STATUTORY INSTRUMENTS

1971 No. 827

WEIGHTS AND MEASURES

The Cubic Measures (Sand, Ballast and Agricultural Materials) (Amendment) Regulations 1971

Made - - -	18*th May* 1971
Laid before Parliament	25*th May* 1971
Coming into Operation	1*st June* 1971

The Secretary of State, in exercise of his powers under sections 14(1)(*a*), (*b*) and (*c*), 47 and 58 of the Weights and Measures Act 1963(**a**) (hereinafter called "the Act") and paragraph 4 of Schedule 5 and paragraph 3 of Part III of Schedule 7 to the Act, and all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Cubic Measures (Sand, Ballast and Agricultural Materials) (Amendment) Regulations 1971 and shall come into operation on 1st June 1971.

2. The Cubic Measures (Sand, Ballast and Agricultural Materials) Regulations 1970(**b**) shall have effect subject to the following amendments:—

(*a*) in Regulation 6 there shall be added:—

(i) at the end of paragraph (*c*) the words:—
"and where the measure is calibrated to indicate any quantity which is not a whole number of cubic metres and is less than the greatest number of whole cubic metres that the measure will contain, as respects every multiple of $0{\cdot}2m^3$ between the nearest higher and lower multiples of $1m^3$;" and

(ii) as paragraph (*d*), the following:—
"(*d*) metric measures of a maximum purported content which exceeds $4m^3$ but is not a whole number of cubic metres, as respects every multiple of $0{\cdot}2m^3$ which exceeds the greatest number of whole cubic metres which the measure will contain.";

(*b*) in Regulation 11 there shall be added as paragraph (2), the following:—
"(2) A measure calibrated as respects imperial and metric quantities shall not be regarded as being within the prescribed limits of error for the purpose of head (*c*) of the preceding paragraph unless it is within those limits as a measure of every imperial and metric quantity in respect of which it is calibrated."; and

(*c*) in Regulation 14 there shall be added:—

(i) at the end of paragraph (1), the following proviso:—
"Provided that nothing in head (iii) of this paragraph shall require an inspector by reason of the amendments to Regulation 6 which took effect on 1st June 1971, to obliterate the stamp on any measure which was passed as fit for trade before that date."; and,

(**a**) 1963 c. 31. (**b**) S.I. 1970/1712 (1970 III, p. 5602).

(ii) as paragraph (3), the following:—

"(3) In the case of any measure calibrated as respects both imperial and metric quantities which falls outside the prescribed limits of error as a measure in one system but not as a measure in the other, the inspector shall obliterate all stamps on the measure pursuant to paragraph (1) of this Regulation unless—

(i) the inaccurate calibration strips are removed and any relevant marking of the purported maximum content is obliterated; or

(ii) the measure is corrected to fall within the prescribed limits of error in both systems,

within such period, not exceeding 28 days, as he may specify.".

Nicholas Ridley,

Parliamentary Under Secretary of State,
Department of Trade and Industry.

18th May 1971.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Cubic Measures (Sand, Ballast and Agricultural Materials) Regulations 1970, under which metric measures may only be calibrated in multiples of 0·2 cubic metres, but if of 4 cubic metres or more need not be calibrated in fractions of a cubic metre.

The principal changes are as follows:—

(1) if a measure of 4 cubic metres or more is marked to indicate a fraction of a cubic metre it must also be marked to indicate every multiple of 0·2 cubic metres between the nearest marks indicating whole numbers of cubic metres; and

(2) if the capacity of such a measure is not a whole number of cubic metres, every multiple of 0·2 cubic metres which exceeds the greatest whole number must be marked.

These changes do not apply to measures previously passed as fit for use for trade.