

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULE 1

Regulations 2(1), 14(1), and 17(2)

### ESSENTIAL REQUIREMENTS

1. The essential requirements are the relevant requirements relating to automatic gravimetric filling instruments contained in Annex I and MI-006 set out in this Schedule.

#### Definitions

2. In these Regulations—

“climatic environments” means the conditions in which automatic gravimetric filling instruments may be used;

“critical change value” means the value at which the change in the measurement result is considered undesirable;

“disturbance” means an influence quantity having a value within the limits specified in the appropriate requirement but outside the specified rated operating conditions of the automatic gravimetric filling instrument. An influence quantity is a disturbance if for that influence quantity the rated operating conditions are not specified;

“influence quantity” means a quantity that is not the measurand but that affects the result of measurement;

“measurand” means the particular quantity subject to measurement; and

“rated operating conditions” means the values for the measurand and influence quantities making up the normal working conditions of an automatic gravimetric filling instrument.

#### Allowable Errors

3.—(1) Under rated operating conditions and in the absence of a disturbance, the error of measurement shall not exceed the maximum permissible error (MPE) value as set out in paragraph 17.

(2) Unless stated otherwise, MPE is expressed as a bilateral value of the deviation from the true measurement value.

(3) Under rated operating conditions and in the presence of a disturbance, the performance requirement shall be as set out in paragraph 18(2).

(4) Where the automatic gravimetric filling instrument is intended to be used in a specified permanent continuous electromagnetic field the permitted performance during the radiated electromagnetic field-amplitude modulated test shall be within MPE.

(5) The manufacturer shall specify the climatic and electromagnetic environments in which the automatic gravimetric filling instrument is intended to be used, power supply and other influence quantities likely to affect its accuracy, taking account of the requirements in this Schedule.

(a) Climatic environments—

The manufacturer shall specify the temperature range. The minimum temperature range is 30°C and shall be within the upper temperature limit of 70°C and the lower temperature limit of -40°C. The manufacturer shall indicate whether the automatic gravimetric filling instrument is designed for condensing or non-condensing humidity as well as the intended location for the instrument, i.e. open or closed.

(b) Electromagnetic environments—

(i) Electromagnetic environments are classified into classes E1, E2 or E3 as follows—

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

E1 This class applies to automatic gravimetric filling instruments used in locations with electromagnetic disturbances corresponding to those likely to be found in residential, commercial and light industrial buildings.

E2 This class applies to automatic gravimetric filling instruments used in locations with electromagnetic disturbances corresponding to those likely to be found in other industrial buildings.

E3 This class applies to automatic gravimetric filling instruments supplied by the battery of a vehicle. Such instruments shall comply with the requirements of E2 and the following additional requirements—

(aa) voltage reductions caused by energising the starter-motor circuits of internal combustion engines;

(bb) load dump transients occurring in the event of a discharged battery being disconnected while the engine is running.

(ii) The following influence quantities shall be considered in relation with electromagnetic environments—

(aa) voltage interruptions;

(bb) short voltage reductions;

(cc) voltage transients on supply lines and/or signal lines;

(dd) electrostatic discharges;

(ee) radio frequency electromagnetic fields;

(ff) conducted radio frequency electromagnetic fields on supply lines and/or signal lines;

(gg) surges on supply lines and/or signal lines.

(6) Other influence quantities to be considered, where appropriate, are—

(a) voltage variation;

(b) mains frequency variation;

(c) power frequency magnetic fields;

(d) any other quantity likely to influence in a significant way the accuracy of the automatic gravimetric filling instrument.

(7) When carrying out the tests as envisaged in these Regulations, the following paragraphs apply—

(a) Basic rules for testing and the determination of errors—

(i) Essential requirements specified in sub-paragraphs (1) to (4) shall be verified for each relevant influence quantity. These essential requirements apply when each influence quantity is applied and its effect evaluated separately, all other influence quantities being kept relatively constant at their reference value.

(ii) Metrological tests shall be carried out during or after the application of the influence quantity, whichever condition corresponds to the normal operational status of the automatic gravimetric filling instrument when that influence quantity is likely to occur.

(b) Ambient humidity—

(i) According to the climatic operating environment in which the automatic gravimetric filling instrument is intended to be used either the damp heat-steady state (non-condensing) or damp heat cyclic (condensing) test may be appropriate.

