

These notes refer to the Weights and Measures (Amendment) Act (Northern Ireland) 2000 (c.5) which received Royal Assent on 20 December 2000

Weights and Measures (Amendment) Act (Northern Ireland) 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2 : Testing by official EEA testers

This section provides for the insertion of a new Article 9B after the new Article 9A of the 1981 Order (Article 9A being inserted by paragraph 4 of the Schedule to the Act).

Article 9B is entitled "*Testing by official EEA testers*" and provides for the

acceptance by an inspector of test reports from third-party testers established in the European Economic Area ("official EEA testers") as follows:

- (a) Paragraph (1) stipulates that Article 9B applies where equipment tested by an official EEA tester is submitted, along with the test report (comprising the tests applied and the results), to an inspector under Article 9(3) for passing as fit for use for trade.
- (b) Paragraph (2) requires the inspector not to test the equipment and to rely instead on the test report.
- (c) Paragraph (3) defines "official EEA testers" for the purposes of Article 9B as persons required at the time the tests were applied to have:
 - (i) responsibility in an EEA State for the metrological control of equipment of that description; or
 - (ii) accreditation in an EEA State as persons operating a laboratory, in conformity with the criteria set out in the applicable European Standard for the purposes of testing equipment of that description.
- ((d) Paragraph (4) defines EEA State.