
STATUTORY INSTRUMENTS

1995 No. 1014

The Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995

TESTING

Testing to be carried out under working conditions

10. All measuring equipment shall be tested by an inspector under practical working conditions with a test liquid, that is to say,—

- (a) the liquid fuel that the equipment is intended to deliver; or
- (b) a liquid having properties which replicate in all respects relevant to testing those of the liquid fuel which the equipment is intended to deliver,

and in the following provisions of these Regulations “test liquid” shall be construed accordingly.

Commencement Information

II [Reg. 10](#) in force at 4.5.1995, see [reg. 1\(1\)](#)

[F1] Tests to be carried out by an inspector

10A.—(1) In testing measuring equipment with a view to passing it as fit for use for trade, an inspector shall test in accordance with the appropriate testing procedures specified in paragraphs (2) and (3) below and, if the inspector considers it appropriate, those specified in the certificate of approval or notice of examination.

(2) When testing in accordance with the provisions of this paragraph and paragraph (3) below, an inspector shall ensure that—

- (a) measuring equipment which is constructed to deliver only a fixed quantity shall be tested by its delivering that fixed quantity of test liquid;
- (b) measuring equipment which is constructed to deliver multiples of a fixed quantity shall be tested by its delivery of that fixed quantity of test liquid and additionally by its being determined that for such measuring equipment any indicator of the number of deliveries made functions correctly; and
- (c) (i) save as provided in sub-paragraphs (ii) and (iii) below, measuring equipment which is constructed to continuously meter liquid shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its delivery of both 10 and 20 litres of test liquid;
- (ii) measuring equipment of a type described in sub-paragraph (i) above which has a maximum delivery of 10 litres or below shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its providing a maximum delivery of test liquid or a delivery which the

inspector specifies and which he considers to be sufficiently close to a maximum delivery;

- (iii) measuring equipment of a type described in sub-paragraph (i) above with a maximum delivery of above 10 litres but not in excess of 20 litres shall be tested by its providing a minimum delivery of the test liquid or a delivery which the inspector specifies and which he considers to be sufficiently close to a minimum delivery and additionally in either case by its providing a delivery of 10 litres of test liquid.

(3) In all cases the tests referred to in paragraph (2) above shall be carried out—

- (a) at least twice and, in the case of measuring equipment which is capable of delivery at different flow rates, this requirement shall be satisfied by one delivery at a low flow rate and one delivery at a flow rate that is as near as practicable to the measuring equipment’s highest flow rate;
- (b) so that the speed of operation in respect of any individual delivery is as uniform as practicable; and
- (c) using local standards, working standards or testing equipment.

[^{F2}Provided that in the case of a 20 litre test delivery pursuant to paragraph (2) above, only one delivery need be taken at the highest flow rate, and accordingly a low flow rate delivery, whilst not required, may be taken if the inspector considers it appropriate.]]

<p>F1 Reg. 10A inserted (12.10.1998) by The Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 1998 (S.I. 1998/2218), regs. 1, 3(4)</p> <p>F2 Words in reg. 10A(3) inserted (3.11.2003) by The Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 2003 (S.I. 2003/2110), regs. 1(1), 6</p>
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Equipment tested to be complete

^{F3}**11.**

<p>F3 Reg. 11 revoked (12.10.1998) by The Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 1998 (S.I. 1998/2218), regs. 1, 3(5)</p>

[^{F4}Conditions for testing of measuring equipment

12.—(1) Subject to the provisions of this regulation, measuring equipment shall be tested, passed as fit for use for trade and stamped either—

- (a) at the place where it is to be used; or
- (b) at the place of its manufacture or assembly or at testing premises.

(2) In the case of paragraph (1)(a) above, measuring equipment shall be tested, passed as fit for use for trade and stamped only when it is—

- (a) complete with all its parts as described in the certificate of approval or notice of examination, as the case may be; and
- (b) completely erected, installed and ready for use.