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (ii) The damp heat cyclic test is appropriate where condensation is important or when penetration of vapour will be accelerated by the effect of breathing. In conditions where non-condensing humidity is a factor the damp-heat steady state is appropriate.

### **Reproducibility**

4. The application of the same measurand in a different location or by a different user, all other conditions being the same, shall result in the close agreement of successive measurements. The difference between the measurement results shall be small when compared with the MPE.

### **Repeatability**

5. The application of the same measurand under the same conditions of measurement shall result in the close agreement of successive measurements. The difference between the measurement results shall be small when compared with the MPE.

### **Discrimination and Sensitivity**

6. An automatic gravimetric filling instrument shall be sufficiently sensitive and the discrimination threshold shall be sufficiently low for the intended measurement task.

### **Durability**

7. An automatic gravimetric filling instrument shall be designed to maintain an adequate stability of its metrological characteristics over a period of time estimated by the manufacturer, provided that it is properly installed, maintained and used according to the manufacturer's instruction when in the environmental conditions for which it is intended.

### **Reliability**

8. An automatic gravimetric filling instrument shall be designed to reduce as far as possible the effect of a defect that would lead to an inaccurate measurement result, unless the presence of such a defect is obvious.

### **Suitability**

9.—(1) An automatic gravimetric filling instrument shall have no feature likely to facilitate fraudulent use, whereas possibilities for unintentional misuse shall be minimal.

(2) An automatic gravimetric filling instrument shall be suitable for its intended use taking account of the practical working conditions and shall not require unreasonable demands of the user in order to obtain a correct measurement result.

(3) Where an automatic gravimetric filling instrument is designed for the measurement of values of the measurand that are constant over time, the instrument shall be insensitive to small fluctuations of the value of the measurand, or shall take appropriate action.

(4) An automatic gravimetric filling instrument shall be robust and its materials of construction shall be suitable for the conditions in which it is intended to be used.

(5) An automatic gravimetric filling instrument shall be designed so as to allow the control of the measuring tasks after the instrument has been placed on the market and put into use. If necessary, special equipment or software for this control shall be part of the instrument. The test procedure shall be described in the operation manual.

(6) When an automatic gravimetric filling instrument has associated software which provides other functions besides the measuring function, the software that is critical for the metrological

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

characteristics shall be identifiable and shall not be inadmissibly influenced by the associated software.

(7) Means shall be provided to limit the effects of tilt, loading and rate of operation such that MPEs are not exceeded in normal operation.

(8) Adequate material handling facilities shall be provided to enable the automatic gravimetric filling instrument to respect the MPEs during normal operation.

(9) Any operator control interface shall be clear and effective.

(10) The integrity of the display (where present) shall be verifiable by the operator.

(11) Adequate zero setting capability shall be provided to enable the automatic gravimetric filling instrument to respect the MPEs during normal operation.

(12) Any result outside the measurement range shall be identified as such, where a printout is possible.

### **Protection against corruption**

**10.**—(1) The metrological characteristics of an automatic gravimetric filling instrument shall not be influenced in any inadmissible way by the connection to it of another device, by any feature of the connected device itself or by any remote device that communicates with the instrument.

(2) A hardware component that is critical for metrological characteristics shall be designed so that it can be secured. Security measures foreseen shall provide for evidence of an intervention.

(3) Software that is critical for metrological characteristics shall be identified as such and shall be secured.

(4) Software identification shall be easily provided by the automatic gravimetric filling instrument.

(5) Evidence of a software intervention shall be available for a reasonable period of time.

(6) Measurement data, software that is critical for measurement characteristics and metrologically important parameters stored or transmitted shall be adequately protected against accidental or intentional corruption.

### **Information to be borne by and to accompany the automatic gravimetric filling instrument**

**11.**—(1) An automatic gravimetric filling instrument shall bear the following inscriptions—

- (a) manufacturer's mark or name;
- (b) information in respect of its accuracy,

plus, when applicable:

- (c) information in respect of the conditions of use;
- (d) measuring capacity;
- (e) measuring range;
- (f) identity marking;
- (g) number of the EC-type examination certificate or the EC design examination certificate;
- (h) information whether or not additional devices providing metrological results comply with these Regulations.

