STATUTORY INSTRUMENTS

1965 No. 123

WEIGHTS AND MEASURES

ADMINISTRATION

The Weights and Measures (Person Weighing Machines) Regulations 1965

Made - - - -	*28th February* 1965
Laid before Parliament	*5th February* 1965
Coming into Operation	
Regulation 2	*31st July* 1966
Regulations 3 *to* 7	*1st January* 1970
Remainder	*12th February* 1965

The Board of Trade, in pursuance of the powers conferred upon them by sections 11(1) and (3), 14(1) and 58 of the Weights and Measures Act 1963(a), and all other powers enabling them in that behalf, hereby make the following Regulations:—

Application

1. These Regulations shall apply to all weighing instruments for use for weighing persons which are made available for use by the public, whether on payment or otherwise, (hereinafter referred to as " person weighing machines ") and to all weights associated with such instruments.

2. Person weighing machines and weights associated therewith are hereby prescribed for the purposes of section 11(1) of the Weights and Measures Act 1963.

Materials and Principles of Construction

3.—(1) Every person weighing machine shall comply with those requirements of the Weights and Measures Regulations 1963(b), as amended(c), which relate to materials and principles of construction and which are applicable to a weighing instrument of the type, class or description to which the machine belongs:

Provided that, nothing in this regulation shall require a spring balance person weighing machine to comply with the requirements of regulations 87 and 88 of the Weights and Measures Regulations 1963.

(2) Every weight associated with a person weighing machine shall comply with those requirements of the Weights and Measures Regulations 1963, as amended, which relate to materials and principles of construction and which are applicable to a weight of the kind in question.

4.—(1) This regulation shall apply to self-indicating person weighing machines, that is to say, person weighing machines marked with graduation lines which indicate a series of weights.

(a) 1963 c. 31.
(b) S.I. 1963/1710 (1963 III, p. 3286).
(c) S.I. 1964/76 (1964 I, p. 137).

(2) The graduation lines shall be not less than $\frac{1}{8}$ inch long and—

(*a*) in the case of a machine of a capacity not exceeding 40 pounds or 20 kilogrammes, shall be not less than 1/16 inch apart;

(*b*) in any other case, shall be not less than 3/32 inch apart:

Provided that, where a machine is so constructed that the graduation lines are normally viewed through a magnifying lens or projected on to a screen, it shall be deemed to be sufficient compliance with this paragraph of this regulation if the graduation lines, when so viewed, appear to be the required distance apart and the required length.

(3) No weight increment shall exceed the amount shown in the following table:—

Capacity of machine	Weight increment
Less than 20 pounds	½ ounce
20 pounds or more, but not exceeding 40 pounds	1 ounce
Exceeding 40 pounds, but not exceeding 70 pounds	2 ounces
Exceeding 70 pounds	$\frac{1}{200}$ of capacity
Less than 5 kilogrammes	25 grammes
5 kilogrammes or more, but not exceeding 10 kilogrammes	50 grammes
Exceeding 10 kilogrammes, but not exceeding 20 kilogrammes	100 grammes
Exceeding 20 kilogrammes	$\frac{1}{200}$ of capacity

(4) The difference between the weights represented by consecutive numbered graduation lines shall not exceed 7 pounds if the machine is graduated in imperial units or 5 kilogrammes if the machine is graduated in metric units.

(5) Where the graduation lines do not commence at zero, the position of the pointer when there is no load on the machine shall be clearly indicated by a zero mark.

(6) Where the graduations are in both imperial and metric units—

(*a*) the imperial graduations shall be clearly separated from the metric graduations and shall be in a different colour therefrom;

(*b*) any figures or letters associated with either the imperial or the metric graduations shall be marked in the same colour as the graduations with which they are associated.

5.—(1) This regulation shall apply to person weighing machines fitted with a device for indicating the weight on a ticket.

(2) The said device shall be such that the weight is indicated clearly and legibly.

(3) Where the weight is indicated on a ticket by means of an arrow which points to a scale marked with graduation lines, the said device shall be such that—

(*a*) the arrow is sharply defined;

(*b*) the ends of the graduation lines which are nearer to the head of the arrow are all in line;

(*c*) the distance between the head of the arrow and a line passing through the nearer ends of the graduation lines does not exceed 1/16 inch;

(*d*) the graduation lines are not less than 1/16 inch long and 1/16 inch apart;

(*e*) alternate graduation lines are clearly and legibly marked with the weight they represent and not less than two such marked graduation lines appear on every ticket;

(*f*) not less than one graduation line appears on either side of the point indicated by the arrow.

