
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations consolidate with minor amendments the Weighing Equipment (Non-automatic Weighing Machines) Regulations 1988 (S.I. 1988 No. 876) as amended by the Weighing Equipment (Non-automatic Weighing Machines) (Amendment) Regulations 1988 (S.I. 1988 No. 2120), the Weighing Equipment (Non-automatic Weighing Machines) (Amendment) Regulations 1991 (S.I. 1991 No. 2019), the Weighing Equipment (Non-automatic Weighing Machines) Regulations 1992 (S.I. 1992 No. 3037), the Weights and Measures (Metrication Amendments) Regulations 1994 (S.I. 1994 No. 1851) and the Non-automatic Weighing Machines and Non-automatic Weighing Instruments (Amendment) Regulations 1995 (S.I. 1995 No. 428).

2. The Regulations continue to prescribe non-automatic weighing machines for the purposes of section 11(1) of the Weights and Measures Act 1985 (regulation 3(1)). The effect of prescription is to make it unlawful to use such machines for trade purposes unless they have been tested, passed as fit for such use and stamped by an inspector of weights and measures, or by an approved verifier under the terms of the 1985 Act as amended by the Deregulation (Weights and Measures) Order 1999, S.I. 1999/503. These requirements of prescription are also in general satisfied by a non-automatic weighing machine complying with:

- (a) Council Directive No. 73/360/EEC, as amended, on non-automatic weighing machines and bearing the mark of EEC initial verification and, where appropriate, the sign of EEC pattern approval. This mark and sign are described in Schedule 1 to the Measuring Instruments (EEC Requirements) Regulations 1998, S.I. 1988/186; or
- (b) Council Directive No. 90/384/EEC, as amended, on non-automatic weighing instruments and satisfying the essential requirements set out in Annex I of the Directive.

3. The Regulations make provision as to:

- (a) the purposes for which such non-automatic weighing machines may be used for trade (regulation 4);
- (b) the materials and principles of construction of them and their marking (regulations 5 to 22 and Schedule 1);
- (c) the manner of erection and use of them for trade (regulations 23 to 31);
- (d) their testing, passing as fit for use for trade and stamping and the obliteration of such stamps (regulations 37 and 39 to 46 and Schedule 2); and
- (e) the prescribed limits of error (regulation 38 and Schedule 3).

4. 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, Middlesex, TW11 0JZ. A copy has also been placed in the libraries of both Houses of Parliament.