
STATUTORY INSTRUMENTS

1995 No. 1014

**The Measuring Equipment (Liquid
Fuel and Lubricants) Regulations 1995**

STAMPING

Stamp to be on sealing plug etc

20.—(1) All measuring equipment shall be provided with such sealing arrangements as may be contained in the certificate of approval or the notice of examination in respect of that pattern.

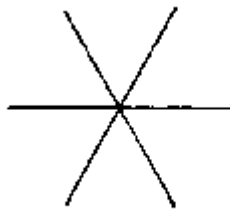
(2) The stamp shall be placed on every plug, seal or sealing device authorised in accordance with paragraph (1) above.

Misleading marks etc

21. No measuring equipment shall be stamped in accordance with regulation 20(2) above if it bears any mark which, in the opinion of the inspector, might reasonably be mistaken for the stamp.

Manner of obliteration of stamps

22. 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—



Obliteration of stamps

23.—(1) Subject to paragraph (2) below, 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 Table 2 in the Schedule hereto 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) below, 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 19 above.

(4) Subject to paragraphs (5) and (6) below, where any measuring equipment 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, he 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) above 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) above 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 regulation 12(1)(b), an inspector shall not obliterate the stamp under paragraph (3) or (4) above 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.

Deemed obliteration of stamps

24.—(1) For the purposes of these Regulations, the obliteration, destruction 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 obliterated 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 obliterated under regulation 25 or 26 below.

(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) above applies, the part of it in question is out of order.

Lawful use for trade of equipment where stamps destroyed, obliterated or defaced— adjustment of price computing device

25.—(1) It shall be lawful to destroy, obliterate or deface a stamp on any measuring equipment, and it shall not be a contravention of section 11(2) of the Act 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 gallon (or per half a gallon or per litre as the case may be);
 - (c) the occurrence was only to permit an adjustment of that device and that indicator; and
 - (d) notification in writing complying with paragraph (2) below of the occurrence 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 for the area in which the equipment is situated.
- (2) The notification referred to in paragraph (1) above 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) above; and
 - (d) the name and address of the person giving the notification.
- (3) In paragraph (1) above “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.
- (4) On 1st October 1995, in paragraph (1) above for the words “per gallon (or per half a gallon or per litre as the case may be)” there shall be substituted the words “per litre”.

**Lawful use for trade of equipment where stamps destroyed, obliterated or defaced—
adaptation for metric quantities**

26.—(1) It shall be lawful to destroy, obliterate or deface a stamp on any measuring equipment, and it shall not be a contravention of section 11(2) of the Act 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 in writing complying with paragraph (2) below of the occurrence 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 for the area in which the equipment is situated.
- (2) The notification referred to in paragraph (1) above 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) above;

- (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) below.
- (3) In paragraph (1) above, “relevant period” means—
- (a) where the stamp on the measuring equipment protecting the calibration of the measuring device remains intact and notification of the fact that some other stamp has been destroyed, obliterated or defaced has been given in accordance with that paragraph, 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.