount of the total price to be paid by the buyer for more than one item whether or not each item is weighed.”;

- (d) in Regulation 140 the following definition shall be inserted before the definition of “weighing instrument” namely—

““price computing weighing instrument”, in Regulations 1A, 5(1A) and (1B) and 8A includes ancillary equipment associated with it and any other equipment physically or otherwise connected to it whether or not such equipment has been connected to ensure correct weighing or is intended to facilitate operation of the weighing instrument and ancillary equipment.”;

- (e) in Part I of Schedule 2 the following words shall be added at the end of paragraph 1:

“and further provided that in any case in which the requirements of Regulation 8A(3) have been complied with following any modification of an instrument to prevent it from being capable of indicating during a weighing operation a part of a penny in the amount of the price to be paid by the buyer or from having any monetary indications in units of a part of a penny in vulgar fraction form which were capable of being used during a weighing operation to calculate the price, the prescribed limits of error upon the first retesting of that instrument with a view to its being passed as fit for

use for trade shall be those applicable in relation to the obliteration of the stamp upon the instrument except where the stamp was last obliterated for any reasons other than are set out in paragraph (1)(c) or (d) of Regulation 8.”.

Alexander Fletcher,
Parliamentary Under-Secretary of State,
Department of Trade and Industry.

7th September 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Weights and Measures Regulations 1963 to take account of the proposed demonetisation of the halfpenny in so far as they relate to price computing weighing instruments including ancillary and connected equipment as follows—

- (a) no instrument which indicates in digital form a price to pay including a part of a penny or which has any monetary indications in units of a part of a penny in vulgar fraction form capable of being used to calculate the price shall be used for trade on or after 1st June 1986 (Reg. 2(a));
- (b) no instrument which is capable of indicating a price to pay including a part of a penny or which has any monetary indications in units of a part of a penny in vulgar fraction form capable of being used to calculate the price shall be passed as fit for use for trade on or after 1st June 1985 (Reg. 2(b));
- (c) no instrument shall first be passed as fit for use for trade on or after 1st June 1986 if it is capable of indicating in digital form a price to pay not rounded to the nearest penny (Reg. 2(b)); and
- (d) the rules as to the obliteration of stamps on instruments which have been modified to take account of the proposed demonetisation of the halfpenny are relaxed if the modification has been made in accordance with the Regulations solely to prevent the instrument from remaining capable of indicating a price to pay which includes a part of a penny and notice of the modification has been given in accordance with the Regulations to the local chief inspector of weights and measures (Reg. 2(c)).

SI 1984/1446
ISBN 0-11-047446-5

