
Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: *The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

STATUTORY INSTRUMENTS

2016 No. 1152

The Non-automatic Weighing Instruments Regulations 2016

PART 1

INTRODUCTORY

Interpretation **E+W+S**

2.—(1) In these Regulations—

F1
...

F2
...

[^{F3}“approved body” has the meaning given to it in regulation 47 (approved bodies);]

“authorised representative” means any person established [^{F4}in the United Kingdom] who has received a written mandate from a manufacturer to act on the manufacturer's behalf in relation to specified tasks;

F5
...

“commencement date” means the date referred to in regulation 1(2);

F6
...

“competent authority” means a person who is, pursuant to regulation 62 (competent authorities and enforcement proceedings), authorised to enforce these Regulations;

“compliance notice” means a notice served in accordance with regulation 63(2);

“conformity assessment” means the process demonstrating whether the essential requirements relating to a regulated non-automatic weighing instrument have been met;

“conformity assessment body” means a body that performs conformity assessment activities including calibration, testing, certification and inspection;

[^{F7}“conformity assessment procedure” means a procedure referred to in regulation 36;]

[^{F7}“declaration of conformity” means a declaration of conformity required to be drawn up in accordance with Chapter 2 of Part 3;]

[^{F7}“designated standard” has the meaning given to it in regulation 2A;]

“the Directive” means Directive 2014/31/EU of the European Parliament and of the Council of 26th February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments ^{M1} and references to the Directive (or a specific provision of it) are references to the Directive (or that provision) [^{F8}(as it has effect immediately before IP completion day)];

“disqualification mark” means a mark or sticker the design of which is published by the Secretary of State ^{M2} and which may be affixed to a regulated non-automatic weighing instrument in accordance with regulation 67 (disqualification);

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

“distributor” means any person in the supply chain, other than a manufacturer or an importer, who makes a non-automatic weighing instrument available on the market;

“economic operator” means a manufacturer, authorised representative, importer or distributor;

“enforcement notice” means a notice served in accordance with regulation 64(2);

“enforcement officer” means—

- (a) an inspector; or
- (b) a person appointed by the Secretary of State to act on the Secretary of State's behalf to enforce these Regulations;

“essential requirements” means, in relation to a regulated non-automatic weighing instrument (or a class of that instrument), the requirements specified as being applicable in relation to that regulated non-automatic weighing instrument (or that class of instrument) in [F9Schedule 6] ;

F10
...

F11
...

F12
...

[F13cc: “importer” means a person who—

- (a) is established in the United Kingdom and places a non-automatic weighing instrument from a country outside of the United Kingdom on the market; or
- (b) is established in Northern Ireland and places a non-automatic weighing instrument on the market that has been supplied to them for distribution, consumption or use in the course of a commercial activity, whether in return for payment or free of charge, from an EEA state;]

“in writing” includes text that is—

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

“M marking” means a marking applied to a regulated non-automatic weighing instrument which consists of the capital letter ‘M’ and the last two digits of the year of its affixing surrounded by a rectangle, the height of which is equal to that of the [F14UK] marking applied to that instrument;

“make available on the market” means any supply of a non-automatic weighing instrument for distribution or use on the [F15market of Great Britain] in the course of a commercial activity, whether in return for payment or free of charge and related expressions are to be construed accordingly;

“manufacturer” means any person who—

- (a) manufactures a non-automatic weighing instrument or has a non-automatic weighing instrument designed or manufactured and markets that instrument under their name or trademark; or
- (b) is to be treated as a manufacturer by virtue of regulation 5(2);

“market surveillance authority” means the Secretary of State acting in the capacity of market surveillance authority pursuant to the designation made by regulation 57 (the market surveillance authority), and, where the context requires, a market surveillance authority in another EEA state;

F16
...

“non-automatic weighing instrument” means a weighing instrument that—

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

(a) serves to determine the mass of a body by using the action of gravity on that body and which may also serve to determine other mass-related magnitudes, quantities, parameters and characteristics; and

(b) requires the intervention of an operator during weighing;

“notified body” means a conformity assessment body that has been notified to the Commission in accordance with Part 5 and includes, where the context so requires, a notified body designated as such in another EEA state in accordance with the Directive;

F17
...

F18
...

