STATUTORY INSTRUMENTS

1977 No. 27

WEIGHTS AND MEASURES

The Measuring Instruments (EEC Requirements) (Amendment) Regulations 1977

Made - - -	*10th January* 1977
Laid before Parliament	*18th January* 1977
Coming into Operation	*9th February* 1977

The Secretary of State, being a Minister designated (**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the regulation of specifications, construction, placing on the market and use of equipment intended for weighing, measuring or testing or for purposes ancillary thereto, in exercise of the powers conferred by that section, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Measuring Instruments (EEC Requirements) (Amendment) Regulations 1977 and shall come into operation on 9th February 1977.

(2) The Interpretation Act 1889(**c**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

2.—(1) The Measuring Instruments (EEC Requirements) Regulations 1975(**d**) (hereinafter called "the principal regulations") shall apply to instruments of a category to which Council Directive No. 75/410/EEC(**e**) on continuous totalising weighing machines applies; and accordingly the principal regulations shall have effect subject to the following amendments:—

(*a*) at the end of regulation 3 there shall be added the following:—

"(*g*) instruments of a category to which the Directive on continuous totalising weighing machines applies";

(*b*) in regulation 4(1) there shall be inserted after the definition of "the Directive on above-medium accuracy weights" the following definition:—

" "the Directive on continuous totalising weighing machines" means Council Directive No. 75/410/EEC";

(*c*) in regulation 4(2)(*a*) for "or (*f*)" there shall be substituted "(*f*) or (*g*)";

(**a**) S.I. 1975/427 (1975 I, p. 1345). (**b**) 1972 c. 68. (**c**) 1889 c. 63.
(**d**) S.I. 1975/1173 (1975 II, p. 4045). (**e**) O.J. No. L183, 14.7.1975, p. 25.

(*d*) to the Table in regulation 6(2) (which indicates whether a Directive provides for pattern approval or initial verification or both) there shall be added at the end the following entry:—

"The Directive on continuous totalising weighing machines.	Yes	Yes".

(2) The principal regulations shall also have effect subject to the following miscellaneous amendments:—

(*a*) for the words "regulation 3(1)" in regulation 6(2), there shall be substituted the words "regulation 3";

(*b*) for paragraph (1) of regulation 26, there shall be substituted the following:—

"(1) Any person guilty of an offence under regulations 21, 22 or 23(2) above shall be liable on summary conviction to a fine not exceeding £200, and any person guilty of an offence under regulation 23(1) shall be liable on summary conviction to a fine not exceeding £50.";

(*c*) in the second column of the Table in Schedule 4:—

(i) for the entry relating to the Directive on medium accuracy bar weights and cylindrical weights, there shall be substituted the following:—

"The maximum permissible errors in excess set out in the tables in item 7 of Annex I and item 7 of Annex III to the Directive shall be the maximum permissible errors both in excess and in deficiency in the case of instruments in service.";

(ii) in the entry relating to the Directive on ancillary equipment for meters for liquids other than water, there shall be inserted immediately after head (*b*) the following:—

"and

(c) item 6.7 of Chapter VI;".

3. The increase in the penalty for an offence under regulation 23(2) provided by regulation 2(2)(*b*) above shall not apply to an offence committed before these regulations come into operation.

John Fraser,
Minister of State,
Department of Prices and Consumer Protection.

10th January 1977.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply the Measuring Instruments (EEC Requirements) Regulations 1975 to continuous totalising weighing machines to which Council Directive No. 75/410/EEC applies.

These Regulations also amend provisions relating to penalties and to the permissible errors for instruments in service. The maximum penalty for giving false information to an inspector is increased from £20 to £200, but the increase does not apply to offences committed before the regulations come into operation.

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