(4) No weight increment which the said machine is capable of indicating on a ticket shall exceed—

(*a*) in the case of a self-indicating person weighing machine, the smallest weight increment which the machine is capable of indicating, otherwise than on a ticket;

(*b*) in any other case, the amount shown in the second column of the table set out in regulation 4(3) of these Regulations, being the amount appropriate to the capacity of the machine.

6.—(1) This regulation shall apply to person weighing machines fitted with a device for announcing the weight.

(2) The said device shall be such that it announces the weight clearly.

(3) No weight increment which the machine is capable of announcing shall exceed—

(*a*) in the case of a self-indicating person weighing machine, the smallest weight increment which the machine is capable of indicating, otherwise than by an announcement;

(*b*) in any other case, the amount shown in the second column of the table set out in regulation 4(3) of these Regulations, being the amount appropriate to the capacity of the machine.

7. Every person weighing machine which is designed to be operated by means of a coin, shall be fitted with a suitable coin-box and shall bear a notice giving clear instructions as to the method of operation necessary to secure correct indications of weight and stating the denomination of coin to be inserted.

Testing

8.—(1) Every person weighing machine shall be tested in accordance with those provisions of the Weights and Measures Regulations 1963, as amended, which relate to the testing of a weighing instrument of the type, class or description to which the machine belongs, so however that any reference in the said provisions to prescribed limits of error shall be construed as a reference to the prescribed limits of error set out in regulation 9 of these Regulations.

(2) In the case of a person weighing machine designed to be operated by means of a coin, the coin mechanism shall be tested by the insertion of a coin or of a disc approved for the purpose by the Board under section 5(1) of the Weights and Measures Act 1963.

(3) Every weight associated with a person weighing machine shall be tested in accordance with the provisions of regulations 2, 4, 53 and 54 of the Weights and Measures Regulations 1963, as amended.

Prescribed limits of error

9. The prescribed limits of error shall be—

(*a*) in the case of a self-indicating person weighing machine without a device for indicating the weight on a ticket or for announcing the

weight, one half of the smallest weight increment which the machine is capable of indicating, in excess or in deficiency, or, in relation to the obliteration of stamps, the smallest weight increment which the machine is capable of indicating, in excess or in deficiency;

(*b*) in the case of a person weighing machine fitted with a device for indicating the weight on a ticket or for announcing the weight, one half of the smallest weight increment which the machine is capable of indicating on a ticket or announcing, as the case may be, in excess or in deficiency, or in relation to the obliteration of stamps, the smallest weight increment which the machine is capable of indicating on a ticket or announcing, as the case may be, in excess or in deficiency;

(*c*) in the case of any other person weighing machine, those prescribed in the Weights and Measures Regulations 1963, as amended, which are applicable to a weighing instrument of the type, class or description to which the machine belongs;

(*d*) in the case of a weight associated with a person weighing machine, those prescribed in the Weights and Measures Regulations 1963, as amended, which are applicable to a weight of the kind in question.

Passing as fit for use for trade

10.—(1) No person weighing machine or weight associated with such a machine shall be passed as fit for use for trade unless:—

(*a*) it falls within the prescribed limits of error;

(*b*) it satisfies the tests applied to it in pursuance of regulation 8 of these Regulations;

(*c*) if tested in accordance with regulation 8(2) of these Regulations, the coin mechanism works freely and effectively;

(*d*) subject to paragraph (3) of this regulation, it complies with the appropriate requirements of these Regulations and with regulation 5(1)(*b*), (*c*) and (*d*) of the Weights and Measures Regulations 1963:

Provided that, until 1st January 1970, any person weighing machine which falls within the prescribed limits of error may be passed as fit for use for trade notwithstanding that it fails to comply with the requirements of regulations 3 to 7 of these Regulations or of regulation 5(1)(*b*) or (*c*) of the Weights and Measures Regulations 1963.

(2) No person weighing machine shall be passed as fit for use for trade unless it is conspicuously, legibly and durably marked with—

(*a*) the name and address of the person making the machine available to the public;

(*b*) the capacity of the machine in one or more of the following units—stones, pounds, kilogrammes;

(*c*) the words " For Weighing Persons Only ", or some similar expression.

