

1986 No. 308

WEIGHTS AND MEASURES**Measuring Equipment (Measures of Length) Regulations
(Northern Ireland) 1986***Made 24th September 1986**Coming into operation 27th October 1986***ARRANGEMENT OF REGULATIONS****PART I****GENERAL***Regulation*

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SCHEDULE — Revocations.

The Department of Economic Development, in exercise of the powers conferred by Articles 9(1), (3) and (4) and 13(1) of the Weights and Measures (Northern Ireland) Order 1981(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Measuring Equipment (Measures of Length) Regulations (Northern Ireland) 1986 and shall come into operation on 27th October 1986.

(2) The Regulations specified in column 1 of the Schedule are hereby revoked to the extent specified in column 2.

Interpretation

2. In these Regulations—

“composite measure” means a measure of length where one of its principal scale marks is a surface and the other is a line, hole or mark;

“end measure” means a measure of length where its principal scale marks are formed by two surfaces;

“measure of length” means a linear measure set out in Part I of Schedule 1 to the Order;

“nominal length” means the maximum length in metric or imperial units which a measure of length is designed to measure in one measurement;

“prescribed limits of error” has the meaning set out in Regulation 23;

“the Order” means the Weights and Measures (Northern Ireland) Order 1981;

(a) S.I. 1981/231 (N.I. 10)

(b) By S.I. 1982/846 (N.I. 11) Art. 4

“principal scale marks” mean the two surfaces, lines, holes or marks (or combinations thereof) on a measure of length the distance between which is the nominal length of the measure;

“the stamp” means the stamp prescribed by the Weights and Measures (Prescribed Stamp) Regulations (Northern Ireland) 1969(a); and

“terminal surface” means a surface forming one of the principal scale marks.

Application of Regulations and prescription of measures of length

3.—(1) Subject to paragraph (2), these Regulations apply to measuring equipment for use for trade of the following class namely measures of length and such measures are hereby prescribed for the purposes of Article 9(1) of the Order.

(2) Except for this paragraph, paragraph (3) and Regulation 19, these Regulations do not apply to measures of length which bear the mark of EEC initial verification.

(3) In paragraph (2), “mark of EEC initial verification” means the mark described in paragraph 5 of Schedule 1 to the Measuring Instruments (EEC Requirements) Regulations 1980(b).

PART II

GENERAL REQUIREMENTS FOR MATERIALS, PRINCIPLES OF CONSTRUCTION AND MARKING OF MEASURES OF LENGTH

Materials of construction

4. Subject to Regulation 5, every measure of length shall be made of—

- (a) carbon steel, including matt chrome-plated carbon steel, steel protected by a clear film or rust-resisting steel;
- (b) brass;
- (c) aluminium alloy, including anodised and stained aluminium alloy;
- (d) glass-reinforced or opaque plastics;
- (e) wood; or
- (f) any other material of adequate stability.

Strength and durability

5. Every measure of length shall be sufficiently strong and resistant to abrasion to withstand the wear and tear of ordinary use in trade.

Certain measures of length to have metal tips on terminal surfaces

6. Where an end measure or composite measure is made of wood or other material of durability equal to or less than that of wood, the terminal surfaces shall have metal tips which shall be securely fixed to the wood or other material.

Requirements in relation to terminal surfaces of end measures and composite measures

7. The terminal surfaces of end measures and of composite measures shall be flat and perpendicular to the longitudinal axis of the measure.

(a) S.R. & O. (N.I.) 1969 No. 11

(b) S.I. 1980/1058; the relevant amending Regulations are S.I. 1985/1871

Rigid measures of length to be practically straight and free from flaws

8. Every rigid measure of length, including folding measures, shall be practically straight and free from flaws.

Construction of flexible measures of length

9. Every flexible measure of length shall be constructed so that when it is stretched out on a flat surface its edges are practically straight and parallel.

Construction of winding devices for flexible measures of length

10. Winding devices for flexible measures of length shall be constructed so that they do not cause any permanent deformation of the measure.

Construction of measures of length marked with a reference temperature

11. Where a measure of length is marked with a reference temperature, it shall be constructed so that a change of not more than 8 degrees Celsius above or below that temperature does not cause in normal use a variation in length exceeding the prescribed limit of error.

