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STATUTORY INSTRUMENTS

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**2003 No. 2454**

**The Weighing Equipment (Automatic  
Rail-weighbridges) Regulations 2003**

**PART III**

**TESTING AND STAMPING**

**Passing as fit for use for trade**

- 9.**—(1) An inspector shall not pass as fit for use for trade an automatic rail-weighbridge unless—
- (a) it complies with all the appropriate requirements of these Regulations; and
  - (b) on testing, it falls within the prescribed limits of error in relation to passing as fit for use for trade.
- (2) An inspector shall not pass as fit for use for trade an automatic rail-weighbridge imported from another EEA State unless—
- (a) where the requisite documentation is presented in accordance with regulation 8, the test report recites and the test data confirm to the satisfaction of the inspector that, on testing in accordance with the provisions of clause 5.2 (initial verification) of Part 1 of OIML R 106 or on an equivalent basis, that weighbridge fell within limits of error which afford in use an equivalent standard to the prescribed limits of error; and
  - (b) it otherwise complies with all the relevant requirements of these Regulations.
- (3) For the purposes of these Regulations, the prescribed limits of error relating to an automatic rail-weighbridge shall be determined in accordance with the provisions of Schedule 6.

**Stamping**

**10.**—(1) The stamp shall be placed on the place for the application of specified verification marks in accordance with the requirements of Schedule 4.

(2) An inspector shall not stamp an automatic rail-weighbridge in accordance with paragraph (1) if it bears any mark which, in his opinion, 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**

**11.** An inspector shall obliterate a stamp, 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**

**12.**—(1) Subject to paragraph (2), an inspector shall obliterate the stamp on any automatic rail-weighbridge which—

- (a) on testing in accordance with clause 5.3 (in-service inspection) of Part 1 of OIML R 106 fails to fall within the prescribed limits of error in relation to obliteration of the stamp; or
- (b) fails to comply with any other appropriate requirement of these Regulations.

(2) Except as provided by regulation 13, where any automatic rail-weighbridge 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, he shall give to the proprietor or any person in control of that weighbridge a notice calling on him to have the weighbridge corrected within a stated period not exceeding 28 days, and shall obliterate the stamp if the correction has not been made within the stated period.

**13.**—(1) An inspector shall obliterate the stamp on any automatic rail-weighbridge 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 9.

(2) Subject to paragraph (3), an inspector shall obliterate the stamp on any automatic rail-weighbridge which 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.

(3) Where an automatic rail-weighbridge has been subjected to one or other of the occurrences in paragraph (2) and the chief inspector of weights and measures for the area in which the weighbridge is situated has been furnished in writing with details of the occurrence, an inspector may obliterate the stamp.

**14.** An inspector may obliterate the stamp on any automatic rail-weighbridge which—

- (a) is in use for trade for a particular purpose and—
  - (i) which does not meet the requirements of Schedule 3 in respect of weighing material within the specified weight range; or
  - (ii) for which purpose, in the opinion of the inspector, it is otherwise unsuitable; or
- (b) is in use for trade in circumstances where the weighbridge is subjected to any extraordinary environmental or operating conditions which, in the opinion of the inspector,—
  - (i) prevent the weighbridge operating consistently and correctly; or
  - (ii) are likely prematurely to degrade the metrological characteristics of the weighbridge.

**15.**—(1) For the purposes of these Regulations, the obliteration of any one stamp on any automatic rail-weighbridge shall, subject to paragraph (2), be deemed to be the obliteration of all other stamps on that weighbridge.

(2) Where the stamp on one automatic rail-weighbridge forming part of an interconnected system is obliterated, paragraph (1) shall not apply so as to prevent the system or any other automatic rail-weighbridge in the system being used provided that the integrity of the remainder of the system is unimpaired.