
STATUTORY INSTRUMENTS

1985 No. 1871**WEIGHTS AND MEASURES****The Measuring Instruments (EEC Requirements) (Amendment) Regulations 1985***Made* - - - - - 3rd December 1985*Laid before Parliament* 11th December 1985*Coming into Operation* 1st January 1986

The Secretary of State, being a Minister designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to the regulation of specifications, construction, placing on the market and use of equipment intended for weighing, measuring or testing or for purposes ancillary thereto, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

1. These Regulations may be cited as the Measuring Instruments (EEC Requirements) (Amendment) Regulations 1985 and shall come into operation on 1st January 1986.

2. The Measuring Instruments (EEC Requirements) Regulations 1980^(c) shall be amended in accordance with the following provisions of these Regulations.

3. In Regulation 2(1) at the end of the definition of “the Directive on material measures of length” there shall be inserted the words “, as amended by Council Directive No. 78/629/EEC and Commission Directive No. 85/146/EEC;”^(d).

4. In Regulation 11(2) after sub-paragraph (d) there shall be inserted the following sub-paragraph:—

“(e) if a statistical check by attributes carried out under paragraph 5 of Schedule 3 below relating to material measures of length results in

(a) S.I. 1975/427.

(b) 1972 c. 68.

(c) S.I. 1980/1058; relevant amending instruments are S.I. 1983/530, 1984/1618 and 1981/231 (N.I. 10) and see S.I. 1982/846 (N.I. 11).

(d) OJ No. L206, 29.7.1978, p.8 and OJ No. L54, 23.2.1985, p.29.

frequent rejection of lots in accordance with point 11(3) in the Annex to the Directive on material measures of length and no improvement of the quality level is found once the shortcoming has been brought to the attention of the holder of the EEC pattern approval.”.

5. After Regulation 13 there shall be inserted the following Regulation:—

“13A.— (1) An inspector shall not test or examine a meter measuring system in accordance with Regulation 13 above where an occurrence of the type mentioned in Regulation 20B below has occurred, unless having tested the operation of the meter and gas separator, he concludes that further testing or examination of the accuracy of the system is necessary.

(2) An inspector shall not test or examine a meter measuring system in accordance with Regulation 13 above where an occurrence of the type mentioned in Regulation 20C below has occurred; in such a case he shall test or examine the system in such a way as he considers appropriate to establish the correct operation of its parts affected by the occurrence or, where appropriate, their replacements.”.

6. In paragraph 5 of Schedule 1—

(a) at the end of sub-paragraph (1) there shall be inserted the words “, or in the case of material measures of length alternatively of a single stamp described in sub-paragraph (3A) below”; and

(b) after sub-paragraph (3) there shall be inserted the following sub-paragraph:—

“(3A) The single stamp consists of a lower-case letter ‘e’ in a hexagon containing—

(a) in the upper half, the distinguishing capital letter of the State where the examination to determine whether the stamp should be applied is carried out as set out in sub-paragraph (2)(a) above; and

(b) in the lower half, the last two digits of the year when the said examination is carried out.”.

7. In the Annex to Schedule 1—

(a) at the end of the first paragraph there shall be added the following sentence:—

“Drawing D is an example of the mark of EEC initial verification, consisting of the stamp described in paragraph 5(3A) above.”; and

(b) After Drawing C there shall be added the following drawing:—



Drawing 'D'

8. In Schedule 3 after paragraph 4 there shall be inserted the following paragraph:—

“EEC initial verification of material measures of length

5. Where material measures of length are manufactured in series, and the applicant states that they have already been adequately inspected he may request the inspector to whom the application is made for measures to be considered for EEC initial verification to carry out the examination by making a statistical check by attributes on lots composed of measures subject to the conditions set out in points 11.1 and 11.2 of the Directive on material measures of length.”.

Lucas of Chilworth,
Parliamentary Under-Secretary of State,
Department of Trade and Industry.

3rd December 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Measuring Instruments (EEC Requirements) Regulations 1980 and implement Commission Directive 85/146/EEC.

The 1985 Directive amends Council Directive 73/362/EEC (O.J. No. L335, 5.12.1973, p.1) (as amended) relating to material measures of length, which together with certain other Council Directives relating to measuring instruments and methods of metrological control and also to particular categories of instruments was implemented by the 1980 Regulations.

The changes (which come into effect on 1st January 1986) are as follows:

- (a) a further ground for revoking a pattern approval granted under the Regulations is added, namely where testing based on statistical checks as mentioned in paragraph (c) below results in frequent rejections of lots and the situation remains unremedied (Regulation 4);
- (b) an alternative mark of EEC initial verification is added, namely a hexagon enclosing an 'e' with the distinguishing capital letter of the relevant Member State in the upper half and the last two digits of the year of examination in the lower half of the 'e' (Regulations 6 and 7);
- (c) in the case of material measures of length manufactured in series which the applicant for EEC initial verification claims to have been adequately inspected the applicant can request EEC initial verification to be carried out by a statistical check on lots composed of measures (Regulation 8).

These Regulations also provide for reduced testing of meter measuring systems which are permitted to be used for trade without the mark of EEC initial verification where the mark on the system has been lawfully destroyed, obliterated or defaced to allow the changing of the meter and gas separator assembly or e.g. for clearing jammed tickets from printers, for specified periods subject to specified conditions (Regulation 5).

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