
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 5

The Weighing Equipment (Non-automatic Weighing Machines) Regulations (Northern Ireland) 2006

PART IV

TESTING

Pre-testing requirements

32.—(1) Every non-automatic weighing machine submitted for testing shall be completely assembled and in a clean condition.

(2) For the purposes of the performance by an inspector of his functions under the 1981 Order or these Regulations relating to inspection, testing, passing as fit for use for trade and stamping of any non-automatic weighing machine, a person submitting such a machine to an inspector or who an inspector has reasonable cause to believe has control of such a machine for use for trade shall, if requested, provide for the inspector's use such material or items required by regulations 34 and 35 as the inspector may reasonably require, and any material or items so provided shall be returned to the person in question.

Permanent installations

33. A non-automatic weighing machine which is to be permanently installed in the position in which it is to be used shall not be tested, passed as fit for use for trade and stamped unless it has been completely erected ready for use and installed in the position in which it is to be used.

Testing by use of weights or testing equipment

34.—(1) Every non-automatic weighing machine, where the maximum load does not exceed 5 tonnes, shall be tested by the use of weights as set out in the following Table—

Accuracy Classification	Weights to be used
Class I and Class II	Northern Ireland local standard weights, Northern Ireland working standard weights which fall within the prescribed limits of error relating to the equivalent local standard weights, Northern Ireland test weights not greater than 20 kilograms which fall within the prescribed limits of error relating to the equivalent local standard weights or test weights greater than 20 kilograms which fall within 0.15 of the prescribed limits of error for the test weights in question

Accuracy Classification	Weights to be used
Class III and having more than 5,000 scale intervals	Northern Ireland local standard weights, Northern Ireland working standard weights, Northern Ireland test weights not greater than 20 kilograms, or test weights greater than 20 kilograms which fall within half the prescribed limits of error for the test weights in question
Class III and having no more than 5,000 scale intervals and Class IIII	Northern Ireland local standard weights, Northern Ireland working standard weights or Northern Ireland test weights

(2) Where the maximum load of a machine exceeds 5 tonnes, the test loads shall consist of a minimum of 5 tonnes of weights as set out in the Table in paragraph (1) and may consist of loose material for the remainder up to the maximum load.

(3) In this regulation “Northern Ireland local standard weights”, “Northern Ireland working standard weights” and “Northern Ireland test weights” shall be construed in accordance with the 1981 Order.

Operation by coin, currency note, credit card or other such device

35. Every non-automatic weighing machine designed to be operated by means of a coin, currency note, credit card or other such device as specified in the published particulars of the approved pattern shall be tested by use of the coin, currency note, credit card or device as appropriate.

Non-automatic weighing machines imported from an EEA State

36.—(1) In relation to any non-automatic weighing machine imported into Northern Ireland from an EEA State, (whether directly or indirectly through Great Britain), subject to paragraph (4), an inspector shall not carry out any test in accordance with these Regulations if, together with the machine being imported, he is presented with the requisite documentation.

(2) In this regulation and in regulation 39(5)—

(a) “requisite documentation” means—

(i) the test report of an approved body that the machine which is the subject of that report has been tested on the same basis as those set out in 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 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.

(3) A body is an “approved body” for the purposes of paragraph (2) if it is a body in an EEA State which has the responsibility in that State for metrological control of non-automatic weighing machines or is a laboratory which has been accredited in an EEA State as being a body which conforms with the criteria set out in EN 45001(1).

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

(1) EN 45001 is a European Standard which has the status of a British Standard; it is identical with BS 7501 (ISBN 0 580 17939 7), “General criteria for the operation of testing laboratories”

- (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 machines being imported.

Other testing requirements

37.—(1) Subject to paragraph (2), every non-automatic weighing machine shall be tested in accordance with the appropriate testing procedures specified in Schedule 2 or, where appropriate, those specified in the published particulars of the approved pattern; provided that the procedures specified in paragraphs 15 and 16 of that Schedule shall not be carried out unless the inspector considers it necessary to do so having regard to the characteristics of the machine or to the particular circumstances.

(2) In the case of a machine marked with an approved minimum load, the limits of error specified in Schedule 3 shall apply for test loads of less than the amount of that load.