(3) In the case of paragraph (1)(b) above, measuring equipment shall be tested, passed as fit for use for trade and stamped only when it is in such a manner, configuration and environment as to replicate in all relevant respects those in which it will be installed at the place where it is to be used and either—

- (a) it is complete with all its parts as described in the certificate of approval or notice of examination, as the case may be, and is completely erected, temporarily installed and ready for use; or
 - (b) it is complete with equipment, including representative repeat indicating and control devices, and is erected, temporarily installed and ready for use so that it simulates in all relevant respects the manner in which it will function when complete with all its parts as provided for in sub-paragraph (a) above.
- (4) Notwithstanding the preceding paragraphs of this regulation, measuring equipment which has been tested, passed as fit for use for trade and stamped in accordance with this regulation shall not be used for trade if—
- (a) it has subsequently been dismantled before completion of its installation at the place where it is to be used; and
 - (b) any such dismantling is likely to have affected its performance.
- (5) For the purposes of this regulation—
- (a) “testing premises” mean premises which are in the opinion of an inspector suitable for his use in testing measuring equipment which has been presented for testing for passing as fit for use for trade;
 - (b) “repeat indicating device” means a device which, using the interface which will be used when the measuring equipment is permanently installed, displays mandatory metrological indications;
 - (c) “control device” means a device using the interface which will be used when the measuring equipment is permanently installed which receives a call signal from the fuel dispenser and authorises delivery.]

F4 [Reg. 12](#) substituted (12.10.1998) by [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 1998 \(S.I. 1998/2218\)](#), regs. 1, **3(6)**

Commencement Information

I2 [Reg. 12](#) in force at 4.5.1995, see [reg. 1\(1\)](#)

Equipment fitted with a hose

13.—(1) Subject to paragraph (2) below, before testing any measuring equipment fitted with a discharge hose, the inspector shall ensure that test liquid has first been passed through the equipment.

(2) This regulation shall not apply to equipment used for the measurement of liquid fuel where the delivery system remains permanently full up to the outer extremity of the discharge hose.

(3) In this regulation the expression “hose” includes rigid pipe work.

Commencement Information

I3 [Reg. 13](#) in force at 4.5.1995, see [reg. 1\(1\)](#)

Provision of test liquid

14. For the purposes of the performance by an inspector of his functions under the Act or these Regulations relating to inspection, testing, passing as fit for use for trade and stamping of any measuring equipment a person submitting such equipment to an inspector or who an inspector has reasonable cause to believe has possession of such equipment for use for trade shall, if requested,

provide for the inspector's use such test liquid and other equipment as the inspector may reasonably require; and any test liquid so provided shall be returned to the person in question or be placed in another suitable receptacle reasonably convenient for the purpose and nominated and provided by the proprietor or person in charge of the equipment.

Commencement Information

I4 Reg. 14 in force at 4.5.1995, see **reg. 1(1)**

Opening of tanks etc

15.—(1) An inspector may open any locked or sealed tank or container for the purpose of testing any measuring equipment or the return of test liquid withdrawn during testing.

(2) Upon the conclusion of the test, any test liquid so withdrawn shall forthwith be—

- (a) returned to the tank or container from which it was withdrawn if the inspector is of the opinion that it is practicable and desirable so to do and the proprietor or person in charge of the equipment does not object; or
- (b) placed in another suitable receptacle reasonably convenient for the purpose and nominated and provided by the proprietor or person in charge of the equipment.

(3) The inspector, if requested, shall give to the proprietor or person in charge of the said equipment a signed and dated statement of the quantity of such test liquid withdrawn from the tank or container and returned or placed as aforesaid.

Commencement Information

I5 Reg. 15 in force at 4.5.1995, see **reg. 1(1)**

Closing of tanks etc

16. An inspector shall securely re-fasten any tank or container opened under regulation 15(1) above immediately after the conclusion of the test and the return of any test liquid withdrawn during testing or its placing in another receptacle; and for this purpose he shall replace any seal or link broken by him in opening the said tank or container with a seal upon which he shall affix the stamp.

Commencement Information

I6 Reg. 16 in force at 4.5.1995, see **reg. 1(1)**

Prescribed limits of error

17.—(1) Subject to paragraphs (2) to (5) below, the prescribed limits of error relating to any measuring equipment shall be those set out in Table 1 in the Schedule to these Regulations as may be appropriate having regard to the dynamic viscosity of the test liquid employed.

