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STATUTORY INSTRUMENTS

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**1988 No. 186**

**The Measuring Instruments (EEC Requirements) Regulations 1988**

**PART II**

**EXEMPTION OF INSTRUMENTS BEARING CERTAIN EEC SIGNS AND MARKS FROM LEGAL RESTRICTIONS IN THE UNITED KINGDOM**

6.—(1) Section 8(1)(b) of the Act (prohibition on use for trade of any weight not included in Schedule 3 to the Act) shall not apply to a weight of 50 kilograms which bears the mark of EEC initial verification.

(2) Section 11(2) of the Act (prohibition on the use for trade etc. of weighing or measuring equipment of a class or description prescribed under section 11 without its having been passed as fit for such use) shall not apply to any instrument which bears either—

- (a) the sign of EEC pattern approval and exemption from EEC initial verification, or
- (b) the mark of EEC initial verification:

Provided that the foregoing provisions of this paragraph shall not apply to an instrument of a category to which the Directive on non-automatic weighing machines applies of a class of ordinary accuracy bearing the identifying symbol

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for the purpose of weighing any material other than ballast.

(3) An instrument (including any weight) which bears the sign or mark mentioned in paragraph (2) above shall not be found false or unjust for the purposes of section 17 (1) of the Act (prohibition on use for trade etc. of any weighing or measuring equipment which is false or unjust) by reason solely of any inaccuracy in the functioning of the instrument, if the error in question is not such as to permit the obliteration of the sign or mark under Regulation 21(1)(a) below.

(4) Regulation 67 of the Weights and Measures Regulations 1963(1) (requirement that weighing instruments used in transactions in certain higher priced commodities shall be instruments of certain categories) shall not apply to any instrument used in any of the transactions therein set out—

- (a) of a category to which the Directive on non-automatic weighing machines applies,
- (b) which bears the mark of EEC initial verification, and
- (c) of a class of special accuracy or high accuracy bearing the identifying symbol Ⓜ or Ⓜ respectively.

(5) This Regulation only applies if the sign or mark remains undefaced otherwise than by reason of fair wear and tear.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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