STATUTORY INSTRUMENTS

1970 No. 179

WEIGHTS AND MEASURES

The Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations 1970

Made - - -	10*th February* 1970
Laid before Parliament	17*th February* 1970
Coming into Operation	18*th February* 1970

The Board of Trade, in pursuance of the powers conferred upon them by sections 11, 14(1), 54(1) and 58(1) of the Weights and Measures Act 1963(**a**) and all other powers enabling them in that behalf, hereby make the following Regulations :—

1.—(1) These Regulations may be cited as the Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations 1970 and shall come into operation on 18th February 1970.

(2) In these Regulations—

"the principal Regulations" means the Measuring Instruments (Liquid Fuel and Lubricants) Regulations 1963(**b**), as amended (**c**) ; and

references to fuel include references to a mixture of fuel and lubricant.

(3) The Interpretation Act 1889(**d**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The principal Regulations shall have effect as if there were substituted for Regulation 11 (positioning of instruments) the following :—

"11.—(1) Subject to paragraph (2) hereof, a measuring instrument which forms part of a fixed installation shall be so positioned that a purchaser may readily obtain a clear and unobstructed view—

(*a*) of all the operations carried out by any other person using the instrument to measure the fuel or lubricant being supplied to the purchaser ; and

(*b*) of any device on the instrument which indicates the quantity supplied or the amount payable or that delivery is being effected

(2) Paragraph (1) of this Regulation shall not apply to any instrument for use only for measuring kerosene except where the instrument is—

(*a*) situated on premises where petroleum is sold, or

(*b*) used for measuring kerosene in the course of delivery into the fuel tanks of vehicles, vessels or aircraft".

(**a**) 1963 c. 31.
(**b**) S.I. 1963/1709 (1963 III, p. 3278).
(**c**) S.I. 1968/1541 (1968 III, p. 4326).
(**d**) 1889 c. 63.

3.—(1) The principal Regulations shall have effect—

(*a*) in relation to the adapting of instruments fitted with a price computing mechanism to compute prices in decimal currency, and

(*b*) in relation to the use of instruments which have been so adapted, subject to the following provisions of this Regulation.

(2) Until 15th February 1971, Regulation 23(*a*) (instruments to be of an approved pattern) shall not apply to any instrument which fails to comply with any such pattern as is mentioned in that Regulation as a consequence of its having been adapted as aforesaid.

(3) For the purposes of Regulation 27 (limits of error) any alteration or adjustment of an instrument connected with its adaptation to compute prices in decimal currency shall be treated as occasioned by a change in price, and shall be so treated even though it is not occasioned by any immediate change in price or that the only change is to a decimal price which is the exact equivalent of the previous price.

(4) Nothing in the principal Regulations shall make it unlawful to use any instrument for trade during a relevant period (as hereinafter defined) solely because a stamp upon it has been obliterated or destroyed by, or by the duly authorised agent of, a person who is a manufacturer of, or is regularly engaged in the repair of, instruments for measuring fuel or lubricants if such obliteration or destruction was to facilitate or permit the adaptation of the instrument to compute prices in decimal currency.

In this paragraph "relevant period" means—

(i) where the stamp protecting the calibration of the meter remains intact and notice of the fact that some other stamp has been obliterated or destroyed has been sent or given to the chief inspector of weights and measures for the area in which the instrument is situated, a period beginning when notice is so sent or given and expiring at the end of the twenty eighth following day ; and

(ii) where the stamp protecting the calibration of the meter has been obliterated or destroyed and the person responsible has attached to the instrument some seal or other device which must be defaced or removed before the calibration can be adjusted and notice of the obliteration or destruction of that stamp has been sent or given as aforesaid, a period beginning when notice is so sent or given and expiring at the end of the fifth following day.