(2) The automatic gravimetric filling instrument shall be accompanied by information on its operation, unless the simplicity of the instrument makes this unnecessary. Information shall be easily understandable and shall include where relevant—

- (a) rated operating conditions;

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) electromagnetic environment classes;
  - (c) the upper and lower temperature limit, whether condensation is possible or not, open or closed location;
  - (d) instructions for installation, maintenance, repairs, permissible adjustments;
  - (e) instructions for correct operation and any special conditions of use; and
  - (f) conditions for compatibility with interfaces or measuring instruments.
- (3) Groups of identical automatic gravimetric filling instruments used in the same location do not necessarily require individual instruction manuals.
- (4) The scale interval for a measured value shall be in the form  $1 \times 10^n$ ,  $2 \times 10^n$  or  $5 \times 10^n$ , where  $n$  is any integer or zero. The unit of measurement or its symbol shall be shown close to the numerical value.
- (5) The units of measurement used and their symbols shall be in accordance with the provisions of Community legislation on units of measurement and their symbols.
- (6) All marks and inscriptions required under any requirement shall be clear, non-erasable, unambiguous and non-transferable.

#### **Indication of result**

**12.**—(1) Indication of the result shall be by means of a display or hard copy.

(2) The indication of any result shall be clear and unambiguous and accompanied by such marks and inscriptions necessary to inform the user of the significance of the result. Easy reading of the presented result shall be permitted under normal conditions of use. Additional indications may be shown provided they cannot be confused with the metrologically controlled indications.

(3) In the case of hard copy the print or record shall also be easily legible and non-erasable.

#### **Further processing of data to conclude the trading transaction**

**13.**—(1) An automatic gravimetric filling instrument shall record by a durable means the measurement result accompanied by information to identify the particular transaction, when—

- (a) the measurement is non-repeatable; and
- (b) the automatic gravimetric filling instrument is normally intended for use in the absence of one of the trading parties.

(2) Additionally, a durable proof of the measurement result and the information to identify the transaction shall be available on request at the time the measurement is concluded.

#### **Conformity evaluation**

**14.** An automatic gravimetric filling instrument shall be designed so as to allow ready evaluation of its conformity with the appropriate requirements of these Regulations.

#### **Rated Operating Conditions**

**15.** The manufacturer shall specify the rated operating conditions for the automatic gravimetric filling instrument as follows—

- (a) for the measurand—  
the measuring range in terms of its maximum and minimum capacity.
- (b) for the electrical supply influence quantities—

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (i) in case of AC voltage supply: the nominal AC voltage supply, or the AC voltage limits;
- (ii) in case of DC voltage supply: the nominal and minimum DC voltage supply, or the DC voltage limits.
- (c) for the mechanical quantities—
  - for automatic gravimetric filling instruments which are used under special mechanical strain, e.g. instruments incorporated into vehicles, the manufacturer shall define the mechanical conditions of use.
- (d) for other influence quantities (if applicable)—
  - (i) the rate(s) of operation;
  - (ii) the characteristics of the product(s) to be weighed.

**Accuracy classes**

**16.—(1)** The manufacturer shall specify both the reference accuracy class Ref(x) and the operational accuracy class(es) X(x).

(2) An automatic gravimetric filling instrument type is designated a reference accuracy class, Ref(x), corresponding to the best possible accuracy for instruments of the type. After installation, individual automatic gravimetric filling instruments are designated for one or more operational accuracy classes, X(x), having taken account of the specific products to be weighed. The class designation factor (x) shall be #?# 2, and in the form  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$  where k is a negative whole number or zero.

(3) The reference accuracy class, Ref(x) is applicable for static loads.

(4) For the operational accuracy class X(x), X is a regime relating accuracy to load weight and (x) is a multiplier for the limits of error specified for class X(1) in paragraph 17(2).

**MPE**

**17.—(1)** Static weighing error

- (a) For static loads under rated operating conditions, the MPE for reference accuracy class Ref(x), shall be 0.312 of the maximum permissible deviation of each fill from the average: as specified in the following Table; multiplied by the class designation factor (x).
- (b) For automatic gravimetric filling instruments where the fill may be made up from more than one load (e.g. cumulative or selective combination weighers) the MPE for static loads shall be the accuracy required for the fill as specified in sub-paragraph (2) (i.e. not the sum of the maximum permissible deviation for the individual loads).

