

---

STATUTORY INSTRUMENTS

---

**2000 No. 3236**

**The Non-automatic Weighing Instruments Regulations 2000**

**PART I**  
**PRELIMINARY**

**Instruments used for Schedule 3 applications to satisfy the essential requirements**

**5.—(1)** Instruments to which these Regulations apply which are used for any Schedule 3 application shall satisfy the essential requirements:

Provided that this obligation shall not apply to devices—

- (a) which are included in, or connected to, an instrument but which are not themselves used for any Schedule 3 applications; or
  - (b) to which the restrictive use symbol referred to in paragraph 3 of Annex IV to the NAWI Directive has been affixed in accordance with regulation 18(7).
- (2) An instrument shall not be taken to satisfy the essential requirements—
- (a) unless—
    - (i) save in the case of an instrument which does not use electronic devices and of which the load measuring device does not use one or more springs to balance the load, an EC type-approval certificate has been issued in respect of the relevant type and is in force; and
    - (ii) one of the conditions set out in paragraph (3) below is satisfied in relation to it; or
  - (b) unless EC unit verification has been carried out and the instrument bears the CE marking, inscriptions, sticker and identification number which have been affixed in the manner provided for in regulations 12 and 18 or under corresponding provisions of the law of a member State other than the United Kingdom.
- (3) The conditions referred to in paragraph (2)(a)(ii) above are—
- (a) a condition that an EC declaration of type conformity has been made, and an EC conformity marking, inscriptions, sticker and identification number have been affixed to the instrument, by the manufacturer in the manner provided for in regulations 13 and 18 or under corresponding provisions of the law of a member State other than the United Kingdom;
  - (b) a condition that an EC verification has been carried out and the instrument bears the CE marking, inscriptions, sticker and identification number which have been affixed in the manner provided for in regulations 11 and 18 or under corresponding provisions of the law of a member State other than the United Kingdom.
- (4) Neither of the conditions mentioned in sub-paragraph (a)(ii), nor the requirements of sub-paragraph (b), of paragraph (2) above shall be satisfied in relation to an instrument at any time when—

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

- (a) any conformity marking, inscription, sticker, re-qualification sticker or identification number affixed to the instrument has been defaced, destroyed or removed otherwise than by fair wear and tear; or
  - (b) a disqualification sticker has been affixed to the instrument, the effect of which has not been cancelled by a re-qualification sticker affixed to it.
- (5) The documents relating to procedures, and any connected correspondence, relating to EC type-examination, EC declaration of type conformity, EC verification and EC unit verification shall be drafted in an official language of the member State where those procedures are to be carried out or in a language accepted by the Secretary of State or approved body, as the case may require.