



Weights and Measures Act 1985

1985 CHAPTER 72

PART II

WEIGHING AND MEASURING FOR TRADE

Miscellaneous

15 Regulations relating to weighing or measuring for trade

- (1) The Secretary of State may make regulations with respect to—
- (a) the materials and principles of construction of weighing or measuring equipment for use for trade,
 - (b) the inspection, testing, passing as fit for use for trade and stamping of such equipment, including—
 - (i) the prohibition of the stamping of such equipment in such circumstances as may be specified in the regulations,
 - (ii) the circumstances in which an inspector may remove or detain any such equipment for inspection or testing,
 - (iii) the marking of any such equipment found unfit for use for trade,
 - (c) the circumstances in which, conditions under which and manner in which stamps may be destroyed, obliterated or defaced,
 - (d) where any stamp on weighing or measuring equipment is lawfully destroyed, obliterated or defaced, the circumstances in which, and conditions subject to which, the equipment may be used for trade without contravening section 11(2) above,
 - (e) the purposes for which particular types of weighing or measuring equipment may be used for trade,
 - (f) the manner of erection or use of weighing or measuring equipment used for trade,
 - (g) the abbreviations of or symbols for units of measurement which may be used for trade, and

Status: This is the original version (as it was originally enacted).

- (h) the manner in which the tare weight of road vehicles, or of road vehicles of any particular class or description, is to be determined.
- (2) Regulations under subsection (1) above with respect to the testing of equipment may provide—
- (a) that where a group of items of equipment of the same kind is submitted for testing and prescribed conditions are satisfied with respect to the group, the testing may be confined to a number of items determined by or under the regulations and selected in the prescribed manner, and
 - (b) that if items so selected satisfy the test other items in the group shall be treated as having satisfied it.
- (3) Subject to subsection (5) below, if any person contravenes any regulation made by virtue of subsection (1)(e), (f), (g) or (h) above, he shall be guilty of an offence, and any weighing or measuring equipment in respect of which the contravention was committed shall be liable to be forfeited.
- (4) If any difference arises between an inspector and any other person as to the interpretation of any regulations made under this section or as to the method of testing any weighing or measuring equipment, that difference may with the consent of that other person, and shall at the request of that other person, be referred to the Secretary of State, whose decision shall be final.
- (5) Where in the special circumstances of any particular case it appears to be impracticable or unnecessary that any requirement of any regulations made under this section should be complied with, the Secretary of State may if he thinks fit dispense with the observance of that requirement subject to compliance with such conditions, if any, as he thinks fit to impose ; and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this subsection he shall be guilty of an offence and the equipment shall be liable to be forfeited.