(2) Except in the case of equipment constructed to deliver a fixed quantity only, for a quantity equivalent to the minimum delivery of the equipment the prescribed limits of error shall be those set out in Table 2 in the Schedule to these Regulations as may be appropriate having regard to the dynamic viscosity of the test liquid employed.

(3) Where a quantity indicated by the measuring equipment is larger than the minimum delivery of the equipment, the prescribed limit of error for the said quantity shall never be less than that

prescribed for the quantity equivalent to the minimum delivery of the equipment set out in the said Table 2 as may be appropriate having regard to the dynamic viscosity of the test liquid employed.

- (4) In relation to the retesting of any equipment fitted with a price computing device which—
- (a) is, in the opinion of an inspector, only required to be retested as a result of an adjustment of that device occasioned by a change in price; and
 - (b) has previously been tested and passed as fit for use for trade (but not since the said adjustment was made),

the prescribed limits of error shall be the amounts set out in the said Table 1 or Table 2 as appropriate having regard to the dynamic viscosity of the test liquid employed in relation to obliteration of the stamp.

(5) In relation to the retesting of any equipment converted to indicate the quantity delivered in metric units which—

- (a) is, in the opinion of an inspector, only required to be retested as a result of such conversion; and
- (b) has previously been tested and passed as fit for use for trade (but not since the said conversion was made),

the prescribed limits of error shall be the amounts set out in the said Table 1 or Table 2 as appropriate having regard to the dynamic viscosity of the test liquid employed in relation to obliteration of the stamp.

[^{F5}(6) On the testing of any measuring equipment fitted with a price computing device, the difference between—

- (a) the price indicated by that device; and
- (b) the price computed on the basis of the unit price and of—
 - (i) the quantity indicated for test purposes; or
 - (ii) where the equipment is incapable of indicating the quantity for test purposes, the quantity indicated for use for trade,

shall not exceed the price of the quantity equal to the error in deficiency set out in the said Table 2 in relation to passing as fit for use for trade having regard to the dynamic viscosity of the test liquid employed; provided that the difference need not be less than the lowest value coin in circulation in the country or territory in which the equipment is used or intended to be used.]

(7) On [^{F6}and after] 1st October 1995, paragraph (5) above shall be omitted.

F5 Reg. 17(6) substituted (3.11.2003) by [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), 7

F6 Words in reg. 17(7) inserted (12.10.1998) by [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 1998 \(S.I. 1998/2218\)](#), regs. 1, 3(7)

Commencement Information

I7 Reg. 17 in force at 4.5.1995, see [reg. 1\(1\)](#)

[^{F7}Inspector to attach test report

17A.—(1) Without prejudice to the duty of the inspector, pursuant to section 11(6) of the Act, to keep a record of every test carried out by him, where measuring equipment is tested by an inspector at the place of its manufacture or assembly or at testing premises, the inspector shall in addition attach securely to the inside of the measuring equipment a copy of the test record.

- (2) The test record shall include at least the following particulars—
- (a) the certification number of the certificate of approval;
 - (b) a list of the components of the measuring equipment;
 - (c) details of the testing procedures carried out;
 - (d) details of the test liquid used;
 - (e) the test results; and
 - (f) the inspector’s name, identification number and the name of the local weights and measures authority in which he holds office.
- (3) In this regulation “testing premises” has the same meaning as it has in regulation 12.]

F7 Reg. 17A inserted (3.11.2003) by The Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 2003 (S.I. 2003/2110), regs. 1(1), 8

Measuring equipment imported from ^{F8}... an EEA State

18.—(1) In relation to measuring equipment imported into Great Britain ^{F9}... from an EEA State, subject to paragraph (4) below, an inspector shall not carry out any test in accordance with the foregoing provisions of these Regulations if, together with the measuring equipment being imported, he is presented with the requisite documentation.

- (2) In this regulation and in regulation 19(2) below—
- (a) “requisite documentation” means—
 - (i) the test report of an approved body that the measuring equipment which is the subject of that report has been tested on the same basis as those set out in these Regulations and stating which tests have been applied to it; and
 - (ii) the test results relating to those tests; and
 - (b) “EEA State” means a State which is a Contracting Party to the EEA Agreement ^{F10}... ^{F11}...; and in this paragraph “the EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993.

