
STATUTORY INSTRUMENTS

1999 No. 503

The Deregulation (Weights and Measures) Order 1999

Testing by official EEA testers

3. After section 11A of the 1985 Act there shall be inserted the following section—

“Testing by official EEA testers.

11B.—(1) This section applies where—

- (a) any equipment which has been tested by an official EEA tester is at any time submitted to an inspector under section 11(4) above,
- (b) the test report of the official EEA tester is submitted to the inspector at that time, and
- (c) that report states which tests have been applied to the equipment and sets out the results of those tests.

(2) Section 11 above shall have effect as if—

- (a) paragraph (a) of subsection (4) required the inspector not to test the equipment in the manner mentioned in that paragraph,
- (b) paragraphs (b) and (c) of that subsection required him to rely, for the purposes of those paragraphs, on the test report of the official EEA tester, and
- (c) the reference in subsection (5) to any test carried out under subsection (4) were a reference to anything done under subsection (4).

(3) In this section ‘official EEA tester’, in relation to the testing of equipment of any description, means a person who, at the time when the tests were applied—

- (a) had responsibility in an EEA State for the metrological control of equipment of that description, or
- (b) was accredited in an EEA State as a person operating a laboratory, in conformity with the criteria set out in the applicable European Standard, for the purpose of testing equipment of that description.

(4) In subsection (3) above ‘EEA State’ means a Contracting Party to 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.”