
STATUTORY INSTRUMENTS

1986 No. 1320

The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986

PART V

SUPPLEMENTARY PROVISIONS

Prescribed limits of error

33.—(1) The prescribed limits of error relating to filling machines shall be those set out in columns 3 to 6 of Table 1 in Schedule 3 to these Regulations.

(2) The prescribed limits of error relating to discontinuous totalisers shall be those set out in columns 2 and 3 of Table 2 in Schedule 3 to these Regulations.

Passing as fit for use for trade

34. No automatic weighing machine shall be passed as fit for use for trade unless:—

- (a) it complies with all the appropriate requirements of these Regulations; and
- (b) on testing, it falls within the prescribed limits of error in relation to passing as fit for use for trade.

Stamping

35.—(1) The stamp shall be placed on the plug or stud and on every sealing device referred to in Regulation 13 above.

(2) No automatic weighing machine shall be stamped in accordance with paragraph (1) above if it bears any mark which, in the opinion of the inspector, might reasonably be mistaken for the stamp, or any statement or mark (other than an inspector's stamp) which purports to be or, in the opinion of the inspector, might reasonably be mistaken for an expression of approval or guarantee of accuracy by any body or person.

Obliteration of stamps

36. 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:—

37.—(1) Subject to paragraph (2) below, an inspector shall obliterate the stamp on any automatic weighing machine which—

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

(2) Except as provided by Regulation 38 below, where any automatic weighing machine 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, he shall give to the proprietor or any person in control of the machine a notice calling on him to have the machine corrected within a stated period not exceeding 28 days, and shall obliterate the stamp if the correction has not been made within the stated period.

38. An inspector shall obliterate the stamp on any automatic weighing machine 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 34 above.

39. An inspector may obliterate the stamp on any automatic weighing machine which:—

- (a) 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 or function;
- (b) is in use for trade for a particular purpose and:
 - (i) which does not meet the requirements of Regulation 4 above; or
 - (ii) for which purpose, in the opinion of the inspector, it is otherwise unsuitable; or
- (c) is in use for trade in circumstances where the machine is subjected to any extraordinary environmental or operating conditions which, in the opinion of the inspector—
 - (i) prevent the machine operating consistently and correctly; or
 - (ii) are likely prematurely to degrade the metrological characteristics of the machine.

40.—(1) For the purpose of these Regulations, the obliteration of any one stamp on any automatic weighing machine shall, subject to paragraph (2) below, be deemed to be the obliteration of all other stamps on that machine.

(2) Where the stamp on one automatic weighing machine forming part of an interconnected system is obliterated, paragraph (1) above shall not apply so as to prevent the system or any other machine in the system being used provided that the integrity of the remainder of the system is unimpaired.