“place on the market” means the first making available of a non-automatic weighing instrument on the market [F19of Great Britain] and related expressions are to be construed accordingly;

“RAMS” means Regulation (EC) 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93^{M3} (as amended from time to time);

“recall” means any measure aimed at achieving the return of a regulated non-automatic weighing instrument that has already been made available to the end-user and related expressions are to be construed accordingly;

“regulated non-automatic weighing instrument” means a non-automatic weighing instrument which is intended to be used to perform one of the functions referred to in regulation 3(2);

“relevant economic operator” means, in relation to a non-automatic weighing instrument, an economic operator with obligations in respect of that non-automatic weighing instrument under Part 2;

“re-qualification mark” means a mark or sticker the design of which is published by the Secretary of State^{M4} and which is affixed to a regulated non-automatic weighing instrument in accordance with regulation 68 (re-qualification);

“technical documentation” means the documentation which meets the requirements of [F20Schedule 7];

“technical specification” means a document that prescribes technical requirements to be fulfilled by a regulated non-automatic weighing instrument;

[F21“Type-examination certificate” means a type-examination certificate issued by an approved body in accordance with Module B of Schedule 7;]

[F21“UK marking” means the marking in the form set out in Annex 2 of RAMS;]

[F21“UK national accreditation body” means the body appointed by the Secretary of State in accordance with Article 4 of RAMS;]

F22
...

“United Kingdom Accreditation Service” means the company limited by guarantee incorporated in England and Wales under number 3076190;

“weights and measures authority” means a local weights and measures authority within the meaning set out in section 69 of the Weights and Measures Act 1985;

“withdraw” when used in relation to a regulated non-automatic weighing instrument means taking any measure aimed at preventing an instrument in the supply chain from being made available on the market and related expressions are to be construed accordingly.

[F23(1A) Schedules 6 to 8 reproduce the provisions of Annexes I to III to the Directive (respectively) with amendments to correct deficiencies in retained EU law.

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

(1B) A reference to any provision of Schedules 6 to 8 is a reference to the equivalent provision of the relevant Annex to the Directive as set out in the relevant Schedule.]

^{F24}(2)

(3) Other expressions used in these Regulations have in relation to the application of these Regulations to—

- (a) Great Britain, the same meanings as in the Weights and Measures Act 1985 ^{M5}; and
- (b) Northern Ireland, the same meanings as in the Weights and Measures (Northern Ireland) Order 1981 ^{M6}.

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(a)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F2 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(b)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F3 Words in reg. 2(1) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(c)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F4 Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(2), **Sch. 5 para. 1(4)(a)**

F5 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(e)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F6 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(f)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F7 Words in reg. 2(1) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(g)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F8 Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(h)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2 and [S.I. 2020/852](#), regs. 2(2), 4(2), **Sch. 1 para. 1(o)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**

F9 Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by [S.I. 2019/696](#), **Sch. 26 para. 2(ha)** (as inserted by [The Product Safety and Metrology \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/852\)](#), regs. 2(2), 4(3)(b))

F10 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(i)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

F11 Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 26 para. 2(2)(j)** (with [Sch. 26 para. 5](#)) (as amended by [S.I. 2020/676](#), regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

- F12** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(k)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F13** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(l)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 18(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F14** Word in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(m)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F15** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by S.I. 2019/696, **Sch. 26 para. 2(2)(n)** (as substituted by The Product Safety and Metrology etc. (Amendment to Extent and Meaning of Market) (EU Exit) Regulations 2020 (S.I. 2020/676), regs. 1(1), **4(14)(a)**)
- F16** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(o)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F17** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(p)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F18** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(q)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F19** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by S.I. 2019/696, **Sch. 26 para. 2(2)(r)** (as substituted by The Product Safety and Metrology etc. (Amendment to Extent and Meaning of Market) (EU Exit) Regulations 2020 (S.I. 2020/676), regs. 1(1), **4(14)(b)**)
- F20** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(s)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F21** Words in reg. 2(1) inserted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(t)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F22** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(2)(u)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F23** Reg. 2(1A)(1B) inserted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(3)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**
- F24** Reg. 2(2) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 26 para. 2(4)** (with Sch. 26 para. 5) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, **Sch. 5 para. 1(1)**

Marginal Citations

- M1** OJ L 96, 29.3.2014 p. 107.
- M2** The design of the disqualification mark is published on page 66 of “Weights and Measures, the Non-automatic Weighing Instruments Regulations 2000 (S.I. 2000 No. 3236) as amended by the Non-automatic Weighing Instruments (Amendment) Regulations 2008 (S.I. 2008/738, Guidance on Regulation, December 2015, Version 6,” published by the Secretary of State which is available on the gov.uk website. Paper copies are available from the Regulatory Delivery Directorate, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET.
- M3** OJ L 218, 13.8.2008, p. 30.
- M4** The design of the disqualification mark is published on page 66 of “Weights and Measures, the Non-automatic Weighing Instruments Regulations 2000 (SI 2000 No.3236) as amended by the Non-automatic Weighing Instruments (Amendment) Regulations 2008 (SI 2008/738, Guidance on

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

Regulation, December 2015, Version 6,” published by the Secretary of which is available on the gov.uk website. Paper copies are available from the Regulatory Delivery Directorate, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET.

