
STATUTORY INSTRUMENTS

1996 No. 2636

WEIGHTS AND MEASURES

The Measuring Equipment (Measures of Length) (Amendment) Regulations 1996

<i>Made</i>	- - - -	<i>15th October 1996</i>
<i>Laid before Parliament</i>		<i>23rd October 1996</i>
<i>Coming into force</i>	- -	<i>25th November 1996</i>

The Secretary of State, in exercise of the powers conferred on him by sections 11(1) and (4), 15(1) and (2), 86(1) and 94(1) of the Weights and Measures Act 1985⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Measuring Equipment (Measures of Length) (Amendment) Regulations 1996 and shall come into force on 25th November 1996.

Amendment of the Measuring Equipment (Measures of Length) Regulations 1986

2.—(1) The Measuring Equipment (Measures of Length) Regulations 1986⁽²⁾ (“the principal Regulations”) are hereby further amended in accordance with the following provisions of this regulation.

(2) After regulation 23 in Part IV of the principal Regulations there shall be added the following regulations—

“Statistical Sampling

23A. Where the measures of length submitted for testing are manufactured in series and the person submitting them produces to the inspector a written statement made by the manufacturer that those measures have already been adequately checked, the inspector shall, at the request of that person carry out on those measures a statistical check by attributes as defined in paragraph 2 of Schedule 2 to these Regulations in accordance with the provisions of that Schedule and shall either accept or reject those measures accordingly.

(1) 1985 c. 72. Section 94(1) contains a definition of “prescribed”.
(2) S.I.1986/1682, as amended by S.I.s 1986/2109 and 1994/1851.

Measures of Length imported from another member State or an EEA State

23B.—(1) Subject to paragraph (4) below, in relation to measures of length imported into Great Britain from another member State or from an EEA State, an inspector shall not carry out any test in accordance with the foregoing provisions of this Part of these Regulations if, together with the measures of length being imported, he is presented with the requisite documentation.

(2) In this regulation and in regulation 25(2) below—

(a) “requisite documentation” means—

(i) the test report of an approved body stating that the measures of length which are the subject of that report have been tested in accordance with the tests mentioned in this Part of these Regulations and stating which tests have been applied to those measures of length; 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 other than the United Kingdom; 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.

(3) A body is an “approved body” for the purposes of this regulation if it is a body in a member State or in an EEA State which has the responsibility in that State for metrological control of measures of length or is a laboratory which has been accredited for the purposes of testing measures of length in a member State or an EEA State as being a body which conforms with the criteria set out in EN 45001(3).

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

(a) as to the authenticity of the test report or the test results presented to him; or

(b) that those results in fact relate to the measures of length being imported.”.

(3) For regulation 25 of the principal Regulations there shall be substituted the following regulation—

“Passing as fit for use for trade

25.—(1) Save in the case of measures of length imported from another member State or an EEA State, no measure of length shall be passed as fit for use for trade unless—

(a) on testing,—

(i) it falls within the prescribed limits of error;

(ii) an inspector is of the opinion that it is not constructed in a manner which facilitates fraudulent use and that it does not bear any decorations or designs which might cause confusion in use; and

(iii) it complies with all the appropriate requirements of these Regulations; or

(b) in the case of a measure of length which has not been tested, it forms part of a group of measures treated under regulation 23A above as having satisfied the test or tests therein mentioned.

(2) In the case of measures of length imported from another member State or an EEA State, no measure of length shall be passed as fit for use for trade unless—

(3) EN 45001 is a European Standard which has the status of a British Standard; it is identical with BS 7501 (ISBN 0 580 17939 7), “General criteria for the operation of testing laboratories”.

- (a) either—
 - (i) where the requisite documentation is presented in accordance with regulation 23B above, the test report recites and the test data confirm to the satisfaction of the inspector that on testing in the relevant State the measure falls within the prescribed limits of error;
 - (ii) in the case of a measure of length which has not been tested, it forms part of a group of measures treated under regulation 23A above as having satisfied the test or tests therein mentioned; or
 - (iii) it complies with all the relevant requirements of these Regulations; and
- (b) the inspector is of the opinion that it is not constructed in a manner which facilitates fraudulent use and that it does not bear any decorations or designs which might cause confusion in use.”.

(4) After the Schedule to the principal Regulations there shall be added the Schedule set out in the Schedule to these Regulations.

Department of Trade and Industry
15th October 1996

John M. Taylor
Parliamentary Under-Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE regulation 2(2)

“SCHEDULE 2 regulation 23A

STATISTICAL SAMPLING METHODS

Inspection procedures

1.—(1) The inspector shall use, at his election, one of the two inspection methods described in sub-paragraphs (2), (3) and (4) below.

(2) The inspection methods referred to in sub-paragraph (1) above are a single submission scheme (“method A”) and a multiple submission scheme (“method B”). In the case of each method, the check to be carried out by the inspector shall consist of determining the number of defective measures in the sample taken by him.

(3) Where the inspector elects to use method A, he shall apply, for the purpose of accepting or rejecting the lot submitted, a sampling plan having the following characteristics, that is to say—

- a standard quality level (SQL) between 0.40 and 0.90 per cent; and
- a limiting quality level (LQ5) between 4.0 and 6.5 per cent.