(2) Deviation from average fill

**Table**

<i>Value of the mass of the fills (m) in grams</i>	<i>Maximum permissible deviation of each fill from the average for class X(1)</i>
m #?# 50	7.2%
50 < m #?# 100	3.6 grams
100 < m #?# 200	3.6 %
200 < m #?# 300	7.2 grams

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

300 < m #?# 500	2.4 %
500 < m #?# 1 000	12 grams
1 000 < m #?# 10 000	1.2 %
10 000 < m #?# 15 000	120 grams
15 000 < m	0.8 %

Note: The calculated deviation of each fill from the average may be adjusted to take account of the effect of material particle size

### (3) Error relative to pre-set value (setting errors)

For automatic gravimetric filling instruments where it is possible to pre-set a fill weight; the maximum difference between the pre-set value and the average mass of the fills shall not exceed 0.312 of the maximum permissible deviation of each fill from the average, as specified in the Table above.

## Performance Under Influence Factor and Electromagnetic Disturbance

18.—(1) The MPE due to influence factors shall be as specified in paragraph 17(1)

(2) The critical change value due to a disturbance is a change of the static weight indication equal to the MPE as specified in paragraph 17(1) calculated for the rated minimum fill, or a change that would give equivalent effect on the fill in the case of automatic gravimetric filling instruments where the fill consists of multiple loads. The calculated critical change value shall be rounded to the next higher scale interval (d).

(3) The manufacturer shall specify the value of the rated minimum fill.

## SCHEDULE 2

Regulations 2(1) and 8

### NOTIFIED BODIES

## PART 1

### NOTIFIED BODY CRITERIA

1. The body, its director and staff involved in conformity assessment tasks shall not be the designer, manufacturer, supplier, installer or user of the automatic gravimetric filling instrument that they inspect, nor the authorised representative of any of them. In addition, they may not be directly involved in the design, manufacture, marketing or maintenance of the automatic gravimetric filling instrument, nor represent the parties engaged in these activities. The preceding criterion does not, however, preclude in any way the possibility of exchanges of technical information between the manufacturer and the body for the purposes of conformity assessment.

2. The body, its director and staff involved in conformity assessment tasks shall be free from all pressures and inducements, in particular financial inducements, that might influence their judgement or the results of their conformity assessment, especially from persons or groups of persons with an interest in the results of the assessments.

3. The conformity assessment shall be carried out with the highest degree of professional integrity and requisite competence in the field of metrology. Should the body sub-contract specific tasks, it shall first ensure that the sub-contractor meets the requirements of these Regulations, and in

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

particular of this Schedule. The body shall keep the relevant documents assessing the sub-contractor's qualifications and the work carried out by him under these Regulations at the disposal of the Secretary of State.

4. The body shall be capable of carrying out all the conformity assessment tasks for which it has been designated, whether those tasks are carried out by the body itself or on its behalf and under its responsibility. It shall have at its disposal the necessary staff and shall have access to the necessary facilities for carrying out in a proper manner the technical and administrative tasks entailed in conformity assessment.

5. The body's staff shall have—

- (a) sound technical and vocational training, covering all conformity assessment tasks for which the body was designated;
- (b) satisfactory knowledge of the rules governing the tasks which it carries out, and adequate experience of such tasks; and
- (c) the requisite ability to draw up the certificates, records and reports demonstrating that the tasks have been carried out.

6. The impartiality of the body, its director and staff shall be guaranteed. The remuneration of the body shall not depend on the results of the tasks it carries out. The remuneration of the body's director and staff shall not depend on the number of tasks carried out or on the results of such tasks.

7. The body shall satisfy the Secretary of State that it has adequate civil liability insurance.

8. The body's director and staff shall be bound to observe professional secrecy with regard to all information obtained in the performance of their duties pursuant to these Regulations, except vis-à-vis the Secretary of State.

## PART 2

### FUNCTIONS

#### **Assessment of applications for certificates or notifications**

9.—(1) Subject to paragraph 10, a notified body shall assess an application made by a manufacturer for the issue of—

- (a) a certificate of conformity;
- (b) a design or type examination certificate; or
- (c) a notification of approval of the manufacturer's quality system,

in accordance with the Annex applicable to the relevant conformity assessment procedure in respect of an automatic gravimetric filling instrument.

(2) In determining such an application, the notified body—

- (a) shall have regard to the actual or usual environment of the automatic gravimetric filling instrument; and
- (b) may have regard to any other standard or other technical criteria appearing to it to be relevant.

