

## 1979 No. 212

## WEIGHTS AND MEASURES

**Measuring Instruments (Intoxicating Liquor) (Amendment)  
Regulations (Northern Ireland) 1979**

*Made* . . . . . 21st June 1979

*Coming into operation* . . . . . 1st August 1979

The Department(a) of Commerce, in exercise of powers conferred on it by sections 5(3), 7(1) and 8(1) of the Weights and Measures Act (Northern Ireland) 1967(b) and of every other power enabling it on that behalf, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Measuring Instruments (Intoxicating Liquor) (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 1st August 1979.

*Revocation*

2. The Measuring Instruments (Intoxicating Liquor) (Amendment) Regulations (Northern Ireland) 1969(c) are hereby revoked.

*Amendment of the Regulations of 1967*

3. The Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967(d) shall have effect subject to the following amendments:—

(a) for Regulation 6 substitute:—

“6.—(1) Every measuring instrument for use in measuring intoxicating liquor other than beer or cider shall be fitted—

(a) with adequate sight glasses, observation windows or other devices for showing clearly that any measuring chamber is properly charged and discharged; or

(b) with a device or devices which prevent—

(i) any liquid being discharged by any measuring chamber until the chamber is properly charged; and

(ii) any measuring chamber being charged anew until it has been properly discharged.

(2) Subject to paragraph (3) every measuring instrument for use in measuring beer or cider shall be fitted with a device or devices mentioned in paragraph (1)(b);

(3) Paragraph (2) shall not apply until 1st January 1982 in relation to any instrument stamped as fit for use for trade before 1st August 1979 if it is fitted with adequate sight glasses, observation windows or other devices mentioned in paragraph (1)(a).”;

(a) Formerly Ministry: see 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(b) 1967 c. 6 (N.I.)

(c) S.R. & O. (N.I.) 1969 No. 227 (p. 1031)

(d) S.R. & O. (N.I.) 1967 No. 230 (p. 812)

(b) in Regulation 14(1) to the Table (which prescribes the limits of error) add at the end:—

“250ml	5ml in excess	5ml in excess 2ml in deficiency”;
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(c) in Regulation 15(h) to the list of permitted abbreviations, after the entry in relation to the gallon, add:—

“Quarter-litre ..  $\frac{1}{4}$  litre (or 25cl or 250ml):”;

(d) in Regulation 15 for the proviso substitute:—

“So however that nothing in paragraph (h) of this Regulation shall preclude the passing as fit for use for trade of any instrument notwithstanding that the indication of quantity is marked by figures only if the indication is marked on the measuring chamber or a sales indicator and the unit of measurement is boldly marked on the face of the chamber or indicator in a manner which avoids confusion.”;

(e) for Regulation 19 substitute:—

“19.—(1) Subject to paragraph (2) an inspector shall obliterate the stamp on any measuring instrument which—

(a) fails upon testing to measure the liquid with which it is tested to within the appropriate prescribed limits of error when it is operated at any reasonable speed, the speed of operation in respect of any individual delivery being as uniform as practicable; or

(b) has ceased to satisfy the requirements of paragraphs (b) to (h) of Regulation 15:

(2) Where a measuring instrument does not fully comply with the requirements of these Regulations, but the nature and degree of the non-compliance is not in the inspector's judgment such as to require the immediate obliteration of the stamp, he shall not obliterate it but shall leave with the owner or manager a notice calling upon him to have the instrument corrected within a stated period (expiring not more than twenty-eight days after the leaving of the notice) and shall obliterate the stamp if the correction is not made within that period.

(3) Where any measuring instrument has since it was last stamped been the subject of any adjustment, alteration, addition, repair or replacement which could, in the opinion of the inspector, have affected its accuracy, he may obliterate the stamp on that instrument.”

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 21st June 1979.

(L.S.)

W. T. McCrory

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations further amend the Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967 (S.R. & O. (N.I.) 1967 No. 230), which regulated the use of instruments for measuring intoxicating liquor on retail premises, and revokes a 1969 amendment (S.R. & O. (N.I.) 1969 No. 227).

The principal change is that measuring instruments used for beer and cider are no longer permitted to be fitted with sight glasses, windows or other devices for showing that the measuring chamber is properly charged and discharged as an alternative to being fitted with devices which prevent any liquid being discharged from the chamber before it is full, and the chamber being filled before it is properly emptied.

The absence of these devices on instruments with sight glasses does not make them unlawful until 1st January 1982 if they were stamped as fit for trade before these Regulations came into operation.

These Regulations also permit the use of approved instruments designed to deliver  $\frac{1}{4}$  litre.