The following are examples of sampling plans—

Single sampling plan

	<i>Sample size number</i>	<i>Acceptance number</i>	<i>Rejection number</i>	<i>LQ5</i>	<i>SQL</i>
a	80	1	2	5.8	0.44
b	125	2	3	5.0	0.65

Double sampling plan

		<i>Sample size</i>	<i>Total size</i>	<i>Acceptance number</i>	<i>Rejection number</i>	<i>LQ5</i>	<i>SQL</i>
a	First Sample	50	50	0	2	5.8	0.44
	Second Sample	50	100	1	2		
b	First Sample	80	80	0	3	5.0	0.65
	Second Sample	80	160	3	4		
	Sample						

Where the inspector rejects a lot, he may, if he considers it appropriate to do so and the person submitting it so agrees, inspect each measure of length comprised in the lot and pass, or refuse to pass, as appropriate, each such measure as fit for use for trade in accordance with regulation 25 of these Regulations.

(4) Where the inspector elects to use method B, he shall apply, for the purpose of accepting or rejecting the lot submitted, sampling plans in accordance with the table below—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sampling plans

Order of submission	Sample size	Acceptance number	Rejection number
1	70	0	1
2	85	0	1
3	105	0	1
4	120	0	1

Where the inspector has accepted a lot, he shall test the next lot to be submitted to him in accordance with the parameters applicable to “Order of submission 1” in the above sampling plans.

Where the inspector has rejected a lot (and accordingly not passed the measures of length comprised in it as fit for use for trade), the person submitting it to the inspector may submit to him for inspection either the same or another lot. The inspector shall then inspect the lot submitted to him in accordance with the parameters of the line of the above sampling plans immediately below the one applied by the inspector to the lot rejected by him immediately before. If the inspector does not accept the lot after inspecting it in accordance with the parameters applicable to “Order of submission 4” in the above sampling plans, he shall, if the person submitting it so agrees, inspect each measure of length comprised in the lot.

Interpretation

2. In this Schedule—

“acceptance number”, in relation to a statistical check by attributes, means the greatest number of defective measures found in the sample which, if attained, will nevertheless result in the acceptance of the lot being inspected;

“double sampling plan” means a sampling plan, an example of which is given in paragraph 1(3) above, under which the number of individual measures of length inspected is to be equal to the size of the first sample as specified by the plan and which entails the application of the following methodology. Where the number of defective measures found in the first sample is less than or equal to the first acceptance number, the lot is to be accepted. Where the number of defective measures found in the first sample is equal to or greater than the first rejection number, the lot is to be rejected. Where the number of defective measures found in the first sample falls between the first acceptance number and the first rejection number, a second sample, the size of which is specified by the plan, is to be inspected. Where the sum of the number of defective measures found in the first and second samples is less than or equal to the second acceptance number, the lot is to be accepted. Where such sum is greater than or equal to the second rejection number, the lot is to be rejected;

“limiting quality level (LQ5)” means the quality level of the lot submitted which corresponds in a sampling plan to a 95 per cent probability of acceptance;

“lot” means a group of measures of length, the number of which does not exceed 10,000 and which are of the same pattern, belong to the same precision class and are manufactured by the same process, and “size of the lot” means the number of measures of length comprised in the lot;

“rejection number”, in relation to a statistical check by attributes, means the number of defective measures of length found in the sample inspected which, if equalled or exceeded, will result in the rejection of the lot being inspected;

“sample” means a number of measures of length selected at random from a lot, and “sample size” means the number of measures of length in a sample;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“single sampling plan” means a sampling plan, an example of which is given in paragraph 1(3) above, under which the number of individual measures of length is to be equal to the size of the sample as specified by the plan and which entails the application of the following methodology. Where the number of defective measures found in the sample is less than or equal to the acceptance number, the lot is to be accepted. Where the number of defective measures is greater than or equal to the rejection number, the lot is to be rejected;

“standard quality level (SQL)” means the quality level of the lot submitted which corresponds in a sampling plan to a 95 per cent probability of acceptance; and

“statistical check by attributes” means an inspection in which the measures of length in a sample are classed as defective or not defective in accordance with the provisions of these Regulations.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Measuring Equipment (Measures of Length) Regulations 1986.

They make the following changes of substance:

- (a) testing of measures of length may be carried out on the basis of testing a sample of measures drawn from a lot (regulation 2(2) and the Schedule); and
- (b) duplication of testing of measures of length imported from other member States of the European Union or from EEA States is avoided by allowing inspectors of weights and measures testing the fitness of such measures for use for trade to accept test reports and results from approved bodies in those States (regulation 2(3)).

Copies of EN 45001 (BS 7501) referred to in regulation 2(2) may be obtained from any of the sales outlets operated by the British Standards Institution (BSI), by post from BSI at Linford Wood, Milton Keynes MK14 6LE or at any HMSO bookshop.

These Regulations were notified in draft to the European Commission in accordance with Directive [83/189/EEC](#) (as amended).