

2015 No. 356

WEIGHTS AND MEASURES

The Weights and Measures (Revocations) Regulations 2015

<i>Made</i>	- - - -	<i>22nd February 2015</i>
<i>Laid before Parliament</i>		<i>25th February 2015</i>
<i>Coming into force</i>		
<i>for the purpose of Part 1 of the</i>		
<i>Schedule</i>		<i>25th March 2015</i>
<i>for remaining purposes</i>		<i>1st December 2015</i>

The Secretary of State is 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 ancillary purposes.

The Secretary of State makes these Regulations in exercise of the powers conferred by that section and the powers conferred by sections 10(1), 11(1) and (4), 15(1) and (2), 86(1) and 94(1)(c) of the Weights and Measures Act 1985(d).

Citation and commencement

1.—(1) These Regulations may be cited as the Weights and Measures (Revocations) Regulations 2015.

(2) These Regulations come into force—

- (a) insofar as is necessary to give effect to Part 1 of the Schedule, on 25th March 2015; and
- (b) for all remaining purposes, on 1st December 2015.

Revocations

2. The Schedule to these Regulations (Revocations, Amendments and Savings Provisions) has effect.

22nd February 2015

Greg Clark
Minister of State for Universities and Science
Department for Business, Innovation and Skills

(a) S.I. 1975/427.
(b) 1972 c.68; section 2(2) was amended by section 27(1)(a) of the Legislative Regulatory Reform Act 2006 (c.51) and Part 1 of the Schedule to the European (Amendment) Act 2008 (c.7).
(c) Section 94(1) defines “prescribed” for the purposes of the 1985 Act as prescribed by the Secretary of State by regulations.
(d) 1985 c.72.

SCHEDULE

Regulation 2

REVOCATIONS, AMENDMENTS AND SAVING PROVISIONS

PART 1

CAPACITY SERVING MEASURES - REVOCATIONS ETC.

1. The Regulations specified in Table 1 are revoked to the extent specified in that table.

Table 1

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of Revocation</i>
The Capacity Serving Measures (Intoxicating Liquor) Regulations 1988	S.I.1988/120	The whole Regulations.
The Capacity Serving Measures (Intoxicating Liquor) (Amendment) Regulations 1993	S.I. 1988/2060	The whole Regulations.
The Weights and Measures (Metrication Amendments) Regulations 1994	S.I.1994/1851	In Parts 1 and 2 of the Schedule, the entries relating to the Capacity Serving Measures (Intoxicating Liquor) Regulations 1988.
The Weights and Measures (Metrication Amendments) Regulations 2001	S.I. 2001/85	Paragraph 6 of the Schedule
The Weights and Measures (Standards Amendment) Regulations 2003.	S.I. 2003/214	Paragraph 4 of the Schedule.
The Weights and Measures (Packaged Goods) Regulations 2006	S.I. 2006/659	Paragraph (19) of Part 2 of Schedule 1
The Weights and Measures (Metrication Amendments) Regulations 2009	S.I. 2009/3045	Regulation 3(2)(e)

2.—(1) The Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995(a) are amended as follows.

(2) In regulation 3(1)(a) for “apply” substitute “applied before the revocation of those Regulations by the Weights and Measures (Revocations) Regulations 2015”.

PART 2

REVOCATIONS ETC. RELATED TO THE IMPLEMENTATION OF DIRECTIVES 2011/17/EU AND 2004/22/EC

3. Subject to paragraphs 4 to 6, the Regulations specified in Table 2 are revoked to the extent specified in that table.

(a) S.I. 1995/735 to which there are amendments which are not relevant to these Regulations.

Table 2

<i>Regulations</i>	<i>Reference</i>	<i>Extent of Revocation</i>
The Measurement of Cereals for Import and Export Purposes Regulations 1975	S.I.1975/655	The whole Regulations.
The Measurement of Cereals for Import and Export Purposes (Amendment) Regulations 1976	S.I.1976/406	The whole Regulations.
The Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977	S.I. 1977/1753	The whole Regulations
The Alcohol Tables Regulations 1979	S.I. 1979/132	The whole Regulations.
The Measuring Instruments (EEC Requirements) (Amendment) Regulations 1983	S.I.1983/530	Regulation 2
The EEC Requirements (Amendment) Regulations 1985	S.I. 1985/306	Regulation 4.
The Measuring Instruments (EEC Requirements) Regulations 1988	S.I. 1988/186	The whole Regulations.
The Measuring Instruments (EEC Requirements)(Gas Volume Meters) Regulations 1988	S.I. 1988/296	The whole Regulations.
The Measuring Instruments (EEC Requirements)(Amendment) Regulations 1988	S.I. 1988/1128	The whole Regulations
The Non-automatic Weighing Instruments Regulations 2000	S.I. 2000/3236	Regulations 8 and 35.
The Weighing Equipment (Non-automatic Weighing Machines) Regulations 2000	S.I. 2000/932	Regulation 30.
The Measuring Instruments (EC Requirements)(Amendment) Regulations 2008	S.I. 2008/1267	The whole Regulations.

