
STATUTORY INSTRUMENTS

1986 No. 1320

The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986

PART III

FILLING MACHINES

Testing

[^{F1}Filling Machines imported from [^{F2}a member State] or an EEA State

23A.—(1) In relation to a filling machine imported into Great Britain from [^{F3}a member State] or from an EEA State, subject to paragraph (4) below, an inspector shall not carry out any test in accordance with the foregoing provisions of this Part of these Regulations if, together with the filling machine being imported, he is presented with the requisite documentation.

(2) In this regulation and in regulation 34 below—

(a) “requisite documentation” means—

(i) the test report of an approved body that the filling machine which is the subject of that report has been tested on the same basis as those set out in this Part of these Regulations and stating which tests have been applied to it; and

(ii) the test results relating to those tests; and

(b) “EEA State” means a State which is a Contracting Party to the EEA Agreement ^{F4}...; and in this paragraph “the EEA Agreement” means 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.

[^{F5}(3) A body is an “approved body” for the purposes of this regulation if it is a body in a member State or in an EEA State which has responsibility in that State for metrological control of filling machines or is a laboratory which has been accredited for the purposes of testing filling machines in a member State or in an EEA State as being a body which conforms with the criteria set out in BS EN ISO/IEC 17025:2000.]

(4) Nothing in these Regulations shall prevent an inspector testing in accordance with the foregoing provisions of this Part of these Regulations where he is not satisfied—

(a) as to the authenticity of the test report or the results presented to him; or

(b) that the test results presented to him are results which in fact relate to the filling machine being imported; or

(c) that the filling machine has not been dismantled after the tests to which the test report relates were carried out.]

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Textual Amendments

- F1** Reg. 23A inserted (17.3.2000) by The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) (Amendment) Regulations 2000 (S.I. 2000/387), regs. 1, **2(3)**
- F2** Words in reg. 23A heading substituted (31.12.2020) by The Weighing and Measuring Equipment and Meters (Amendment of Secondary Legislation) (EU Exit) Regulations 2018 (S.I. 2018/1387), reg. 1(2), **Sch. para. 3(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 23A(1) substituted (31.12.2020) by The Weighing and Measuring Equipment and Meters (Amendment of Secondary Legislation) (EU Exit) Regulations 2018 (S.I. 2018/1387), reg. 1(2), **Sch. para. 3(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 23A(2)(b) omitted (31.12.2020) by virtue of The Weighing and Measuring Equipment and Meters (Amendment of Secondary Legislation) (EU Exit) Regulations 2018 (S.I. 2018/1387), reg. 1(2), **Sch. para. 3(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Reg. 23A(3) substituted (28.2.2003) by The Weights and Measures (Standards Amendment) Regulations 2003 (S.I. 2003/214), reg. 1, **Sch. para. 2(i)**

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