

1972 No. 767

WEIGHTS AND MEASURES

The Weights and Measures (Amendment) Regulations 1972

<i>Made</i>	- - -	17th May 1972
<i>Laid before Parliament</i>		25th May 1972
<i>Coming into Operation</i>		26th June 1972

The Secretary of State, in exercise of his powers under sections 11(3), 14(1) and 58 of the Weights and Measures Act 1963(a) and all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Weights and Measures (Amendment) Regulations 1972 and shall come into operation on 26th June 1972.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) The Weights and Measures (Amendment) Regulations 1969(c) are hereby revoked.

2. The Weights and Measures Regulations 1963(d), as amended (e), shall have effect subject to the following amendments:—

(i) for Regulation 8 there shall be substituted—

“8—(1) Subject to the following provisions of this Regulation an inspector shall obliterate the stamp on—

(a) any weighing or measuring equipment which falls outside the prescribed limits of error or which does not comply with any relevant requirement of these Regulations;

(b) any measure which has been so broken or damaged that it cannot in his opinion be properly adjusted or the accuracy of which has in his opinion been affected by an alteration, adjustment, addition or repair made or carried out since it was last stamped;

(c) any equal-armed weighing instrument which has been altered, adjusted or repaired since it was last stamped; or

(d) any other weighing instrument which has been so altered, adjusted or repaired since it was last stamped that it is in his opinion necessary to ascertain that the indications of the instrument remain correct throughout its range.

(2) Nothing in paragraph (1)(c) or (d) of this Regulation shall require an inspector to obliterate the stamp on any weighing instrument which has been altered or adjusted if he is satisfied

(a) 1963 c. 31.

(b) 1889 c. 63.

(c) S.I. 1969/81 (1969 I, p. 243).

(d) S.I. 1963/1710 (1963 III, p. 3286).

(e) The relevant amending Regulations are S.I. 1964/76, 1969/81 (1964 I, p. 137; 1969 I, p. 243).

- (a) that the purpose of the alteration or adjustment was—
- (i) to convert it to compute prices in a decimal currency, or
 - (ii) to modify an imperial instrument to indicate weight in metric units and involved only the replacement or addition of a dial, chart or pointer;
- and
- (b) (i) that within the period of fifteen days following the making of the alteration or adjustment the requirements of paragraph (5) of this Regulation were complied with; or
- (ii) that the period for complying with those requirements has not yet expired.

(3) Where any equipment is found not to comply with the requirements of these Regulations solely because it falls outside the prescribed limits of error, an inspector may, instead of immediately obliterating the stamp thereon pursuant to paragraph (1), serve upon the person in possession of the equipment a notice requiring him to ensure that the equipment is brought within the prescribed limits of error before the expiry of 28 days or such shorter period as may be specified in the notice.

(4) Where any notice given pursuant to paragraph (3) is not duly complied with the inspector shall obliterate the stamp on the relevant equipment.

(5) The requirements referred to in paragraph (2)(b) of this Regulation are that the chief inspector of weights and measures for the area in which the machine will first be used for trade after it has been altered or adjusted or, if the address at which it will be so used is not known, for the area in which the alteration or adjustment is carried out, is furnished by the person carrying out the alteration or adjustment with the following particulars, namely, —

- (i) his name and address;
- (ii) particulars by which the instrument may be identified;
- (iii) the name and address of the person who will first use the instrument for trade after its alteration or adjustment and the address at which it will be so used or, if those particulars are not known, an address at which the instrument will be available for inspection;
- (iv) an indication as to whether or not the modification consisted only of the addition or replacement of a chart, dial or pointer; and
- (v) where there is any other form of modification in place of or in addition to that in sub-paragraph (iv) of this paragraph, an indication as to whether the person owning the instrument and the person modifying it have agreed that its accuracy after modification shall be such that it falls within the limits ordinarily applicable upon the testing of such an instrument with a view to its being passed as fit for use for trade.

(6) Where the alteration or adjustment of an instrument for the purpose of converting it to compute prices in a decimal currency or for the purpose of modifying it to indicate weight in metric units involves the carrying out of two or more operations and the instrument is used, or intended to be used, for trade between the carrying out of those operations, each such operation shall be treated for the purposes of paragraph (2) of this Regulation as a separate alteration or adjustment.”;

(ii) for Regulations 87 and 88 there shall be substituted:—

“87 The distance between successive graduations on the scale of a spring balance shall not be less than the relevant distance specified in the following table:—

Capacity of instrument	Minimum space between graduations
<i>(a) Imperial Scale</i>	
Not more than 30 lb	$\frac{1}{16}$ in
Over 30 lb but not over 1 cwt	$\frac{1}{8}$ in
Over 1 cwt	$\frac{1}{4}$ in
<i>(b) Metric Scale</i>	
Not more than 15 kg	1.25 mm
Over 15 kg but not more than 50 kg	2 mm
Over 50 kg	2.5 mm

88. Successive graduations on the scale of a spring balance shall not indicate a difference in weight exceeding the relevant amount specified in the following table:—

Capacity of instrument	Maximum weight corresponding to interval between successive graduations
<i>(a) As an imperial instrument</i>	
100 lb or more	1/200 of capacity
Under 100 lb but not less than 60 lb	4 oz
Under 60 lb but not less than 40 lb	2 oz
Under 40 lb but not less than 20 lb	1 oz
Under 20 lb but not less than 8 lb	8 dr
Under 8 lb but not less than 2 lb	4 dr
Under 2 lb but not less than 1 lb	2 dr
<i>(b) As a metric instrument</i>	
100 kg or more	1/200 of capacity
Under 100 kg but not less than 50 kg	200 g
Under 50 kg but not less than 30 kg	100 g
Under 30 kg but not less than 20 kg	50 g
Under 20 kg but not less than 6 kg	20 g
Under 6 kg but not less than 1½ kg	10 g
Under 1½ kg but not less than 500 g	5 g

- (iii) Regulation 90 shall be omitted; and
- (iv) In Part I of Schedule 2, there shall be added at the end of paragraph 1 the words:—
- “and further provided that in any case in which the requirements of Regulation 8(5) have been complied with following the modification of an instrument to indicate weight in metric units, the prescribed limits of error upon the first retesting of that instrument with a view to its being passed as fit for use for trade shall be those applicable in relation to the obliteration of the stamp upon the instrument except where:
- (i) the stamp upon the instrument was last obliterated for any reasons other than are set out in paragraph 1(c) or (d) of Regulation 8; or
 - (ii) there is an agreement of the type referred to in Regulation 8(5)(v).”.

17th May 1972.

Cranley Onslow,
Parliamentary Under Secretary of State,
Department of Trade and Industry.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Weights and Measures Regulations 1963 (S.I. 1963/1710). The main changes are that—

- (i) provision is made as respects the calibration of metric spring balances;
- (ii) spring balances may in future be of any capacity;
- (iii) the rules as to the obliteration of stamps on weighing instruments which have been altered or adjusted and the limits of error applicable on their retesting are relaxed in relation to instruments which have been modified to record metric weights if notice of the modification has been given to the local chief inspector of weights and measures.

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