(3) Where, in the opinion of the notified body, the automatic gravimetric filling instrument to which an application relates is compliant with the essential requirements, it shall issue a certificate or notification in accordance with requirements of paragraph 12.



**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(4) Where, in the opinion of the notified body, the automatic gravimetric filling instrument to which an application relates is not compliant with the essential requirements, it shall issue a notice to the applicant in accordance with paragraph 15.

(5) Where a certificate or notification under sub-paragraph (3) is issued by a United Kingdom notified body, it shall send a copy to the Secretary of State.

### **Limitations on duties to exercise functions**

**10.**—(1) A notified body shall not accept an application for a certificate or notification in respect of an automatic gravimetric filling instrument unless the application—

- (a) is in writing, in English or another language acceptable to that notified body;
- (b) is accompanied by all relevant documentation, in which all writing is in English or another language acceptable to that notified body; and
- (c) includes particulars of which applicable standards the manufacturer has applied or proposes to apply in respect of the instrument.

(2) A notified body shall not be required to determine an application for a certificate or notification where the manufacturer has not—

- (a) granted the notified body access to an automatic gravimetric filling instrument to which the application relates or the production facilities for the instrument (including, where applicable, the production facilities envisaged in relation to a representative instrument) to the extent that the notified body reasonably requests; and
- (b) made available to the notified body such information as it may reasonably require to determine the application.

(3) A notified body shall not be required to carry out the functions referred to in regulation 7(4) (d) if—

- (a) the person making the application has not submitted with the application the amount of the fee which the notified body requires to be submitted with the application pursuant to regulation 11; or
- (b) the notified body reasonably believes that, having regard to the number of applications made to it pursuant to its designation which are outstanding, it will be unable to commence the required work within three months of receiving the application.

### **Contractors**

**11.**—(1) A notified body may, in exercising its functions—

- (a) arrange for some other person to carry out any test, assessment or inspection on its behalf; or
- (b) require the applicant to satisfy another person with respect to any matter at the applicant's expense.

(2) But nothing in sub-paragraph (1) authorises a notified body to rely on the opinion of another person with regard to whether an automatic gravimetric filling instrument is compliant with any of the essential requirements.

(3) Nothing in these Regulations shall preclude a person referred to in sub-paragraph (1)(a) or (1)(b) from charging any fee in respect of any work undertaken by him in pursuance of those sub-paragraphs.

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

### **Form of certificates and notifications**

**12.** A certificate or notification issued by a notified body shall be in writing and, in addition to the requirements provided for in the relevant conformity assessment procedure, shall—

- (a) be in English;
- (b) give the name and address—
  - (i) of the applicant;
  - (ii) where the applicant is not the manufacturer, of the manufacturer;
- (c) be signed by or on behalf of the notified body and give the identification number of the notified body;
- (d) bear—
  - (i) the date of issue; and
  - (ii) the number of the certificate or notification;
- (e) give particulars of the relevant automatic gravimetric filling instrument (where applicable, in relation to each variant) to which it relates sufficient to identify it, and shall state whether the instrument to which it relates is a single item or a representative, or if it covers a number of variants of that instrument; and
- (f) certify that the automatic gravimetric filling instrument to which it relates is compliant with the essential requirements.

### **Conditions in certificates or notifications**

**13.—(1)** A certificate or notification may be unconditional or may be subject to such conditions as the notified body considers appropriate.

(2) Such conditions may include—

- (a) a limitation on the environment for which the automatic gravimetric filling instrument is stated to be suitable; or
- (b) a requirement that the automatic gravimetric filling instrument is only to be installed at a specific site.

(3) The conditions imposed pursuant to sub-paragraph (1) may be varied in accordance with paragraph 15 by the notified body which issued the certificate or notification and such variation may include the imposition of new conditions or the removal of conditions.

### **Withdrawal of certificates or notifications**

**14.** The notified body which issued the certificate or notification shall withdraw that certificate or notification in accordance with paragraph 15, if it appears that the automatic gravimetric filling instrument to which it relates is not compliant with the essential requirements.