M5 1985 c.72.

M6 S.I. 1981/231 (N.I. 10).

Interpretation **N.I.**

2.—(1) In these Regulations—

“accreditation” means accreditation as defined in point 10 of Article 2 of RAMS;

“accreditation certificate” means a certificate, issued by the United Kingdom Accreditation Service or a national accreditation body as defined in point 11 of Article 2 of RAMS in another [^{F25}relevant] state, attesting that a conformity assessment body meets the notified body requirements;

“authorised representative” means any person established within the [^{F26}relevant market] who has received a written mandate from a manufacturer to act on the manufacturer's behalf in relation to specified tasks;

“CE marking” means a marking which takes the form set out in Annex II of RAMS;

“commencement date” means the date referred to in regulation 1(2);

“Commission” means the Commission of the European Union;

“competent authority” means a person who is, pursuant to regulation 62 (competent authorities and enforcement proceedings), authorised to enforce these Regulations;

“compliance notice” means a notice served in accordance with regulation 63(2);

“conformity assessment” means the process demonstrating whether the essential requirements relating to a regulated non-automatic weighing instrument have been met;

“conformity assessment body” means a body that performs conformity assessment activities including calibration, testing, certification and inspection;

“the Directive” means Directive 2014/31/EU of the European Parliament and of the Council of 26th February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of non-automatic weighing instruments ^{F27} and references to the Directive (or a specific provision of it) are references to the Directive (or that provision) as from time to time amended;

“disqualification mark” means a mark or sticker the design of which is published by the Secretary of State ^{F28} and which may be affixed to a regulated non-automatic weighing instrument in accordance with regulation 67 (disqualification);

“distributor” means any person in the supply chain, other than a manufacturer or an importer, who makes a non-automatic weighing instrument available on the market;

“economic operator” means a manufacturer, authorised representative, importer or distributor;

“enforcement notice” means a notice served in accordance with regulation 64(2);

“enforcement officer” means—

(a) an inspector; or

(b) a person appointed by the Secretary of State to act on the Secretary of State's behalf to enforce these Regulations;

“essential requirements” means, in relation to a regulated non-automatic weighing instrument (or a class of that instrument), the requirements specified as being applicable in relation to

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

that regulated non-automatic weighing instrument (or that class of instrument) in Annex I to the Directive;

“EU declaration of conformity” means a declaration of conformity required to be drawn up in accordance with Chapter 2 of Part 3;

“EU-type examination certificate” means an EU-type examination certificate issued by a notified body in accordance with Module B of Annex II to the Directive;

“harmonised standard” has the meaning set out in point 1(c) of Article 2 of Regulation (EU) No. 1025/2012 of the European Parliament and of the Council on European standardisation ^{F29} (as amended from time to time);

“importer” means any person who—

- (a) is established within the [^{F30}relevant market]; and
- (b) places a non-automatic weighing instrument from a [^{F31}market outside of the relevant market on the relevant] market;

“in writing” includes text that is—

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

“M marking” means a marking applied to a regulated non-automatic weighing instrument which consists of the capital letter ‘M’ and the last two digits of the year of its affixing surrounded by a rectangle, the height of which is equal to that of the CE marking applied to that instrument;

“make available on the market” means any supply of a non-automatic weighing instrument for distribution or use on the [^{F32}relevant market] in the course of a commercial activity, whether in return for payment or free of charge and related expressions are to be construed accordingly;

“manufacturer” means any person who—

- (a) manufactures a non-automatic weighing instrument or has a non-automatic weighing instrument designed or manufactured and markets that instrument under their name or trademark; or
- (b) is to be treated as a manufacturer by virtue of regulation 5(2);

“market surveillance authority” means the Secretary of State acting in the capacity of market surveillance authority pursuant to the designation made by regulation 57 (the market surveillance authority), and, where the context requires, a market surveillance authority in another [^{F33}relevant] state;

“national accreditation body” means the national accreditation body as defined in point 11 of Article 2 of RAMS;

[^{F34}“NI Protocol obligation” means any obligation created or arising by or under the Protocol on Ireland/ Northern Ireland in the EU withdrawal agreement, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;]

“non-automatic weighing instrument” means a weighing instrument that—

- (a) serves to determine the mass of a body by using the action of gravity on that body and which may also serve to determine other mass-related magnitudes, quantities, parameters and characteristics; and
- (b) requires the intervention of an operator during weighing;

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

“notified body” means a conformity assessment body that has been notified to the Commission in accordance with Part 5 and includes, where the context so requires, a notified body designated as such in another [^{F35}relevant] state in accordance with the Directive;