(5) The principal Regulations shall require that any measuring instrument fitted with a price computing mechanism which is adapted as aforesaid before 15th February 1971 shall until that date—

(i) if used to measure only a single grade of fuel, bear a clear and legible indication in characters not less than $\frac{1}{4}$ inch high of the price in shillings and pence per gallon of that fuel, or

(ii) if used to measure fuel of different grades, bear such an indication of the price in shillings and pence per gallon of each of the available grades, being an indication which clearly relates the price to the appropriate grade.

(6) The principal Regulations shall require in the case of any instrument which is so adapted before 1st June 1970 that it no longer computes prices by reference to the shilling—

(*a*) that the part of the mechanism which shows the computed prices of

deliveries shall until the transitional date be constantly set to zero or temporarily obscured or set to show such prices entirely in pence of the present currency ; and

(*b*) where it is set to show prices as aforesaid, that the instrument bears a printed table indicating in characters not less than $\frac{1}{4}$ inch high the number of shillings represented by every multiple of 12 pence not exceeding 492 pence and the amount in pounds, shillings and pence represented by 500 pence and every greater multiple of 100 pence not exceeding 1000.

In this paragraph and the next following paragraph, "transitional date" means that day not earlier than 1st June 1970 on which the instrument is further adapted to comply with paragraph (7) of this Regulation.

(7) The principal Regulations shall require—

(i) in the case of any instrument adapted not later than 31st May 1970, that from the transitional date or 7th June (whichever is the earlier) until 15th February 1971, and

(ii) in the case of any instrument first adapted on or after 1st June 1970, that from the time it is first used for trade after being adapted until 15th February 1971,

the instrument in question—

(*a*) shows in relation to any delivery a sum computed by reference to an appropriate price per gallon in decimal currency as the sum which would be payable in decimal currency for that delivery ;

(*b*) bears a clear and legible notice in the form set out in the Schedule hereto printed in characters not less than one-quarter of an inch high ; and

(*c*) bears in addition to the indication of price or prices required by paragraph (5) of this Regulation, a like indication of the decimal price or prices by reference to which the price computing mechanism is set to operate.

In this paragraph "an appropriate price per gallon in decimal currency" means a price which is, or which if varied by not more than 1/10th of a decimal penny would be, the exact equivalent of the actual price of the relevant fuel in shillings and pence per gallon.

Gwyneth Dunwoody,
Parliamentary Secretary
to the Board of Trade.

10th February 1970.

SCHEDULE

NOTICE

This pump has been converted to operate in decimal currency. Until D Day prices may be checked by reference to the table below.

Decimal Indication	*Price in shillings and pence*	*Decimal Indication*	*Price in shillings and pence*
p.	s. d.	p.	s. d.
½	1	10	2 0
1	2	20	4 0
1½	4	30	6 0
2	5	40	8 0
2½	6	50	10 0
3	7	60	12 0
3½	8	70	14 0
4	10	80	16 0
4½	11	90	18 0
5	1 0		
5½	1 1		
6	1 2		
6½	1 4		
7	1 5		
7½	1 6		
8	1 7		
8½	1 8		
9	1 10		
9½	1 11		

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Measuring Instruments (Liquid Fuel and Lubricants) Regulations 1963.

Regulation 2 provides that instruments for measuring kerosene need no longer be so situated that customers can see them in use unless they are situated at petrol stations or used for refuelling vehicles, vessels or aircraft.

Regulation 3 makes modifications (essentially of a temporary nature) to the 1963 Regulations in their application to price computing instruments adapted for use with decimal currency. Instruments converted after 1st June 1970 must compute in decimal currency by reference to a decimal price shown on the instrument. Prices must also be shown in existing currency and a printed conversion table put on the instrument.

Instruments converted before that date must have their price computing mechanism blanked off or set to zero or set to compute prices entirely in pennies of the present currency until they are further converted (between 1st and 7th June 1970) to conform with the requirements applicable to instruments converted after 1st June 1970.

The operation of the 1963 Regulations is also qualified so as to allow instruments on which the stamps applied by inspectors of weights and measures have been obliterated or destroyed in the course of conversion to be used for trade for limited periods before being retested.

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