4. Notwithstanding the revocation of the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977 by these Regulations, the Alcoholometers and Alcohol Hydrometers (EEC Requirements) Regulations 1977 continue in force until 30th November 2025 in relation to EC pattern approval certificates issued under them on or before 30th November 2015.

5.—(1) Notwithstanding the revocation by these Regulations of the Measuring Instruments (EEC Requirements) Regulations 1998 (“the 1988 Regulations”), the 1988 Regulations continue in force to the extent provided in this paragraph.

(2) Expressions used in this paragraph have the same meanings as in the 1988 Regulations.

(3) The 1988 Regulations continue in force until 30th November 2025 insofar as they relate to EEC initial verification of weights in conformity with:

- (a) the Directive on medium accuracy bar weights and cylindrical weights; and
- (b) the Directive on above-medium accuracy weights.

(4) The 1988 Regulations continue in force until 30th November 2025 in relation to EC pattern approval certificates issued on or before 30th November 2015 for the purposes of:

- (a) the Directive on the measuring of the standard mass per storage volume of grain;
- (b) the Directive on cold-water meters;
- (c) the Directive on tyre pressure gauges for motor vehicles; and

(d) the Directive on material measures of length.

6. Notwithstanding the revocation of the Measuring Instruments (EEC Requirements)(Gas Volume Meters) Regulations 1988 by these Regulations, the Measuring Instruments (EEC Requirements)(Gas Volume Meters) Regulations 1988 continue in force until 30th October 2016 in relation to EC pattern approval certificates issued under them on or before 30th October 2006.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a number of revocations of instruments relating to weights and measures.

Part 1 of the Schedule to the Regulations, which is made in reliance on the powers cited under the Weights and Measures 1985 (and in the case of the revocation of paragraph (19) of Part 2 of Schedule 1 to The Weights and Measures (Packaged Goods) Regulations 2006, section 2(2) of the European Communities Act 1972), revoke the Capacity Serving Measures (Intoxicating Liquor) Regulations 1988 and amending regulations, as these have effectively become redundant, having been superseded by the requirements of the Measuring Instruments (Capacity Serving Measures) Regulations 2006. It also makes necessary consequential amendments to other secondary legislation.

Part 2 of the Schedule implements Directive 2011/17/EU of the European Parliament and of the Council of 9th March 2011 repealing Council Directives 71/347/EEC, 71/349/EEC, 74/148/EEC, 75/33/EEC, 76/765/EEC, 76/766/EEC and 86/217/EEC regarding metrology (OJ L 71 18.3.2011 p 1) (with the exception of the repeal of Council Directive 71/349/EEC, which was implemented by the Calibration of Tanks of Vessels (EEC Requirements)(Revocation) Regulations S.I.2011/1439). Part 2 of the Schedule, which is made in reliance on section 2(2) of the European Communities Act 1972, revokes provisions which gave effect to those Directives in the United Kingdom. These provisions relate to measurement of cereals, alcoholmeters and alcohol hydrometers, certain types of weights and tyre pressure gauges. Part 2 of the Schedule also revokes a number of other redundant provisions which had been kept in place in connection with the transitional arrangements under other EU legislation in particular Directive 2004/22/EC of the European Parliament and of the Council of 31st March 2004 on measuring instruments (OJ No. L 135., 30.4.2004, p1). These include provisions relating to material measures of length, cold water meters and gas meters. The revocations are subject to saving provisions.

No impact assessment has been prepared in relation to this instrument as no impact on business, charities, voluntary bodies or the public sector is foreseen. An explanatory memorandum is available alongside the instrument on www.legislation.gov.uk.

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£4.25

UK2015022441 03/2015 19585

<http://www.legislation.gov.uk/id/ukSI/2015/356>

ISBN 978-0-11-113044-5



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