(3) Nothing in paragraph (1)(*d*) of this regulation shall prevent the passing as fit for use for trade of any person weighing machine or of any weight associated with such machine which is made in accordance with a pattern in respect of which a certificate of approval granted under section 12 of the Weights and Measures Act 1963 is in force, or with such a pattern modified in accordance with an authorisation granted under the said section 12.

Stamping

11. Those provisions of the Weights and Measures Regulations 1963 which relate to stamping and which are applicable to a machine or weight of the type, class or description in question, shall apply to the stamping of person weighing machines and weights associated with such machines.

12. Every person weighing machine and every weight associated with such a machine which is passed as fit for use for trade shall be stamped with the stamp prescribed by the Weights and Measures (Prescribed Stamp) Regulations 1963(a).

Obliteration of stamps

13. Stamps shall be obliterated by an inspector, in accordance with the requirements of these Regulations, by means of punches or pincers of suitable sizes, of a six-pointed star design as shown in regulation 7 of the Weights and Measures Regulations 1963.

14. An inspector shall obliterate the stamp on—

(*a*) any person weighing machine or weight associated with such a machine which fails to comply with the appropriate requirements of these Regulations;

(*b*) any person weighing machine or weight associated with such a machine which fails upon testing, to fall within the prescribed limits of error;

(*c*) any person weighing machine or weight associated with such a machine which fails to satisfy the tests applied to it in pursuance of regulation 8 of these Regulations;

(*d*) any weight associated with a person weighing machine if, owing to its being broken or otherwise damaged, it does not in the opinion of the inspector, admit of proper adjustment;

(*e*) any weight associated with a person weighing machine which, since it was last stamped, has, in the opinion of the inspector, had its accuracy affected by reason of any alteration, adjustment or repair;

(*f*) any person weighing machine which since it was last stamped, has been so altered, repaired or adjusted that in the opinion of the inspector, it has become necessary to ascertain that the indications of the instrument remain correct throughout its range;

Provided that—

(i) until 1st January 1970, nothing in this regulation shall permit an inspector to obliterate the stamp on any person weighing machine which falls within the prescribed limits of error, on the ground that it fails to comply with the requirements of regulations 3 to 7 of these Regulations;

(ii) where a person weighing machine or weight associated with such a machine does not fully comply with the requirements of these Regulations, but the nature or degree of the non-compliance is not in the inspector's judgment such as to require the immediate obliteration of the stamp, he shall leave with the person in charge of the machine or of the weight, as the case may be, or send by post to the person making the machine available to the public a notice calling on him to have it corrected within a stated period, not exceeding twenty-eight days, and shall obliterate the stamp if the correction has not been made within that period.

15. When an inspector has obliterated a stamp on a person weighing machine, he may attach to the machine a notice bearing the words " Out of Use ". If he does so, the said notice shall be securely attached to the machine in such a position that it is conspicuous to a person about to use the machine.

16. An inspector shall not obliterate a stamp on any person weighing machine or on any weight associated with such a machine on any grounds other than those prescribed in regulation 14 of these Regulations.

(a) S.I. 1963/1891 (1963 III, p. 3510).

Interpretation

17.—(1) In these Regulations:

" capacity " means, in relation to a person weighing machine, the maximum capacity which the machine is constructed to weigh;

" weight increment ", in relation to a self-indicating person weighing machine, means the weight equal to the difference between the weights represented by consecutive graduation lines, and in relation to a device for indicating a weight on a ticket or for announcing the weight, means the weight equal to the difference between any two consecutive weights which the machine is capable of indicating or of announcing, as the case may be.

(2) The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of Parliament.

Citation and commencement

18. These Regulations may be cited as the Weights and Measures (Person Weighing Machines) Regulations 1965.

19.—(1) These Regulations, other than regulations 2 to 7, shall come into operation 12th February 1965.

(2) Regulation 2 shall come into operation on 31st July 1966.

(3) Regulations 3 to 7 shall come into operation on 1st January 1970.

George Darling,
Minister of State,
Board of Trade.

28th January 1965.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations apply to all weighing instruments for use for weighing persons, which are made available for use by the public whether on payment or otherwise, and to all weights associated with them. These instruments and weights are prescribed for the purposes of section 11(1) of the Weights and Measures Act 1963 on and after 31st July 1966; their use will then become unlawful unless they have first been tested and stamped by an inspector of weights and measures.

These Regulations also include provisions relating to materials and principles of construction, which come into operation on 1st January 1970. The remaining provisions, which relate to testing and stamping, come into operation on 12th February 1965.

(a) 52 & 53 Vict. c. 63.