
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 113

**Measuring Equipment (Liquid Fuel and
Lubricants) Regulations (Northern Ireland) 1998**

Part IV

STAMPING

Provision of stamping and sealing devices on equipment

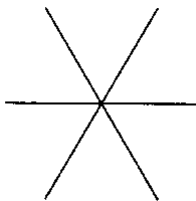
18. All measuring equipment shall be provided with one or more plugs, seals or sealing devices in order to protect all stops or other adjustable parts effecting the quantity delivered, such plugs, seals or sealing devices to be as described in any certificate of approval relating to it and which is in force or in any notice of examination; and the stamp shall be placed on all such plugs, seals or sealing devices.

Restriction on stamping

19. Measuring equipment shall not be stamped in accordance with regulation 18 if it bears any mark which might reasonably be mistaken for the stamp.

Obliteration of stamps

20. Stamps 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:



Powers and duties of inspector regarding obliteration of stamps

21.—(1) Subject to paragraph (2), an inspector shall obliterate the stamp on any measuring equipment which—

- (a) fails upon testing to fall within the prescribed limits of error in relation to obliteration of the stamp set out in Table 1 or 2 in the Schedule as appropriate to the case; or
- (b) fails to comply with any other appropriate requirement of these Regulations.

(2) Where any measuring equipment does not fully comply with the requirements of these Regulations, but the nature or degree of the non-compliance is not in the inspector's opinion such as to require the immediate obliteration of the stamp, the inspector—

- (a) shall give to the proprietor or person in charge of the equipment a notice calling on him to have the equipment corrected within a stated period, not exceeding 28 days; and
- (b) shall obliterate the stamp if the correction has not been made within the stated period.

(3) Subject to paragraph (6), an inspector shall obliterate the stamp on any measuring equipment which has, since it was last stamped, had any alteration or addition made to it such that it could not be passed as fit for use for trade under regulation 17.

(4) Subject to paragraphs (5) and (6), where any measuring equipment has, since it was last stamped, been the subject of any adjustment, alteration, addition, repair or replacement which could have affected its accuracy or function, the inspector may obliterate the stamp on that equipment.

(5) Where a component of any measuring equipment, or any ancillary equipment associated with it or any other equipment physically or otherwise connected to it or any component thereof—

- (a) is removed and not replaced, the inspector shall not obliterate the stamp under paragraph (4) if he is satisfied that the removal has not significantly affected the accuracy or function of the measuring equipment; or
- (b) is replaced, the inspector shall not obliterate the stamp under paragraph (4) if he is satisfied that—
 - (i) the new component or ancillary or connected equipment is in all material respects the same as that which it replaces; and
 - (ii) the replacement has not significantly affected the accuracy or function of the measuring equipment.

(6) In the case of any measuring equipment passed as fit for use for trade and stamped pursuant to paragraphs (1)(b) or (2)(b) of regulation 10, an inspector shall not obliterate the stamp under paragraph (3) or (4) by reason only that an addition has been made to it solely for the purposes of installation of the equipment at the place at which it is used.

Consequence of the destruction, obliteration or defacement of a stamp

22.—(1) For the purposes of these Regulations, the destruction, obliteration or defacement of any one stamp on any measuring equipment shall be deemed to be the obliteration of all other stamps on that equipment, except—

- (a) where—
 - (i) a stamp on any part of any measuring equipment is destroyed, obliterated or defaced by reason only of the failure of that part to comply with all the appropriate requirements of these Regulations; and
 - (ii) that failure does not have the effect of causing other parts of the equipment to fail to comply with those requirements; or
- (b) where the stamp has been lawfully destroyed, obliterated or defaced under regulation 23 or 24.

(2) Where the inspector has obliterated a stamp on any measuring equipment, he may attach to the equipment a notice indicating that the equipment or, in a case to which paragraph (1)(a) applies, the part of it in question is out of order.

Lawful use for trade of equipment where stamps destroyed, obliterated or defaced for purposes of price adjustment

23.—(1) It shall be lawful to destroy, obliterate or deface a stamp on any measuring equipment, and it shall not be a contravention of Article 9(2) of the Order to use such equipment for trade during the relevant period by reason only that a stamp on it has been lawfully destroyed, obliterated or defaced (such destruction, obliteration or defacement being in this regulation referred to as “the occurrence”) if—

- (a) the person responsible for the occurrence is, or is the duly authorised agent of, the proprietor of the equipment or a person who is the manufacturer, or is regularly engaged in the repair, of equipment for measuring liquid fuel;
 - (b) the occurrence was confined to the stamp protecting the price computing device of the equipment and the stamp on the indicator of the price per litre;
 - (c) the occurrence was only to permit an adjustment of that device and that indicator; and
 - (d) notification of the occurrence in writing and complying with paragraph (2) has been given by the proprietor of the equipment or his duly authorised agent before the occurrence to the chief inspector of weights and measures.
- (2) The notification referred to in paragraph (1) shall contain the following information—
- (a) the location of, and particulars by which, the equipment may be identified;
 - (b) the intended date of the occurrence;
 - (c) the business name and address of the proprietor or other person referred to in paragraph (1) (a); and
 - (d) the name and address of the person giving the notification.

(3) In paragraph (1) “relevant period” means a period of 28 days beginning with the day on which the notification referred to in that paragraph is given in accordance with that paragraph.

Lawful use for trade of equipment where stamps destroyed, obliterated or defaced for purposes of metrication of equipment

24.—(1) It shall be lawful to destroy, obliterate or deface a stamp on any measuring equipment, and it shall not be a contravention of Article 9(2) of the Order to use such equipment for trade during the relevant period by reason only that a stamp on it has been lawfully destroyed, obliterated or defaced (such destruction, obliteration or defacement being in this regulation referred to as “the occurrence”) if—

- (a) the person responsible for the occurrence is, or is the duly authorised agent of, a person who is the manufacturer, or is regularly engaged in the repair, of equipment for measuring liquid fuel;
- (b) the occurrence was only to facilitate or permit the adaptation of the equipment to measure in metric quantities;
- (c) where the occurrence relates to the stamp on the measuring equipment protecting the calibration of the measuring device, the person responsible for the occurrence has attached to the equipment some seal or other device which must be defaced or removed before the calibration of the measuring device can be adjusted; and
- (d) notification of the occurrence in writing and complying with paragraph (2) has been given by the proprietor of the equipment or his duly authorised agent before the occurrence to the chief inspector of weights and measures.

- (2) The notification referred to in paragraph (1) shall contain the following information—
- (a) the location of, and particulars by which, the equipment may be identified;

- (b) the intended date of the occurrence;
 - (c) the business name and address of the person referred to in paragraph (1)(a);
 - (d) the name and address of the person giving the notification; and
 - (e) whether the occurrence is of a type mentioned in paragraph (3)(a) or (3)(b).
- (3) In paragraph (1) “relevant period” means—
- (a) where the stamp on the measuring equipment protecting the calibration of the measuring device remains intact and notification has been given in accordance with that paragraph of the fact that some other stamp has been destroyed, obliterated or defaced, a period of 28 days beginning when notification is so given; or
 - (b) where the stamp on the measuring equipment protecting the calibration of the measuring device has been destroyed, obliterated or defaced and notification of the destruction, obliteration or defacement of that stamp has been given in accordance with that paragraph, a period of 5 days beginning when notification is so given.