
STATUTORY INSTRUMENTS

2001 No. 1208

The Weighing Equipment (Beltweighers) Regulations 2001

PART V

SUPPLEMENTARY PROVISIONS

Passing as fit for use for trade

15.—(1) Save in a case where paragraph (2) has effect, no beltweigher shall be passed as fit for use for trade unless—

- (a) it complies with all the appropriate requirements of these Regulations;
- (b) on testing, it falls within the relevant maximum permissible error in relation to initial verification;
- (c) on testing, it satisfies the requirements in relation to initial verification of clauses 5.2.1.1 and 5.2.1.2 of, and clause A.11 of Annex A to, R 50–1; and
- (d) in the case of an electronic beltweigher, switch-on tests carried out in conformity with clause 4.4 of R 50–1 show that all relevant signs of the indicating devices are operating satisfactorily.

(2) In the case of a beltweigher imported from another EEA State, no beltweigher shall be passed as fit for use for trade unless—

- (a) where the requisite documentation is presented in accordance with regulation 14, 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 relevant maximum permissible error; and
- (b) it complies with all the relevant requirements of these Regulations.

Stamping and marking

16.—(1) Every beltweigher shall be provided with either—

- (a) a plug or stud made of soft metal and made irremovable by undercutting; or
- (b) such sealing arrangements as may be authorised by the Secretary of State in relation to the pattern set out in the certificate of approval in force or in the notice of examination, that is to say, a notice of examination caused to be published by the Secretary of State giving particulars of a pattern in respect of which a certificate of approval has been granted;

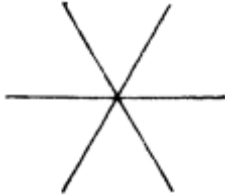
and the plug or stud shall be placed and mounted in conformity with clause 3.12.1 of R 50–1 and the first two paragraphs of clause 3.12.2 of R 50–1.

(2) The stamp shall be placed on the said plug or stud and every sealing device authorised in accordance with paragraph (1).

(3) No beltweigher shall be stamped in accordance with paragraph (2) if it bears any mark which, in the opinion of the inspector, might reasonably be mistaken for the stamp, or any statement or mark (other than an inspector's stamp) which purports to be or, in the opinion of the inspector, might reasonably be mistaken for an expression of approval or guarantee of accuracy by any body or person.

Manner of obliteration of stamps

17. 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**

18.—(1) Subject to paragraph (2), an inspector shall obliterate the stamp on any beltweigher which—

- (a) fails upon testing to fall within the maximum permissible error in relation to in-service testing set out in clauses 2.2 to 2.2.2 of R 50–1;
- (b) bears any mark or statement which is not authorised by the certificate of approval relating to the beltweigher or which does not reflect the test report on initial verification; or
- (c) otherwise fails to comply with any appropriate requirement of these Regulations or of R 50–1.

(2) Except as provided by regulation 19, where any beltweigher 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 shall give to the proprietor or any person in possession of the beltweigher a notice calling on him to have the beltweigher corrected within a stated period not exceeding 28 days; and he shall obliterate the stamp if the correction has not been made within the stated period.

Mandatory obliteration of stamps on beltweighers which are unfit for use for trade

19. An inspector shall obliterate the stamp on any beltweigher 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 15.

Power to obliterate stamps on beltweighers which are unfit for use for trade for particular purpose

20. An inspector may obliterate the stamp on any beltweigher if—

- (a) it 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 function or accuracy; or
- (b) it is in use for trade for a particular purpose and in the opinion of the inspector, it is unsuitable for use for that purpose.

Obliteration of one stamp deemed obliteration of all

21. For the purpose of these Regulations, the obliteration of any one stamp on any beltweigher shall be deemed to be the obliteration of all other stamps on that beltweigher.