

1969. No. 227

[C]

WEIGHTS AND MEASURES

Measuring Instruments (Intoxicating Liquor)

REGULATIONS, DATED 22ND AUGUST 1969, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 5 AND 8 OF THE WEIGHTS AND MEASURES ACT (NORTHERN IRELAND) 1967.

The Ministry of Commerce, in exercise of the powers conferred upon it by sections 5(1) (3) and 8(1) of the Weights and Measures Act (Northern Ireland) 1967(a) and all other powers enabling it in 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) 1969 and shall come into operation on 1st November 1969.

2. The Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967(b) shall have effect as if—

(a) there were substituted for Regulation 6 the following:

“6. Every measuring instrument shall be fitted—

- (i) with adequate sight glasses, observation windows or other devices for showing clearly that any measuring chamber is properly charged and discharged; or
- (ii) with a device or devices which prevent—
 - (a) any liquid being discharged by any measuring chamber until the chamber is properly charged; and
 - (b) any measuring chamber being charged anew until it has been properly discharged.”;

(b) there were substituted for the proviso to Regulation 15 the following:

“Provided that—

- (i) nothing in sub-paragraph (c) shall at any time before 1st January 1974 preclude the passing as fit for use for trade of any instrument by reason of the fact that it does not incorporate any such device as is mentioned in Regulation 6(ii) of these Regulations; and
- (ii) nothing in sub-paragraph (h) 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.”; and

(c) there were substituted for the proviso to Regulation 19 the following:

“Provided that—

- (i) nothing in sub-paragraph (b) shall at any time before 1st January 1979 require an inspector to obliterate the stamp on any instru-

ment by reason of the fact that the instrument does not incorporate any such device as is mentioned in Regulation 6(ii) of these Regulations; and

- (ii) 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 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."

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 22nd day of August 1969.

(L.S.)

W. L. Robinson,
Assistant Secretary.

EXPLANATORY NOTE

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

These Regulations amend the Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967 which made provision regarding measuring instruments of the type used to measure beers and spirits for retail sale on licensed premises.

The only change of substance concerns instruments which are not fitted with sight glasses, windows or other devices for showing that the measuring chamber is properly charged and discharged.

Hitherto such instruments were required to be fitted with a device to prevent any liquid being discharged from any measuring chamber before it is fully charged. These Regulations require such instruments to be fitted with a device or devices which not only prevent any liquid being so discharged but also prevent the measuring chamber being recharged before it has been properly discharged.

The lack of such devices, however, will not prevent instruments being passed as fit for use for trade prior to 1st January 1974 nor occasion the obliteration of stamps on instruments in use until the beginning of 1979.