
STATUTORY INSTRUMENTS

2016 No. 1152

The Non-automatic Weighing Instruments Regulations 2016

PART 9

OFFENCES

Offences by economic operators etc.

72.—(1) In this regulation, “event of default” means—

- (a) The placing on the market of a regulated non-automatic weighing instrument which—
 - (i) does not meet the essential requirements applicable to it;
 - (ii) has not been the subject of an applicable conformity assessment procedure;
 - (iii) does not bear the markings or inscriptions required by these Regulations; or
 - (iv) is not accompanied by the documents and information required by these Regulations;
- (b) any failure to—
 - (i) create or maintain any records required to be created or maintained under these Regulations;
 - (ii) provide to a competent authority documents or information pursuant to a requirement imposed by or under these Regulations; or
 - (iii) co-operate with the market surveillance authority under regulation 58(3);
- (c) any failure to comply with regulation 46 (requirements for non-regulated non-automatic weighing instruments);
- (d) any failure to comply with regulation 55 (putting into service of regulated non-automatic weighing instruments for the purposes listed in regulation 3(2)); or
- (e) any failure to comply with obligations arising under regulation 69 (testing of regulated non-automatic weighing instruments).

(2) Where an event of default of a kind mentioned in paragraph (1)(a), (1)(b) or (1)(c) occurs as a result of the failure of an economic operator to comply with an obligation imposed on that economic operator by any provision of these Regulations, that economic operator is guilty of an offence.

(3) Where an event of default of a kind mentioned in paragraph (1)(d) or (1)(e) occurs, the person responsible for that event of default is guilty of an offence.