STATUTORY INSTRUMENTS

2000 No. 388

The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000

PART I

GENERAL

Citation, commencement, consequential disapplication and amendment

1.—(1) These Regulations may be cited as the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000 and shall come into force on 17th July 2000.

(2) The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986(**1**) are hereby disapplied in respect of any filling instrument which is also a filling machine for the purposes of those Regulations.

(3) For sub-paragraph (i) of regulation 1(2) of the Weights and Measures Regulations 1963(**2**), there shall be substituted the following–

"(i) filling machines and discontinuous totalisers to which the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986 and filling instruments to which the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000(**3**) apply, except insofar as such machines, totalisers and filling instruments are capable of also being used as a non-automatic weighing machine;".

Commencement Information
I1 Reg. 1 in force at 17.7.2000, see **reg. 1(1)**

Interpretation

2.—(1) In these Regulations–

(a) "filling instrument" means an instrument which–

(i) serves to determine the mass of a load by using the action of gravity on that load without the intervention of an operator;

(ii) follows a predetermined programme of automatic processes characteristic of the instrument;

(iii) systematically sub-divides material from bulk into separate loads of a predetermined and virtually constant mass; and

(**1**) S.I.1986/1320, amended by S.I. 1994/1851, 1996/797, 2000/387.
(**2**) S.I. 1963/1710; regulation 1(2)(i) was inserted by S.I. 1986/1320.
(**3**) S.I. 2000/388.

(iv) effects an automatic feed and weighing of those loads with the appropriate control and discharge devices;

(b) unless the context otherwise requires, a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations and a reference to a paragraph in a regulation is a reference to a paragraph in that regulation; and

(c) any expression and procedure which is not defined in these Regulations and is used both in these Regulations and in OIML R 61 shall bear the same meaning as in OIML R 61.

(2) In these Regulations, unless the context otherwise requires–

"the 1985 Act" means the Weights and Measures Act 1985;

"accuracy class" means the accuracy class, in respect of a filling instrument, determined in accordance with the provisions of regulation 6(c); provided always that the accuracy class in respect of that filling instrument shall not be of a higher level of precision than the reference value for accuracy class in respect of that instrument;

"certificate of approval" means a certificate of approval of a pattern of a filling instrument granted or renewed by the Secretary of State under section 12 of the 1985 Act;

"control instrument" means a weighing instrument used to determine the mass of the test fills delivered by the filling instrument;

"initial verification testing" means testing in accordance with the provisions of regulation 6(c);

"level indicator" means a device which indicates when the structure to which it is attached is tilted away from its correct operating position;

"load receptor" means a part of a filling instrument on which loads are placed for the purpose of their being weighed;

"maximum capacity" means the maximum discrete load which the filling instrument is authorised to weigh and that can be weighed automatically on a load receptor;

"minimum capacity" means the minimum discrete load which the filling instrument is authorised to weigh and that can be weighed automatically on a load receptor;

"OIML R 61" means the International Recommendation OIML R 61 of the Organisation Internationale de Métrologie Légale relating to automatic gravimetric filling instruments (Edition 1996 (E));

"prescribed limits of error" has the meaning set out in regulation 9(3);

"reference particle mass" means, in respect of a product, the mass equal to the mean of ten of the largest elementary particles or pieces of the product taken from one or more loads;

"reference value for accuracy class" means, in respect of a filling instrument, the value for accuracy class of that instrument determined by static testing of the weighing unit during influence quantity testing prior to a certificate of approval being issued and shall be stated in the certificate of approval: the reference value for accuracy class shall be equal to the best accuracy class, that is to say the class of the highest level of precision, for which that filling instrument may be tested and passed as fit for use for trade;

"the stamp" or "verification mark" means the prescribed stamp(**4**);

"tare device" means a device for setting the weight indicating device, that is to say the device which indicates the weight of a load on a load receptor of the filling instrument, to zero when a load is placed on the load receptor–

(a) without altering the weighing range for net loads (additive tare device); or

(b) reducing the weighing range for net loads (subtractive tare device);

(**4**) See S.I. 1968/1615, amended by S.I. 1999/504.

"weighing unit" means a device which provides information on the mass of the load being weighed by the filling instrument; and

"zero-setting device" means a device which allows the setting of that indicating device to zero when the load receptor is empty.

Commencement Information
I2 Reg. 2 in force at 17.7.2000, see **reg. 1(1)**

Application

3.—(1) Subject to paragraphs (2) and (3) and regulation 4, these Regulations apply to filling instruments and such instruments are hereby prescribed for the purposes of section 11(1) of the 1985 Act (use for trade of weighing or measuring equipment of prescribed classes).

(2) These Regulations do not apply to any filling instrument which has been put into use for trade before these Regulations came into force.

(3) Nothing in these Regulations shall apply to any filling instrument for use only for making up packages if, and only if, the packages are subsequently checked in accordance with section 49(1)(b) of the 1985 Act, and in this paragraph " packages" means packages as defined in section 68(1) of the 1985 Act.

Commencement Information
I3 Reg. 3 in force at 17.7.2000, see **reg. 1(1)**

Transitional exclusion

4.—(1) Subject to paragraph (2), these Regulations do not apply to a filling instrument–

(a) which comprises a filling machine for the purposes of the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986(**5**); and

(b) which has been first passed as fit for use for trade, for the purposes of those Regulations, within a period of 10 years from the date on which these Regulations came into force.

(2) The exception provided in paragraph (1) does not apply in the case of a filling instrument which bears the marking "R 61".

Commencement Information
I4 Reg. 4 in force at 17.7.2000, see **reg. 1(1)**

(**5**) S.I. 1986/1320, amended by S.I. 1994/1851, 1996/797, 2000/387.

Status:
Point in time view as at 17/07/2000.

Changes to legislation:
There are currently no known outstanding effects for the The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000, PART I.