

SCHEDULES

SCHEDULE 4

SAND AND OTHER BALLAST

PART II

CARRIAGE OF BALLAST BY ROAD

7.—(1) If any of the ballast is being carried for delivery to a buyer in pursuance of, or of an agreement for, a sale thereof and paragraph 2 applies to the sale, the following provisions of this paragraph shall have effect with respect to that ballast.

(2) There shall, before the journey begins, be delivered to the person in charge of the vehicle a document signed by or on behalf of the seller stating—

- (a) the name and address of the seller;
- (b) the name of the buyer, and the address of the premises to which the ballast is being delivered;
- (c) the type of the ballast;
- (d) subject to sub-paragraph (4), the quantity of the ballast either by net weight or by volume;
- (e) sufficient particulars to identify the vehicle; and
- (f) the place, date and time of the loading of the ballast in the vehicle.

(3) Where the quantity of the ballast is stated in the document aforesaid by volume, the ballast shall be carried on the vehicle only in such a receptacle as is mentioned in paragraph 4.

(4) The statement referred to in sub-paragraph (2)(d) shall not be required at any time while the vehicle is travelling between the place where it was loaded and the nearest suitable and available weighing equipment if the whole of the vehicle's load is being delivered to the same person at the same premises and the document mentioned in sub-paragraph (2) states that the quantity of the ballast is to be expressed by net weight determined by means of that equipment and specifies the place at which the equipment is situated.

(5) In any case to which sub-paragraph (4) applies, the person in charge of the vehicle at the time when the net weight of the ballast is determined shall forthwith add to the document aforesaid a statement of that net weight, and if he fails so to do he shall be guilty of an offence.

(6) If any of the provisions of sub-paragraph (2) or (3) is contravened, the seller shall be guilty of an offence.

(7) If the vehicle is carrying ballast as mentioned in sub-paragraph (1) for delivery to each of two or more persons, sub-paragraphs (1) to (3) shall apply separately in relation to each of those persons, so however that this sub-paragraph shall not be construed as prohibiting the use of the same receptacle such as is mentioned in sub-paragraph (3) for the carriage of ballast for delivery to two or more different persons.

Changes to legislation:

There are currently no known outstanding effects for the Weights and Measures (Northern Ireland) Order 1981, Paragraph 7.