Construction of measures of length marked with a tractive force

12. Where a measure of length is marked with a tractive force, it shall be constructed so that a change of 10 per cent. above or below that force does not cause a variation in length exceeding the prescribed limit of error.

Marking of graduated measures of length

13.—(1) Every measure of length which is graduated shall be graduated clearly, indelibly and, subject to paragraph (2), regularly, so as to enable unambiguous readings to be made easily.

(2) Certain sections of a graduated measure of length may be subdivided more finely than other sections.

Marking of scale marks on measures of length

14. Where the scale marks on a measure of length are lines these shall be straight, perpendicular to the longitudinal axis of the measure of length and all of the same thickness, constant throughout their length.

Numbering of graduated measures of length

15. The numbering of graduated measures of length shall be—

- (a) (i) continuous; or
 - (ii) partly continuous and partly repetitive; and
 - (b) (i) parallel to the longitudinal axis of the measure of length; or
 - (ii) perpendicular to the longitudinal axis of the measure of length,
- depending on how the measure is designed to be read.

Numbering of folding graduated measures of length

16. Where a graduated measure of length is a folding measure, some of its numbering in close proximity to the joints may be omitted.

Marking of nominal length and, where appropriate, tractive force

17. Every measure of length shall be conspicuously, legibly and durably marked (in the case of a flexible measure, near the beginning of the measure) with the following items—

- (a) on each graduated side, its nominal length expressed in one only of the following units of measurement in full or by means of one of the following abbreviations or symbols only:—

metre	m
centimetre	cm
millimetre	mm
yard	yd
foot	ft
inch	in;

and

- (b) its tractive force, if it is a flexible measure with a nominal length exceeding five metres in metric units or ten feet in imperial units.

Marking of measures of length which are not graduated or subdivided

18. Every measure of length which is not graduated or subdivided shall be marked conspicuously, legibly and durably with the words “not graduated” or “not subdivided”.

PART III

MANNER OF USE FOR TRADE

Measure of length not to be exposed to environmental or other influences which will adversely affect its accuracy or function

19. A person shall not use a measure of length for trade in such a manner as to expose it to environmental or other influences which will adversely affect its accuracy or function.

PART IV

TESTING

Cleanliness of measures of length

20. Every measure of length submitted for testing shall be in a clean condition.

Method and manner of testing measures of length

21. Every measure of length shall be tested by comparison with an appropriate Northern Ireland local or working standard linear measure using equipment and under conditions which are appropriate to the degree of accuracy required, taking the following factors into account—

- (a) the ambient temperature, when the standard and the measure of length being compared are of different materials;
- (b) the tensioning and support of flexible measures of length; and
- (c) the method of magnification for viewing.

Extent of testing

22. An inspector shall test the nominal length and, in the case of a graduated measure, such other graduations as he considers necessary.

PART V

SUPPLEMENTARY PROVISIONS

Prescribed limits of error

23. The prescribed limits of error relating to measures of length shall be as follows:—

- (a) where the measure is designed to measure in metric units, 0.6 millimetre plus 0.4 millimetre per metre (rounded up to the next whole metre) of nominal length; and
- (b) where the measure is designed to measure in imperial units, 0.025 inch plus 0.015 inch per yard (rounded up to the next whole yard) of nominal length.

Passing as fit for use for trade

24. A measure of length shall not be passed as fit for use for trade unless on testing—

- (a) it complies with all the appropriate requirements of these Regulations;
- (b) it falls within the prescribed limits of error; and
- (c) the inspector is of the opinion that it is not constructed in a manner which facilitates fraudulent use.

Stamping

25.—(1) Subject to paragraphs (2) and (3), measures of length shall be stamped with the stamp near one end or, in the case of graduated measures, near the beginning of the measure on each graduated side.

(2) In the case of flexible measures of length the stamp may be placed on a metal plug, disc or label permanently secured to the measure.

(3) A measure of length shall not be stamped with the stamp if it bears—

- (a) any mark which might reasonably be mistaken for the stamp;
- (b) any indication of a class of accuracy to which the measure belongs; or
- (c) any other statement or mark (other than the stamp) which purports to be or might reasonably be mistaken for an expression of approval or guarantee of accuracy by any body or person.