### **Procedure where a notified body is minded to refuse to give, or to vary or withdraw a certificate or notification**

**15.—(1)** Where a notified body is minded to—

- (a) refuse to issue a certificate or notification;
- (b) vary a certificate or notification (other than at the request of the person to whom it was given); or
- (c) withdraw a certificate or notification,

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

it shall give the applicant, or the person to whom the certificate or notification was given, a notice in writing—

- (i) giving reasons for the refusal, variation or withdrawal;
- (ii) specifying the date on which the refusal, variation or withdrawal is to take effect; and
- (iii) giving the applicant or person the opportunity to make representations within 21 days from the date of the notice and stating that the notified body shall consider any representations made to it within that period by that applicant or person.

(2) Where a notified body, having considered representations made to it under sub-paragraph (1), remains of the opinion that—

- (a) an application for a certificate or notification should be refused; or
- (b) a certificate or notification should be varied or withdrawn,

it shall inform the applicant, or the person to whom the certificate or notification was given, of that decision in writing and give that applicant or person information about the judicial remedies available to him.

(3) Where a notice is given under sub-paragraph (1) by a United Kingdom notified body, it shall send a copy to the Secretary of State.

### SCHEDULE 3

Regulation 6(2)

#### TECHNICAL DOCUMENTATION

1. The technical documentation shall render the design, manufacture and operation of the automatic gravimetric filling instrument intelligible and shall permit an assessment of its conformity with the appropriate requirements of these Regulations.

2. The technical documentation shall be sufficiently detailed to ensure—

- (a) the definition of the metrological characteristics;
- (b) the reproducibility of the metrological performances of produced automatic gravimetric filling instruments when properly adjusted using appropriate intended means; and
- (c) the integrity of the automatic gravimetric filling instrument.

3. The technical documentation shall include insofar as relevant for assessment and identification of the type and/or automatic gravimetric filling instrument—

- (a) a general description of the instrument;
- (b) conceptual design and manufacturing drawings and plans of components and circuits;
- (c) manufacturing procedures to ensure consistent production;
- (d) if applicable, a description of the electronic devices with drawings, diagrams, flow diagrams of the logic and general software information explaining their characteristics and operation;
- (e) descriptions and explanations necessary for the understanding of sub-paragraphs (b), (c) and (d), including the operation of the instrument;
- (f) a list of the relevant national standards and/or relevant normative documents, applied in full or in part;
- (g) descriptions of the solutions adopted to meet the essential requirements where the relevant national standards and/or relevant normative documents have not been applied;
- (h) results of design calculations and examinations;

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) the appropriate test results, where necessary, to demonstrate that the type and/or instrument is compliant with the requirements of these Regulations under declared rated operating conditions and under specified environmental disturbances; and
  - (j) the EC-type examination certificates or EC design examination certificates in respect of instruments containing parts identical to those in the design.
4. The manufacturer shall specify where seals and markings have been applied.
  5. The manufacturer shall indicate the conditions for compatibility with interfaces, where relevant.

SCHEDULE 4

Regulation 12(3)

MARKING AND INSCRIPTIONS

1. The CE marking consists of the symbol “CE” according to the design laid down in paragraph I.B(d) of the Annex to Decision 93/465/EEC<sup>M1</sup>. The CE marking shall be at least 5 mm high.

**Marginal Citations**

**M1** OJ No. L220, 30.8.93, p.23.

2. The M marking consists of the capital letter “M” and the last two digits of the year of its affixing, surrounded by a rectangle. The height of the rectangle shall be equal to the height of the CE marking. The M marking shall immediately follow the CE marking.

3. The identification number of the notified body concerned shall follow the CE marking and the M marking.

4. When an automatic gravimetric filling instrument consists of a set of devices operating together, the markings shall be affixed on the instrument's main device.

5. The CE marking and the M marking shall be indelible. The identification number of the notified body concerned shall be indelible or self-destructive upon removal. All markings shall be clearly visible or easily accessible.

SCHEDULE 5

Regulations 2(1) and 14(1)

REQUIREMENTS FOR USE FOR TRADE

**PART 1**

ACCURACY CLASSES

**Table 1**

**Accuracy classes for automatic gravimetric filling instruments for use for trade**

<i>Description of use of filling instrument</i>	<i>Maximum capacity of filling instrument</i>	<i>Accuracy class</i>
---	---	-----------------------

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(1)	(2)	(3)
For use for weighing potato crisps and similar products commonly known as “snack foods”	Any capacity	X2
For use for weighing solid fuel	110 kg or less	X(1)
For use for weighing vegetable produce	55 kg or less	X(1)
For weighing waste	Any capacity	X(1)
For use for weighing materials not described in any of the above	Less than 5 kg 5 kg or more	X(1) X(0.5)

For the purpose of this Table, “waste” shall be construed in accordance with section 75 of the Environmental Protection Act 1990 <sup>M2</sup>, but “waste” shall include any waste disposed of for reprocessing or recycling purposes and shall not include any radioactive waste as defined in [F1Schedule 23 to the Environmental Permitting (England and Wales) Regulations 2010].

