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STATUTORY INSTRUMENTS

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**1998 No. 2218**

**WEIGHTS AND MEASURES**

**The Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 1998**

<i>Made</i>	- - - -	<i>9th September 1998</i>
<i>Laid before Parliament</i>		<i>10th September 1998</i>
<i>Coming into force</i>	- -	<i>12th October 1998</i>

The Secretary of State, in exercise of the powers conferred on him by sections 11(1), 15(1) and 86(1) of the Weights and Measures Act 1985(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 1998 and shall come into force on 12th October 1998.

**Interpretation**

2. In these Regulations—

“the principal Regulations” means the Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995(2).

**Amendment of the principal Regulations**

3.—(1) In paragraph (2) of regulation 1 of the principal Regulations (citation, commencement, interpretation and revocation), after the definition of “liquid fuel” there shall be inserted—

““maximum delivery” means the largest quantity of liquid fuel which the measuring equipment is designed to measure;”

(2) In paragraph (1) of regulation 2 of the principal Regulations (application), between the word “gas” and “;” there shall be inserted the words “and liquefied natural gas”.

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(1) 1985 c. 72.  
(2) S.I.1995/1014.

(3) In paragraph (3) of the said regulation 2 of the principal Regulations, between the words “On” and “1st” there shall be inserted the words “and after”.

(4) After regulation 10 of the principal Regulations (testing to be carried out under working conditions), there shall be inserted the following regulation—

**“Tests to be carried out by an inspector**

**10A.—**(1) In testing measuring equipment with a view to passing it as fit for use for trade, an inspector shall test in accordance with the appropriate testing procedures specified in paragraphs (2) and (3) below and, if the inspector considers it appropriate, those specified in the certificate of approval or notice of examination.

(2) When testing in accordance with the provisions of this paragraph and paragraph (3) below, an inspector shall ensure that—

- (a) measuring equipment which is constructed to deliver only a fixed quantity shall be tested by its delivering that fixed quantity of test liquid;
- (b) measuring equipment which is constructed to deliver multiples of a fixed quantity shall be tested by its delivery of that fixed quantity of test liquid and additionally by its being determined that for such measuring equipment any indicator of the number of deliveries made functions correctly; and
- (c)
  - (i) save as provided in sub-paragraphs (ii) and (iii) below, measuring equipment which is constructed to continuously meter liquid shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its delivery of both 10 and 20 litres of test liquid;
  - (ii) measuring equipment of a type described in sub-paragraph (i) above which has a maximum delivery of 10 litres or below shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its providing a maximum delivery of test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a maximum delivery;
  - (iii) measuring equipment of a type described in sub-paragraph (i) above with a maximum delivery of above 10 litres but not in excess of 20 litres shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its providing a delivery of 10 litres of test liquid.

(3) In all cases the tests referred to in paragraph (2) above shall be carried out—

- (a) at least twice and, in the case of measuring equipment which is capable of delivery at different flow rates, this requirement shall be satisfied by one delivery at a low flow rate and one delivery at a flow rate that is as near as practicable to the measuring equipment’s highest flow rate;
- (b) so that the speed of operation in respect of any individual delivery is as uniform as practicable; and
- (c) using local standards, working standards or testing equipment.”.

(5) Regulation 11 of the principal Regulations (equipment tested to be complete) shall be deleted.

(6) Regulation 12 of the principal Regulations (testing of measuring equipment) shall be replaced by the following regulation—

### **“Conditions for testing of measuring equipment**

**12.**—(1) Subject to the provisions of this regulation, measuring equipment shall be tested, passed as fit for use for trade and stamped either—

- (a) at the place where it is to be used; or
- (b) at the place of its manufacture or assembly or at testing premises.

(2) In the case of paragraph (1)(a) above, measuring equipment shall be tested, passed as fit for use for trade and stamped only when it is—

- (a) complete with all its parts as described in the certificate of approval or notice of examination, as the case may be; and
- (b) completely erected, installed and ready for use.

(3) In the case of paragraph (1)(b) above, measuring equipment shall be tested, passed as fit for use for trade and stamped only when it is in such a manner, configuration and environment as to replicate in all relevant respects those in which it will be installed at the place where it is to be used and either—

- (a) it is complete with all its parts as described in the certificate of approval or notice of examination, as the case may be, and is completely erected, temporarily installed and ready for use; or
- (b) it is complete with equipment, including representative repeat indicating and control devices, and is erected, temporarily installed and ready for use so that it simulates in all relevant respects the manner in which it will function when complete with all its parts as provided for in sub-paragraph (a) above.

(4) Notwithstanding the preceding paragraphs of this regulation, measuring equipment which has been tested, passed as fit for use for trade and stamped in accordance with this regulation shall not be used for trade if—

- (a) it has subsequently been dismantled before completion of its installation at the place where it is to be used; and
- (b) any such dismantling is likely to have affected its performance.

(5) For the purposes of this regulation—

- (a) “testing premises” mean premises which are in the opinion of an inspector suitable for his use in testing measuring equipment which has been presented for testing for passing as fit for use for trade;
- (b) “repeat indicating device” means a device which, using the interface which will be used when the measuring equipment is permanently installed, displays mandatory metrological indications;
- (c) “control device” means a device using the interface which will be used when the measuring equipment is permanently installed which receives a call signal from the fuel dispenser and authorises delivery.”.

(7) In paragraph (7) of regulation 17 of the principal Regulations (prescribed limits of error), between the words “On” and “1st” there shall be inserted the words “and after”.

(8) In paragraph (1)(c) of regulation 19, for the words “the errors on all the quantities of test liquid indicated by the equipment during the tests are all errors in excess or all errors in deficiency” there shall be substituted the words “every delivery made in testing the measuring equipment as provided for in paragraph (2)(c) of regulation 10A results in an error in excess or every such delivery results in an error in deficiency or in the case of testing the measuring equipment as provided for in paragraph (2)(a) and (b) of regulation 10A the inspector is not satisfied that the calibration of the measuring equipment has been set as close to zero as is practicable”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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9th September 1998

*Kim Howells,*  
Parliamentary Under-Secretary of State for  
Competition and Consumer Affairs,  
Department of Trade and Industry

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995 (the “1995 Regulations”).

The Regulations prescribe the tests an inspector of weights and measures shall apply to measuring equipment with a view to passing it as fit for use for trade and stamping it.

The Regulations also make certain minor amendments and clarifications to the 1995 Regulations.

These Regulations were notified to the European Commission in accordance with the requirements of Directive [98/34/EC](#) of the European Parliament and of the Council (1998 O.J. L204/37), (as amended), (formerly Council Directive [83/189/EEC](#) (1983 O.J. L109/8), (as amended)).