
STATUTORY INSTRUMENTS

2000 No. 3236

The Non-automatic Weighing Instruments Regulations 2000

PART III

USE FOR TRADE OF NON-AUTOMATIC WEIGHING INSTRUMENTS

Restrictions on use of instruments for trade

28.—(1) An instrument marked with a weighing range may be used for trade for determining the weight of any item by ascertaining the difference between two weights (both of which fall within the weighing range), that is to say, the weight of that item and another item or items and the weight of that other or those other items only.

(2) Save in accordance with paragraph (1) above, a person shall not use for trade an instrument marked with a weighing range for determining a weight outside that range in relation—

- (a) to, or to articles made from, gold, silver or other precious metals, including gold or silver thread or fringe;
- (b) to precious stones or pearls; or
- (c) to drugs or other pharmaceutical products.

(3) A person shall not use for trade any instrument other than an instrument of accuracy classification Class I or Class II in any transaction relating—

- (a) to, or to articles made from, gold, silver or other precious metals, including gold or silver thread or fringe;
- (b) to precious stones or pearls.

(4) A person shall not use for trade an instrument carrying a marking in accordance with the EC type-approval certificate, or to which the restrictive use symbol referred to in paragraph 3 of Annex IV to the NAWI Directive applies, for a purpose which does not accord with the marking or the symbol.

(5) A person shall not use a Class III instrument for trade for any purpose other than for weighing—

- (a) any of the materials to which the expression “ballast” applies in Schedule 4 to the 1985 Act;
- (b) any material the disposal of which constitutes a landfill disposal as defined in paragraph (2) of section 70 of the Finance Act 1996⁽¹⁾, whether or not the disposal amounts to a taxable disposal as defined in section 40 of that Act; or
- (c) household, industrial or commercial waste.

(6) A person shall not use for trade any instrument for the purpose of multiple weighing, that is to say, determining the mass of a load by totalling the results of more than one static weighing operation during each of which the load is only partially supported by the load receptor.

(1) 1996 c. 8.

Status: This is the original version (as it was originally made).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

(7) For the purposes of this regulation, the terms “household waste”, “industrial waste” and “commercial waste” shall be construed in accordance with section 75 of the Environmental Protection Act 1990⁽²⁾, provided that “waste” shall include any waste disposed of for reprocessing or recycling purposes but shall not include any radioactive waste as defined in section 2 of the Radioactive Substances Act 1993⁽³⁾.

(2) 1990 c. 43.
(3) 1993 c. 12.