STATUTORY INSTRUMENTS

1965 No. 1465

WEIGHTS AND MEASURES
ADMINISTRATION

The Weights and Measures (Ballast, Agricultural Liming Materials etc.) Regulations 1965

Made - - - -	26*th July* 1965
Laid before Parliament	30*th July* 1965
Coming into Operation	
Regulation 3 -	31*st July* 1966
Remainder - -	31*st July* 1965

The Board of Trade, in pursuance of the powers conferred upon them by sections 11(1) and (3), 14(1) and 58, and paragraph 4 of Part I of Schedule 5 and paragraph 3 of Part III of Schedule 7 to, the Weights and Measures Act 1963(a) (hereinafter referred to as " the Act ") and all other powers enabling them in that behalf, hereby make the following Regulations:—

1. The Weights and Measures (Ballast) Regulations 1963(b) (hereinafter referred to as " the principal Regulations ") shall have effect—

(*a*) in relation to ballast as defined in Schedule 1 hereto (which reproduces the definition contained in paragraph 1 of Schedule 5 to the Act), and not as defined in Regulation 16(1) of the principal Regulations, and as if the definition of " ballast " were omitted from the said Regulation 16(1);

(*b*) in relation to the materials mentioned in Schedule 2 hereto (being the materials to which Part III of Schedule 7 to the Act applies);

(*c*) as if the words " by the cubic yard " in Regulation 1 were omitted.

2. The principal Regulations as so modified and extended shall apply to Scotland and accordingly shall have effect as if Regulation 17 were omitted.

3. So far as these Regulations prescribe measuring equipment for the purposes of section 11(1) of the Act, they shall come into operation—

(*a*) in relation to Scotland; and

(*b*) in relation to materials referred to in Regulation 1(*b*) above

on 31st July 1966.

4.—(1) These Regulations may be cited as the Weights and Measures (Ballast, Agricultural Liming Materials, etc.) Regulations 1965 and these Regulations and the principal Regulations may be cited together as the Weights and Measures (Ballast, Agricultural Liming Materials, etc.) Regulations 1963 and 1965.

(2) Save as provided in Regulation 3, these Regulations shall come into operation on 31st July 1965.

26th July 1965.

George Darling,
Minister of State,
Board of Trade.

(a) 1963 c. 31.

(b) S.I. 1963/1890 (1963 III, p. 3501).

SCHEDULE 1

" Ballast " means any of the following materials, that is to say—

(*a*) sand, gravel, shingle, ashes and clinker of any description ;

(*b*) broken slag, slag chippings, granite chippings, limestone chippings, slate chippings and other stone chippings (including such materials which have been coated with tar, bitumen or cement) ;

(*c*) any other material commonly used in the building and civil engineering industries as a hardcore or an aggregate ;

(*d*) any other material commonly known in the said industries as ballast.

SCHEDULE 2

(*a*) agricultural liming materials, other than calcareous sand ;

(*b*) agricultural salt ;

(*c*) inorganic fertilisers, and any mixture consisting mainly of inorganic fertilisers, other than such fertilisers or such a mixture made up into pellets or other articles for use as individual items ; and

(*d*) any mixture of any of the foregoing.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Weights and Measures (Ballast) Regulations 1963 (S.I. 1963/1890—" the principal Regulations ") contain provisions relating to—

(i) the materials and principles of construction of cubic measures for use for trade in the making of any measurement of " ballast " as defined in those Regulations ; and

(ii) the testing, passing as fit for use in trade and stamping of such measures.

These Regulations provide that the principal Regulations shall henceforth apply to the measurement of—

(i) "ballast " as defined in Schedule 1 to these Regulations and not to " ballast " as originally defined in the principal Regulations. (The former definition is more comprehensive than the latter) ;

(ii) the agricultural fertilisers and similar materials specified in Schedule 2 to these Regulations.

By virtue of paragraph 4 of Schedule 5 and paragraph 3 of Part III of Schedule 7 to the Weights and Measures Act 1963 and of these Regulations, only equipment complying with the requirements of the principal Regulations with respect to materials and principles of construction may be used for trade on and after 31st July 1965 as cubic measures of the materials mentioned at (i) and (ii) above. Those materials will not be required to be sold " by the cubic yard " and those words are accordingly omitted from Regulation 1 of the principal Regulations. (The quantities in which " ballast " may be sold by volume on and after 31st July 1965 are, however, prescribed in Schedule 5 to the Act.)

These Regulations also provide that the principal Regulations (which, hitherto, have applied only in England and Wales) shall apply in Scotland.

By virtue of Regulation 3, the provisions of section 11(2) of the Weights and Measures Act 1963 (under which equipment prescribed for the purposes of section 11 may not be used for trade until it has been passed by an inspector as fit for such use and bears a stamp indicating that it has been so passed) will apply in relation to ballast in Scotland on and after 31st July 1966. Those provisions will also apply on and after that date (in England, Scotland and Wales) in respect of equipment used for measuring the materials specified in Schedule 2 to these Regulations. In all other respects these Regulations will come into operation on 31st July 1965.