

SCHEDULE 2

MEASURING INSTRUMENT WHICH MAY CONTINUE TO BE PUT INTO USE

Measuring systems used for deliveries from road tankers

12.—(1) A measuring system for use for trade in the making of a continuous and dynamic measurement of liquid fuel in a quantity exceeding 100 litres or 100 kilograms, delivered from a road tanker—

- (a) in respect of a which an EEC pattern approval was granted before 30th October 2006; and
- (b) which bears a mark of EU initial verification or EU partial verification affixed before 30th October 2016.

(2) For the purposes of paragraph (1)—

- (a) a grant of EEC pattern approval or the affixing of a mark of EEC initial verification must have been in accordance with the Measuring Instruments (EEC Requirements) Regulations 1988(1) or, in the case of any other EEA state, in accordance with the measures in force which implemented—
 - (i) Council Directive 71/319 EEC(2);
 - (ii) Council Directive 71/348/EEC(3) as amended by the Treaty of Accession 1994(4); and
 - (iii) Council Directive 77/313/EEC(5) as amended by Commission Directive 82/625/EEC(6); and
- (b) the affixing of a mark of EEC partial verification must have been in accordance with the 1988 Regulations, or in the case of any other EEA state in accordance with the measures in force which implemented Council Directive 71316/EEC(7) as amended by Council Directives 72/427/EEC(8), 83/575/EEC(9), 87/354/EEC(10), 87/355/EEC(11) and 88/665/EEC(12).

(1) S.I. 1988/186, as amended by S.I. 1988/296 and S.I. 1988/1128.

(2) OJ No. L202, 6.9.71, p.32, repealed by Directive 2004/22/EC (OJ No. L13, 30.4.04, p.1.

(3) OJ No. L239, 25.10.71, p.9 repealed by Directive 2004/22/EC (OJ No. L13, 30.4.04, p.1.

(4) The Treaty concerning the accession of Norway, Austria, Finland and Sweden, signed 24.06.94.

(5) OJ No. L105, 28.4.77, p. 18, repealed by Directive 2004/22/EC (OJ No. L13, 30.4.04, p.1.

(6) OJ No. L252, 27.8.82, p.10 repealed by Directive 2004/22/EC (OJ No. L13, 30.4.04, p.1.

(7) OJ No. L202, 6.9.71, p1, OJ/SE 1971 (II), p 707.

(8) OJ No. L291, 28.12.72, p.156, OJ/SE 1972, 28-30 Dec., p.71.

(9) OJ No. L332, 28.11.83, p.43.

(10) OJ No. L192, 11.7.87, p.43.

(11) OJ No. L192, 11.7.87, p.46.

(12) OJ No. L382, 31.12.88, p.42.