[^{F12}(3) A body is an “approved body” for the purposes of this regulation if it is a body ^{F13}... in an EEA State which has responsibility in that State for metrological control of measuring equipment for liquid fuel and lubricants or is a laboratory which has been accredited for the purposes of testing measuring equipment for liquid fuel and lubricants ^{F13}... in an EEA State as being a body which conforms with the criteria set out in BS EN ISO/IEC 17025:2000.]

(4) Nothing in these Regulations shall prevent an inspector testing in accordance with the foregoing provisions of these Regulations where he is not satisfied—

- (a) as to the authenticity of the test report or the results presented to him; or
- (b) that the test results presented to him are results which in fact relate to the measuring equipment being imported; or
- (c) either—
 - (i) that the measuring equipment being imported has not been dismantled after the tests to which the test report relates were carried out, or
 - (ii) where the measuring equipment being imported has been dismantled after those tests were carried out, that any such dismantling is not likely to have affected its performance.

- F8** Words in [reg. 18 heading](#) omitted (3.11.2003) by virtue of [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), **9(a)**
- F9** Words in [reg. 18\(1\)](#) omitted (3.11.2003) by virtue of [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), **9(b)**
- F10** Words in [reg. 18\(2\)\(b\)](#) omitted (31.12.2020) by virtue of [The Weighing and Measuring Equipment and Meters \(Amendment of Secondary Legislation\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1387\)](#), reg. 1(2), **Sch. para. 7**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in [reg. 18\(2\)\(b\)](#) omitted (3.11.2003) by virtue of [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), **9(c)**
- F12** [Reg. 18\(3\)](#) substituted (28.2.2003) by [The Weights and Measures \(Standards Amendment\) Regulations 2003 \(S.I. 2003/214\)](#), reg. 1, **Sch. para. 7**
- F13** Words in [reg. 18\(3\)](#) omitted (3.11.2003) by virtue of [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), **9(d)**

Commencement Information

- I8** [Reg. 18](#) in force at 4.5.1995, see [reg. 1\(1\)](#)

Passing as fit for use for trade

19.—(1) No measuring equipment shall be passed as fit for use for trade—

- (a) unless it complies with all the appropriate requirements of these Regulations;
- (b) unless on testing it measures and delivers the test liquid with which it is tested to within the prescribed limits of error when it is operated at any reasonable speed, the speed of operation in respect of any individual delivery being as uniform as practicable; and
- (c) if, notwithstanding that each error is within the prescribed limits of error set out in Table 1 or Table 2 as appropriate, having regard to the dynamic viscosity of the test liquid employed, in the Schedule to these Regulations, ^{F14}every delivery made in testing the measuring equipment as provided for in paragraph (2)(c) of regulation 10A results in an error in excess or every such delivery results in an error in deficiency or in the case of testing the measuring equipment as provided for in paragraph (2)(a) and (b) of regulation 10A the inspector is not satisfied that the calibration of the measuring equipment has been set as close to zero as is practicable].

(2) In the case of measuring equipment imported ^{F15}... an EEA State, it shall not be passed as fit for use for trade unless—

- (a) where the requisite documentation is presented in accordance with regulation 18 above, the test report recites and the test data confirm to the satisfaction of the inspector that on testing in the relevant State it fell within the prescribed limits of error; and
- (b) it complies with all the relevant requirements of these Regulations.

(3) No measuring equipment fitted with a price to pay indicating device in digital form shall be passed as fit for use for trade if it is capable of indicating during a measuring operation a part of a penny in the amount of the price to be paid by the buyer.

- F14** Words in [reg. 19\(1\)\(c\)](#) substituted (12.10.1998) by [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 1998 \(S.I. 1998/2218\)](#), regs. 1, **3(8)**
- F15** Words in [reg. 19\(2\)](#) omitted (3.11.2003) by virtue of [The Measuring Equipment \(Liquid Fuel and Lubricants\) \(Amendment\) Regulations 2003 \(S.I. 2003/2110\)](#), regs. 1(1), **10**

Changes to legislation: There are currently no known outstanding effects for the The Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995, TESTING. (See end of Document for details)

Commencement Information

19 [Reg. 19](#) in force at 4.5.1995, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995, TESTING.