

EXPLANATORY MEMORANDUM TO
THE WEIGHTS AND MEASURES (REVOCATIONS) REGULATIONS 2015

2015 No. 356

- 1.** This explanatory memorandum has been prepared by the National Measurement Office, an Executive Agency of the Department for Business, Innovation and Skills and is laid before Parliament by Command of Her Majesty.

- 2. Purpose of the instrument**
 - 2.1 The purpose of the instrument is to revoke a number of statutory instruments relating to various items of measuring and weighing equipment which are no longer required.

- 3. Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None

- 4. Legislative Context**
 - 4.1 The Regulations implement the remaining obligations under 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 18.3.2001 p 1). In addition to revocations made to implement this Directive, a number of other redundant provisions are also revoked.

- 5. Territorial Extent and Application**
 - 5.1 This instrument applies to all of the United Kingdom except in relation to the revocation of the Capacity Serving Measures (Intoxicating Liquor) Regulations 1988 which do not extend to Northern Ireland.

- 6. European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

- 7. Policy background**
 - What is being done and why

7.1 The instrument revokes a number of provisions relating to weights and measure law that are no longer required.

7.2 Part 1 of the Schedule of the instrument revokes the Capacity Serving Measures (Intoxicating Liquor) Regulations 1988 and provisions that have amended these Regulations. The 1988 Regulations have been superseded by the Measuring Instruments (Capacity Serving Measures) Regulations 2006 which implemented the Measuring Instruments Directive 2004/22/EC. The 1988 Regulations were identified in the course of the Red Tape Challenge.

7.3 Part 2 of the Schedule implements the remaining provisions of 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). The Directive in so far as it repeals Directive 71/349/EEC (which was implemented by the Calibration of Tanks of Vessels (EEC Requirements) Regulations 1975), was implemented by the Calibration of Tanks of Vessels (EEC Requirements) (Revocation) Regulations 2011. A transposition table has been produced in relation to the implementation of Directive 2011/17/EU.

7.4 The Regulations revoke:

- The Measurement of Cereals for Import and Export Purposes Regulations 1975 (together with provisions that have amended the 1975 Regulations) which implemented Directive 71/347/EEC;
- The Alcoholmeters and Alcohol Hydrometers (EEC) Requirements Regulations 1977 (together with provisions that have amended the 1977 Regulations) which implemented Directive 76/765/EEC;
- The Alcohol Tables Regulations 1977 which implemented Directive 76/766/EEC;
- The Measuring Instruments (EEC Requirements) Regulations 1988 (together with provisions that have amended the 1988 Regulations), regulations 8 and 35 of the Weighing Instruments Regulations 2000 and regulation 30 of the Weighing Equipment (Non-automatic Weighing Machines) Regulations 2000 which implemented Directive 74/148/EEC, Directive 75/33/EEC and Directive 86/217/EEC.

7.5 The Measuring Instruments (EEC) Requirements Regulations 1988 also contain a number of redundant provisions relating to other types of measuring instruments (e.g. material measures of length). The Measuring Instruments (EEC Requirements) (Gas Volume Meters) Regulations 1988 are also repealed as gas meters are appropriately regulated under other legislation. The revocations are subject to saving provisions. (See paragraphs 4 to 6 of the Schedule to the Regulations.)

- Consolidation

7.6 No issues regarding consolidation arise, as the instrument is concerned with the revocation of a number of redundant statutory provisions.

8. Consultation outcome

8.1 A consultation on the proposed revocations ran from 17th December 2014 to 30th January 2015. No responses were received which required any adjustments to the proposed approach.

9. Guidance

9.1 Comprehensive guidance on weights and measures equipment is available in the “Weights and measures regulation” section of www.gov.uk.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has accordingly not been prepared for this instrument.

11. Regulating small business

11.1 The legislation that is revoked by the instrument applies to small business.

12. Monitoring & review

12.1 No monitoring or review of the instrument is required as the purpose of the instrument is the revocation of a number of instruments that are no longer required.

13. Contact

Rob Harper at the National Measurement Office Tel: 020 8943 7255 or email: robert.harper@nmo.gov.uk can answer any queries regarding the instrument.