#### Textual Amendments

**F1** Words in [Sch. 5 Pt. 1](#) substituted (6.4.2010 immediately after S.I. 2009/3381 comes into force) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1), [Sch. 26 para. 31](#) (with reg. 1(2))

#### Marginal Citations

**M2** 1990 c. 43.

#### Textual Amendments

**F1** Words in [Sch. 5 Pt. 1](#) substituted (6.4.2010 immediately after S.I. 2009/3381 comes into force) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1), [Sch. 26 para. 31](#) (with reg. 1(2))

#### Marginal Citations

**M2** 1990 c. 43.

## PART 2

### MAXIMUM PERMISSIBLE ERRORS

#### Maximum permissible error value for instruments in use for trade

1.—(1) The automatic gravimetric filling instrument shall have a specified accuracy class X(x) for which the maximum permissible error value of each fill from the average shall be equal to the limits specified in Table 2, multiplied by the class designation factor (x).

(2) (x) shall be  $1 \times 10^k$ ,  $2 \times 10^k$ ,  $5 \times 10^k$ , k being a positive or negative whole number or zero.

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

**Table 2**

<i>Value of the mass of the fills (m) in grams</i>	<i>Maximum permissible deviation of each fill from the average for class X(1)</i>
	In use
m <= 50	9%
50 < m <= 100	4.5grams
100 < m <= 200	4.5%
200 < m <= 300	9 grams
300 < m <= 500	3%
500 < m <= 1000	15 grams
1000 < m <= 10 000	1.5%
10 000 < m <= 15 000	150 grams
15 000 < m	1%

(3) For in-service testing, when the reference particle mass exceeds 0.1 of the maximum permissible in-service deviation, the values derived from Table 2 shall be increased by 1.5 times the value of the reference particle mass. However, the maximum value of the maximum permissible deviation shall not exceed (x) x 9%.

Note: Particle mass correction is not applicable to limits which are derived from Table 2, e.g. influence quality tests, zero setting.

Note: Table 2 is illustrative of the maximum permissible deviation where the class designation factor is 1.

## SCHEDULE 6

Regulation 34

### ADAPTATIONS FOR NORTHERN IRELAND

1. In regulation 2(2), the reference to the Weights and Measures Act 1985<sup>M3</sup> shall be construed as a reference to the Weights and Measures (Northern Ireland) Order 1981<sup>M4</sup>.

#### Marginal Citations

**M3** 1985 c. 72.

**M4** S.I. 1981/231 (N.I. 10) and see S.I. 1982/846 (N.I. 11) and 1999/283 (N.I. 1).

2. Part III does not apply to Northern Ireland.

3. In regulation 18—

(a) for paragraph (1), substitute the following paragraph—

“(1) The Department of Enterprise, Trade and Investment shall enforce these Regulations in Northern Ireland.”; and

(b) for paragraph (3), substitute the following paragraph—

**Status:** Point in time view as at 06/04/2010.

**Changes to legislation:** *The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

“(3) No proceedings for an offence under these Regulations shall be instituted in Northern Ireland except by or on behalf of the Department of Enterprise, Trade and Investment or the Director of Public Prosecutions for Northern Ireland.”.

**4.** In regulation 26—

(a) the reference in paragraph (3) to written information on oath shall be construed as a reference to a complaint on oath; and

(b) for paragraph (9), substitute the following paragraph—

“(9) In this regulation, “credentials” in relation to an enforcement officer, means an authenticated document showing that he is authorised to act to exercise the powers conferred on him by this regulation.”.

**5.** In regulation 32(3) the reference to sub-section (1) of section 14 of the Civil Evidence Act 1968 shall be construed as a reference to sub-section (1) of section 10 of the Civil Evidence Act (Northern Ireland) 1971 <sup>M5</sup>.

**Marginal Citations**

M5 1971 c. 36)

**Status:**

Point in time view as at 06/04/2010.

**Changes to legislation:**

The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006 (revoked) is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.