
STATUTORY INSTRUMENTS

1995 No. 735

**The Measuring Equipment (Capacity Measures
and Testing Equipment) Regulations 1995**

**PART I
GENERAL**

Citation, commencement, revocation and saving

1.—(1) These Regulations may be cited as the Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995 and shall come into force on 10th April 1995.

(2) The Regulations specified in the first column of Schedule 1 to these Regulations are hereby revoked to the extent specified in the third column of that Schedule save in relation to capacity measures passed as fit for use for trade and stamped before these Regulations come into force; and accordingly, these Regulations shall not apply to those measures.

Commencement Information

11 Reg. 1 in force at 10.4.1995, see **reg. 1(1)**

Interpretation

2.—(1) In these Regulations—

“the Act” means the Weights and Measures Act 1985;

“BS 604: 1982” means the British Standard specification for graduated glass measuring cylinders⁽¹⁾;

“BS 1922: 1987” means the British Standard specification for glass dispensing measures for pharmaceutical purposes⁽²⁾;

“BS 6001: Part 1: 1991” means the British Standard specification for sampling procedures for inspection by attributes⁽³⁾;

“BS 6002: Part 1: 1993” means the British Standard Specification for single sampling plans indexed by acceptable quality level (AQL) for lot-by-lot inspection⁽⁴⁾;

“BS 6696: 1986” means the British Standard methods for use and testing of volumetric glassware⁽⁵⁾;

(1) ISBNNo. 0 580 12515 7, published by the British Standards Institution in April 1952, as amended in February 1982.
(2) ISBN No. 0 580 15701 6, published by the British Standards Institution in April 1953, as amended in January 1969 and January 1987.
(3) ISBN No. 0 580 195732 2, published by the British Standards Institution on 30th March 1972, as amended in May 1991.
(4) ISBN No. 0 580 22581 X, published by the British Standards Institution on 15th November 1993.
(5) ISBN No. 0 580 15076 3, published by the British Standards Institution on 28th February 1986.

“digital” means capable of assigning only certain discrete values or positions within a continuous range by a series of discontinuous steps;

“discrimination threshold” means, in the case of weighing equipment with a digital indicator, the weight which produces a change of reading of one digit, and in the case of weighing equipment with an analogue indicator, the weight which produces a one millimetre movement of the pointer; and in this definition, “analogue” means capable of assigning any value or position within a continuous range;

“double measure” means a measure comprising two parts, each part being a capacity measure;

“EEA State” means a State which is a Contracting Party to the EEA Agreement ^{F1}... but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein; and “the EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“graduated measure” means a measure with more than four scale marks or, in the case of a measure which is both a metric and imperial measure, in each of metric and imperial units;

“the prescribed limits of error” shall be construed in accordance with regulation 15;

“the stamp” means the prescribed stamp⁽⁶⁾;

“sub-divided measure” means a measure with four or fewer scale marks or, in the case of a measure which is both a metric and imperial measure, in each of metric and imperial units; and

“suitable weighing machine” means a weighing machine, which complies with the requirements of the Weights and Measures (Local and Working Standard Weights and Testing Equipment) Regulations 1986⁽⁷⁾, having a discrimination threshold and a repeatability in grams not exceeding one-fifth of the appropriate limit of error expressed in millimetres relating to the standard, equipment or measure it is used to test.

(2) The abbreviations of, and symbols for, units of measurement used in these Regulations refer to the relevant units as follows—

gallon	gal
quart	qt
pint	pt
fluid ounce	fl oz
litre	l or L
centilitre	cl or cL
millilitre	ml
degree Celsius	°C.

F1 Words in reg. 2(1) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), reg. 1(2), [Sch. para. 6\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I2 [Reg. 2](#) in force at 10.4.1995, see [reg. 1\(1\)](#)

(6) See S.I.1968/1615.

(7) S.I. 1986/1685.

Application of Regulations

3.—(1) These Regulations apply to liquid capacity measures and dry capacity measures for use for trade, other than—

- (a) liquid capacity measures to which the Capacity Serving Measures (Intoxicating Liquor) Regulations 1988⁽⁸⁾ apply;
- (b) liquid capacity measures specified in paragraph 4 of Schedule 4 to the Weights and Measures (Packaged Goods) Regulations 1986⁽⁹⁾ for use only for making up or checking packages in accordance with section 49(2)(a) of the Act;
- (c) liquid capacity measures for use for measuring liquid lubricants;
- (d) liquid capacity measures for use for measuring milk;
- (e) dry capacity measures for use for measuring peas and beans;
- (f) capacity measures which exceed—
 - (i) 20 litres for metric measures, or
 - (ii) before 1st October 1995, 5 gallons, and on and after that date 16 pints, for imperial measures; or

[^{F2}(g) capacity measures being containers which—

- (i) have been supplied by retail containing a cosmetic product;
- (ii) are provided by an individual to a retailer; and
- (iii) are used by the retailer in the presence of the individual in ascertaining or determining the amount by volume of a cosmetic product which is of the same description as that mentioned in (i) above and is to be supplied to him in the container, and in this sub-paragraph “cosmetic product” means any substance or preparation intended to be placed in contact with the various external parts of the human body (that is to say, the epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance, correcting bodily odours, protecting them or keeping them in good condition.]

(2) Regulations 4, 5, 6(1)(a) to (d), 7, 9, 10, 12 and [^{F3}16(4)] and (5)(a) below do not apply to dispensing measures for pharmaceutical purposes.

(3) Capacity measures to which these Regulations apply are hereby prescribed for the purposes of section 11(1) of the Act.

(4) Graduated and sub-divided capacity measures referred to in regulation [^{F4}regulation 16(5)(c)] below are hereby prescribed as being lawful for use for trade for the purposes of section 10(1)(b) of the Act.

F2 Reg. 3(1)(g) inserted (3.4.2001) by [The Measuring Equipment \(Capacity Measures\) \(Amendment\) Regulations 2001 \(S.I. 2001/599\)](#), regs. 1, **4(a)(i)**

F3 Word in reg. 3(2) substituted (3.4.2001) by [The Measuring Equipment \(Capacity Measures\) \(Amendment\) Regulations 2001 \(S.I. 2001/599\)](#), regs. 1, **4(a)(ii)**

F4 Words in reg. 3(4) substituted (3.4.2001) by [The Measuring Equipment \(Capacity Measures\) \(Amendment\) Regulations 2001 \(S.I. 2001/599\)](#), regs. 1, **4(a)(iii)**

(8) S.I. 1988/120, to which there are amendments not relevant to these Regulations.

(9) S.I. 1986/2049, to which there are amendments not relevant to these Regulations.

Changes to legislation: There are currently no known outstanding effects for the The Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995, PART I. (See end of Document for details)

Commencement Information

I3 [Reg. 3](#) in force at 10.4.1995, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Equipment (Capacity Measures and Testing Equipment) Regulations 1995, PART I.