

## STATUTORY INSTRUMENTS

# 2000 No. 388

## The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000

### PART III

#### TESTING AND STAMPING

##### Passing as fit for use for trade

- 9.—(1) An inspector shall not pass as fit for use for trade a filling instrument unless—
- (a) it complies with all the appropriate requirements of these Regulations; and
  - (b) on testing, it falls within the prescribed limits of error in relation to passing as fit for use for trade.
- (2) An inspector shall not pass as fit for use for trade a filling instrument imported from [<sup>F1</sup>an EEA State] unless—
- (a) where the requisite documentation is presented in accordance with regulation 8, the test report recites and the test data confirm to the satisfaction of the inspector that, on testing in accordance with the provisions of clause 5.3 (initial verification) of Part 1 of OIML R 61, that filling instrument fell within limits of error which afford in use an equivalent standard to the prescribed limits of error; and
  - (b) it otherwise complies with all the relevant requirements of these Regulations.
- (3) For the purposes of these Regulations and subject to regulation 5(c), the prescribed limits of error relating to a filling instrument shall be determined—
- (a) in accordance with the provisions of Schedule 5; and
  - (b) where test fills are required, on the basis of consecutive fills.

##### Textual Amendments

- F1** Words in [reg. 9\(2\)](#) substituted (31.12.2020) by [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), [reg. 1\(2\)](#), [Sch. para. 10\(3\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

##### Commencement Information

- II** [Reg. 9](#) in force at 17.7.2000, see [reg. 1\(1\)](#)

##### Stamping

- 10.—(1) The stamp shall be placed on the verification mark support referred to in clause 3.11.2 of Part 1 of OIML R 61 which is set out in Schedule 4.

(2) An inspector shall not stamp a filling instrument in accordance with paragraph (1) if it bears any mark which, in his opinion, might reasonably be mistaken for the stamp, or any statement or mark (other than an inspector's stamp) which purports to be or, in the opinion of the inspector, might reasonably be mistaken for an expression of approval or guarantee of accuracy by any body or person.

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**Commencement Information**

**I2** Reg. 10 in force at 17.7.2000, see [reg. 1\(1\)](#)

**Manner of obliteration of stamps**

**11.** An inspector shall obliterate a stamp, in accordance with the requirements of these Regulations, by means of punches or pincers of suitable sizes of a six-pointed star design as shown in the following illustration—




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**Commencement Information**

**I3** Reg. 11 in force at 17.7.2000, see [reg. 1\(1\)](#)

**Obliteration of stamps**

**12.—(1)** Subject to paragraph (2), an inspector shall obliterate the stamp on any filling instrument which—

- (a) on testing in accordance with clause 5.4 of Part 1 of OIML R 61 fails to fall within the prescribed limits of error in relation to obliteration of the stamp; or
- (b) fails to comply with any other appropriate requirement of these Regulations.

(2) Except as provided by regulation 13, where any filling instrument does not fully comply with the requirements of these Regulations, but the nature or degree of the non-compliance is not, in the inspector's opinion, such as to require the immediate obliteration of the stamp, he shall give to the proprietor or any person in control of the filling instrument a notice calling on him to have the instrument corrected within a stated period not exceeding 28 days, and shall obliterate the stamp if the correction has not been made within the stated period.

**13.** An inspector shall obliterate the stamp on any filling instrument which has, since it was last stamped, had any alteration or addition made to it such that it could not be passed as fit for use for trade under regulation 9.

**14.** An inspector may obliterate the stamp on any filling instrument which—

- (a) has, since it was last stamped, been the subject of any adjustment, alteration, addition, repair or replacement—
  - (i) which could, in the opinion of the inspector, have affected its accuracy or function; and

- (ii) where the chief inspector of weights and measures for the area where the filling instrument is located has been furnished in writing with details of that adjustment, alteration, addition, repair or replacement;
- (b) is in use for trade for a particular purpose and—
  - (i) which does not meet the requirements of Schedule 2 in respect of minimum or maximum capacity; or
  - (ii) for which purpose, in the opinion of the inspector, it is otherwise unsuitable; or
- (c) is in use for trade in circumstances where the filling instrument is subjected to any extraordinary environmental or operating conditions which, in the opinion of the inspector,—
  - (i) prevent the filling instrument operating consistently and correctly; or
  - (ii) are likely prematurely to degrade the metrological characteristics of the filling instrument.

**15.—**(1) For the purposes of these Regulations, the obliteration of any one stamp on any filling instrument shall, subject to paragraph (2), be deemed to be the obliteration of all other stamps on that instrument.

(2) Where the stamp on one filling instrument forming part of an interconnected system is obliterated, paragraph (1) shall not apply so as to prevent the system or any other filling instrument in the system being used provided that the integrity of the remainder of the system is unimpaired.

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**Commencement Information**

- 14** Reg. 12 in force at 17.7.2000, see **reg. 1(1)**
- 15** Reg. 13 in force at 17.7.2000, see **reg. 1(1)**
- 16** Reg. 14 in force at 17.7.2000, see **reg. 1(1)**
- 17** Reg. 15 in force at 17.7.2000, see **reg. 1(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000, PART III.