
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986 (S.I. 1986/1320) (“the 1986 Regulations”) (as amended by S.I. 1994/1851 and 1996/797).

2. Regulation 2 amends regulation 22(2) of the 1986 Regulations to provide an additional exception under which an inspector may test a filling machine notwithstanding the fact that the conditions for testing otherwise laid down are not met. This exception is where a dismantling and re-assembly or transportation of a “filling machine” could not, in the inspector’s opinion, affect the accuracy or functioning of that filling machine. A new regulation 23A is inserted in respect of filling machines imported from another member State or EEA State which provides that a filling machine shall not be tested by the inspector when an inspector is presented with the “requisite documentation” (as defined in paragraph (2)(a) of that regulation), unless he is not satisfied as regard to the information contained in the requisite documentation.

3. Various minor corrections and consequential amendments are made by regulations 2(4) and (5).

4. These Regulations have been notified to the European Commission and the other member States in accordance with Directive 98/34/EC of the European Parliament and of the Council (OJNo. L204, 21.7.98, p. 37), as amended by Directive 98/48/EC of the European Parliament and of the Council (OJ No. L217, 5.8.98, p. 18).

5. A Regulatory Impact Assessment in respect of these Regulations is available and a copy can be obtained from the National Weights and Measures Laboratory (an Executive Agency of the Department of Trade and Industry), Stanton Avenue, Teddington, TW11 0JZ. A copy has also been placed in the libraries of both Houses of Parliament.