

1969 No. 67

**WEIGHTS AND MEASURES
ADMINISTRATION**
**The Measuring Instruments (Intoxicating Liquor)
(Amendment) Regulations 1969**

<i>Made</i>	- - -	20th January 1969
<i>Laid before Parliament</i>		27th January 1969
<i>Coming into Operation</i>		28th January 1969

The Board of Trade, in pursuance of the powers conferred upon them by sections 11(3), 14(1) and 58 of the Weights and Measures Act 1963^(a), and all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Measuring Instruments (Intoxicating Liquor) (Amendment) Regulations 1969 and shall come into operation on 28th January 1969.

2. The Interpretation Act 1889^(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. The Measuring Instruments (Intoxicating Liquor) Regulations 1965^(c) shall have effect as if—

(a) there were substituted for Regulation 4 the following:—

“4. Every measuring instrument shall be fitted—

- (i) with adequate sight glasses, observation windows or other devices for showing clearly that any measuring chamber is properly charged and discharged; or
- (ii) with a device or devices which prevent—
 - (a) any liquid being discharged by any measuring chamber until the chamber is properly charged; and
 - (b) any measuring chamber being charged anew until it has been properly discharged.”;

(b) there were substituted for the proviso to Regulation 13 the following:—

“Provided that—

- (i) nothing in head (c) of this Regulation shall at any time before 1st January 1974 preclude the passing as fit for use for trade of any instrument by reason of the fact that it does not incorporate any such device as is mentioned in Regulation 4(ii) of these Regulations; and
- (ii) nothing in paragraph (h) of this Regulation shall preclude the passing as fit for use for trade of any instrument notwithstanding

^(a) 1963 c.31.

^(b) 1889 c.63.

^(c) S.I. 1965/1815 (1965 III, p.5478).

that the indication of quantity is marked by figures only if the indication is marked on the measuring chamber or a sales indicator and the unit of measurement is boldly marked on the face of the chamber or indicator in a manner which avoids confusion.”; and

(c) there were substituted for the proviso to Regulation 18 the following:—
“Provided that—

- (i) nothing in paragraph (b) of this Regulation shall at any time before 1st January 1979 require an inspector to obliterate the stamp on any instrument by reason of the fact that the instrument does not incorporate any such device as is mentioned in Regulation 4(ii) of these Regulations; and
- (ii) where a measuring instrument does not fully comply with the requirements of these Regulations, but the nature and degree of the non-compliance is not in the inspector’s judgment such as to require the immediate obliteration of the stamp, he shall not obliterate it but shall leave with the manager a notice calling upon him to have the instrument corrected within a stated period (expiring not more than twenty-eight days after the leaving of the notice) and shall obliterate the stamp if the correction is not made within that period.”.

Gwyneth Dunwoody,
Parliamentary Secretary to the
Board of Trade.

20th January 1969.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Measuring Instruments (Intoxicating Liquor) Regulations 1965 which made provision regarding measuring instruments of the type used to measure beers and spirits for retail sale on licensed premises.

The only change of substance concerns instruments which are not fitted with sight glasses, windows or other devices for showing that the measuring chamber is properly charged and discharged.

Hitherto such instruments were required to be fitted with a device to prevent any liquid being discharged from any measuring chamber before it is fully charged. These Regulations require such instruments to be fitted with a device or devices which not only prevent any liquid being so discharged but also prevent the measuring chamber being recharged before it has been properly discharged.

The lack of such devices is not, however, to prevent instruments being passed as fit for use for trade prior to 1st January 1974 or to occasion the obliterating of stamps on instruments in use until the beginning of 1979.