Obliteration of stamps

26. Stamps on any measure of length shall be obliterated by an inspector, in accordance with the requirements of these Regulations, by means of punches or pincers of suitable sizes of a six-pointed star design as shown in the following illustration:—

*Inspectors' powers and duties regarding obliteration of stamps*

27.—(1) Subject to paragraph (2), an inspector shall obliterate the stamp on any measure of length which—

- (a) fails upon testing to fall within twice the prescribed limits of error; or
- (b) fails to comply with any other appropriate requirement of these Regulations.

(2) An inspector shall not obliterate the stamp on any measure of length which falls within twice the prescribed limits of error and which was first stamped before

27th October 1986, notwithstanding that it fails to comply with any other appropriate requirement of these Regulations.

(3) Notwithstanding paragraph (2), where any measure of length has, since it was last stamped, been the subject of any adjustment, alteration, addition, damage or repair which could have affected its accuracy or function, the inspector may obliterate the stamp on that measure.

Sealed with the Official Seal of the Department of Economic Development on
24th September 1986.

(L.S.)

Margaret L. Johnston

Assistant Secretary

SCHEDULE

Regulation 1(2)

Revocations

<i>Column 1</i>	<i>Column 2</i>
<i>Regulations</i>	<i>Extent of revocation</i>
Weights and Measures Regulations (Northern Ireland) 1967(a)	In Regulation 3(1), sub-paragraph (a). In Regulation 6(2), sub-paragraph (a). Regulations 8 to 11. In Schedule 2, Part I.
Weights and Measures (Amendment) Regulations (Northern Ireland) 1971(b)	In the Schedule, paragraph 2.

(a) S.R. & O. (N.I.) 1967 No. 237; the relevant amending Regulations are S.R. & O. (N.I.) 1971 No. 114

(b) S.R. & O. (N.I.) 1971 No. 114

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe measures of length, which do not bear the mark of EEC initial verification, for the purposes of Article 9(1) of the Weights and Measures (Northern Ireland) Order 1981, so that it is unlawful to use such measures for trade purposes unless they have been tested, passed as fit for such use and stamped by an inspector of weights and measures. The Regulations revoke those provisions of the Weights and Measures Regulations (Northern Ireland) 1967 relating to measures of length, such measures formerly being prescribed under Regulation 3 of those Regulations. Measures bearing the mark of EEC initial verification have to comply with the Measuring Instruments (EEC Requirements) Regulations 1980 (as amended).

The Regulations make provision as to—

- (a) the materials and principles of construction of measures of length and their marking (Regulations 4 to 18);
- (b) their manner of use for trade (Regulation 19);
- (c) their testing (Regulations 20 to 22);
- (d) the prescribed limits of error (Regulation 23);
- (e) their passing as fit for use for trade, stamping and the obliteration of such stamps (Regulations 24 to 27).

The Regulations make the following changes of substance:—

- (i) the principles of construction have been revised and expanded;
- (ii) the limits of error are now expressed by means of formulae, rather than a table, and those applicable on obliteration of the stamp are only twice, instead of four times, those applicable on passing as fit for use for trade; and
- (iii) Regulation 19 prohibits the use of a measure of length in such a manner that it is exposed to environmental or other influences which will adversely affect its accuracy or function — this Regulation applies to all measures of length including measures which bear the mark of EEC initial verification.

Where a measure has been stamped under the provisions of Part II of the Weights and Measures Regulations (Northern Ireland) 1967, it may continue in use for trade without the stamp being obliterated, provided it falls within twice the prescribed limits of error, even though it does not comply with the requirements of these Regulations.

Contravention of Regulation 19 is an offence under Article 13(1) of the Weights and Measures (Northern Ireland) Order 1981. It is also an offence under Article 9(2) of that Order for a person to use for trade or have in his possession for such use any measure of length prescribed by Regulation 3 which has not been passed as fit for such use and which, except as is otherwise expressly provided by or under that Order, does not bear a stamp indicating that it has been so passed which remains undefaced otherwise than by reason of fair wear and tear. The penalty on summary conviction for these offences is a fine not exceeding £400 and the measure of length in respect of which the offence is committed is liable to forfeiture.