
STATUTORY INSTRUMENTS

1999 No. 503

The Deregulation (Weights and Measures) Order 1999

Pre-test stamping by certain manufacturers

4.—(1) After section 15 of the 1985 Act there shall be inserted the following section—

“Pre-test stamping by certain manufacturers.

15A.—(1) Subject to subsection (2) below, an approved verifier who is the manufacturer of any equipment to which section 11 above applies may apply the prescribed stamp to the equipment, notwithstanding that it has not been passed as fit for use for trade, if he is satisfied on reasonable grounds that it will not be used (whether for trade or otherwise) unless either—

- (a) the equipment has been passed as fit for use for trade, or
- (b) the stamp has been destroyed, obliterated or defaced.

(2) A prescribed stamp shall not be applied under subsection (1) above unless the stamp includes the approved verifier’s number.

(3) If any person contravenes subsection (2) above, he shall be guilty of an offence and any equipment in respect of which the offence was committed shall be liable to be forfeited.

(4) A prescribed stamp which has been duly applied to any equipment under subsection (1) above shall have effect as follows—

- (a) at any time before the equipment is passed as fit for use for trade, as an indication that, at the time when the stamp was applied, the approved verifier was satisfied as mentioned in subsection (1) above, and
- (b) at any time after the equipment is so passed, as evidence of the passing of the equipment as fit for such use.

(5) Where equipment to which a prescribed stamp has been duly applied under subsection (1) above is passed as fit for use for trade, nothing in section 11(4)(c) or (4A)(c) above shall require another such stamp to be applied to it.

(6) Where the approved verifier fails to pass as fit for use for trade equipment to which a prescribed stamp has been applied under subsection (1) above, he may destroy, obliterate or deface the stamp—

- (a) in any case where there is a prescribed manner of doing so, in that manner, and
- (b) in any other case, in such reasonable manner as will leave no doubt that the stamp has been intentionally destroyed, obliterated or defaced.

(7) References in subsections (4) to (6) above to prescribed stamps which have been applied do not include references to such stamps which have subsequently been destroyed, obliterated or defaced.”

(2) In section 84(2) of that Act (penalties), after the entry relating to section 15(5) there shall be inserted the following entry—

“section 15A(3);”.

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(3) In section 94(1) of that Act (general interpretation), in the definition of “stamp”, after the word “means” there shall be inserted the words “, subject to section 15A(4) above,”.