“notified body requirements” means the requirements set out in Schedule 3 (requirements related to notified bodies)

“notifying authority” means the notifying authority within the meaning of regulation 48 (the notifying authority);

“place on the market” means the first making available of a non-automatic weighing instrument on the [^{F36}relevant market] and related expressions are to be construed accordingly;

“RAMS” means Regulation (EC) 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93^{F37} (as amended from time to time);

“recall” means any measure aimed at achieving the return of a regulated non-automatic weighing instrument that has already been made available to the end-user and related expressions are to be construed accordingly;

“regulated non-automatic weighing instrument” means a non-automatic weighing instrument which is intended to be used to perform one of the functions referred to in regulation 3(2);

“relevant economic operator” means, in relation to a non-automatic weighing instrument, an economic operator with obligations in respect of that non-automatic weighing instrument under Part 2;

[^{F38}“relevant market” means—

- (a) the market in Northern Ireland; and
- (b) the market of the EEA states;]

[^{F38}“relevant state” means—

- (a) Northern Ireland; or
- (b) any EEA state;]

“re-qualification mark” means a mark or sticker the design of which is published by the Secretary of State ^{F39} and which is affixed to a regulated non-automatic weighing instrument in accordance with regulation 68 (re-qualification);

“technical documentation” means the documentation which meets the requirements of Annex II to the Directive;

“technical specification” means a document that prescribes technical requirements to be fulfilled by a regulated non-automatic weighing instrument;

[^{F40}“UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK(NI) Indication) (EU Exit) Regulations 2020;]

“Union harmonisation legislation” means any European Union legislation harmonising the conditions for the marketing of products;

“United Kingdom Accreditation Service” means the company limited by guarantee incorporated in England and Wales under number 3076190;

“weights and measures authority” means a local weights and measures authority within the meaning set out in section 69 of the Weights and Measures Act 1985;

“withdraw” when used in relation to a regulated non-automatic weighing instrument means taking any measure aimed at preventing an instrument in the supply chain from being made available on the market and related expressions are to be construed accordingly.

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

(2) A non-automatic weighing instrument that meets the requirements of the Directive by virtue of the laws of another [^{F41}relevant] state is to be treated as meeting the requirements of these Regulations (except any requirement of these Regulations for anything to be written in English) and references to a non-automatic weighing instruments being in conformity with these Regulations are to be construed accordingly.

(3) Other expressions used in these Regulations have in relation to the application of these Regulations to—

- (a) Great Britain, the same meanings as in the Weights and Measures Act 1985 ^{F42}; and
- (b) Northern Ireland, the same meanings as in the Weights and Measures (Northern Ireland) Order 1981 ^{F43}.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

- F25** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(a\)\(i\)](#)
- F26** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(b\)](#)
- F27** OJ L 96, 29.3.2014 p. 107.
- F28** The design of the disqualification mark is published on page 66 of “Weights and Measures, the Non-automatic Weighing Instruments Regulations 2000 (S.I. 2000 No. 3236) as amended by the Non-automatic Weighing Instruments (Amendment) Regulations 2008 (S.I. 2008/738, Guidance on Regulation, December 2015, Version 6,” published by the Secretary of State which is available on the gov.uk website. Paper copies are available from the Regulatory Delivery Directorate, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET.
- F29** OJ L 316, 14.11.2012, p. 12.
- F30** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(c\)\(i\)](#)
- F31** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(c\)\(ii\)](#)
- F32** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(e\)](#)
- F33** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(a\)\(ii\)](#)
- F34** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(d\)](#)
- F35** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(a\)\(iii\)](#)

Status: Point in time view as at 31/12/2020. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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)

- F36** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(f\)](#)
- F37** OJ L 218, 13.8.2008, p. 30.
- F38** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(1\)\(g\)](#)
- F39** The design of the disqualification mark is published on page 66 of “Weights and Measures, the Non-automatic Weighing Instruments Regulations 2000 (SI 2000 No.3236) as amended by the Non-automatic Weighing Instruments (Amendment) Regulations 2008 (SI 2008/738, Guidance on Regulation, December 2015, Version 6,” published by the Secretary of which is available on the gov.uk website. Paper copies are available from the Regulatory Delivery Directorate, Department for Business, Energy and Industrial Strategy, 1 Victoria Street, London SW1H 0ET.
- F40** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 11\(2\)](#)
- F41** Word in [reg. 2\(2\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 13 para. 2\(2\)](#)
- F42** 1985 c.72.
- F43** S.I. 1981/231 (N.I. 10).

Status:

Point in time view as at 31/12/2020. There are multiple versions of this provision on screen. These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation:

The Non-automatic Weighing Instruments Regulations 2016, Section 2 is up to date with all changes known to be in force on or before 11 August 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.