

1985 No. 306

WEIGHTS AND MEASURES

The EEC Requirements (Amendment) Regulations 1985

<i>Made - - - -</i>	<i>4th March 1985</i>
<i>Laid before Parliament</i>	<i>11th March 1985</i>
<i>Coming into Operation</i>	<i>1st April 1985</i>

The Secretary of State, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation of specifications, construction, placing on the market and use of equipment intended for weighing, measuring or testing or for purposes ancillary thereto, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

1. These Regulations may be cited as the EEC Requirements (Amendment) Regulations 1985 and shall come into operation on 1st April 1985.

2. The Calibration of Tanks of Vessels (EEC Requirements) Regulations 1975(c) are hereby amended by the substitution for Regulation 13 of the following Regulation:—

“13. Any person guilty of an offence under regulation 8, 9 or 10 above shall be liable on summary conviction to a fine not exceeding £2000.”

3. The Measuring Container Bottles (EEC Requirements) Regulations 1977(d) are hereby amended as follows:—

(a) in Regulation 2(1), for the definition of “credentials” there shall be substituted the following definition:—

““credentials”, in relation to an inspector, means authority in writing from the local weights and measures authority who appointed him for the exercise by that inspector of powers conferred on inspectors by Regulation 7 or, as the case may be, by Regulation 8;” and

(b) in Regulation 14(1)—

(i) for “, 10(2)(b),” there shall be substituted “or”;

(ii) “and 10(5)” shall be deleted; and

(iii) for “£50” there shall be substituted “£400”; and

(a) S.I. 1975/427.

(b) 1972 c. 68; see sections 37, 40, 46 and 54 of the Criminal Justice Act 1982 (c. 48), S.I. 1984/703 (N.I. 3), 447, 526 and S.R. (N.I.) 1984 No. 253.

(c) S.I. 1975/2125.

(d) S.I. 1977/932.

(c) in Regulation 14(2), for “£200” there shall be substituted “£2000”.

4. The Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977(a) are hereby amended in Regulation 17 as follows:—

- (a) for “14(2)” there shall be substituted “14”;
- (b) for “£200” there shall be substituted “£2000”; and
- (c) for “£50” there shall be substituted “£400”.

5. The Taximeters (EEC Requirements) Regulations 1979(b) are hereby amended in Regulation 19 as follows:—

- (a) for “16(2)” there shall be substituted “16”;
- (b) for “£200” there shall be substituted “£2000”; and
- (c) for “£50” there shall be substituted “£400”.

6. The Measuring Instruments (EEC Requirements) Regulations 1980(c) are hereby amended in Regulation 26 as follows:—

- (a) for “23(2)” there shall be substituted “23”;
- (b) for “£200” there shall be substituted “£2000”; and
- (c) for “£50” there shall be substituted “£400”.

Lucas of Chilworth,
Parliamentary Under-Secretary of State,
Department of Trade and Industry.

4th March 1985.

(a) S.I. 1977/1753, to which there are amendments not relevant to these Regulations.
(b) S.I. 1979/1379.
(c) S.I. 1980/1058; the relevant amending instrument is S.I. 1984/1618.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations increase the penalties under the Calibration of Tanks of Vessels (EEC Requirements) Regulations 1975, the Measuring Container Bottles (EEC Requirements) Regulations 1977, the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977, the Taximeters (EEC Requirements) Regulations 1979 and the Measuring Instruments (EEC Requirements) Regulations 1980. The penalties relating to the obstruction of inspectors and failure to produce production control records are increased to £2000, and the other penalties of £50 are increased to £400 and of £200 to £2000 to bring them into line with offences of similar gravity under section 52(1) and (2) of the Weights and Measures Act 1963 (c. 31).

The Regulations also bring the definition of “credentials” in the Measuring Container Bottles (EEC Requirements) Regulations 1977 into line with that definition in section 58(1) of the Weights and Measures Act 1963 as amended by paragraph 15 of Schedule 5 to the Weights and Measures Act 1979 (c. 45).

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