STATUTORY RULES OF NORTHERN IRELAND

2007 No. 389

WEIGHTS AND MEASURES

The Measuring Instruments (Automatic Discontinuous Totalisers) (Use for Trade) Regulations (Northern Ireland) 2007

Made - - - -	*31st August 2007*
Coming into operation	*15th October 2007*

The Department of Enterprise, Trade and Investment(**1**) makes the following Regulations in exercise of the powers conferred by Article 13(1) of the Weights and Measures (Northern Ireland) Order 1981(**2**) and now vested in it(**3**).

Citation and commencement

1. These Regulations may be cited as the Measuring Instruments (Automatic Discontinuous Totalisers) (Use for Trade) Regulations (Northern Ireland) 2007 and shall come into operation on 15th October 2007.

Interpretation

2. In these Regulations—

"the 2006 Regulations" means the Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006(**4**);

"accuracy class" means the classification of an automatic discontinuous totaliser as set out in paragraph 16 of Schedule 1 to the 2006 Regulations;

"automatic discontinuous totaliser" means an automatic weighing instrument that determines the mass of a bulk product by dividing into discrete loads. The mass of each discrete load is determined in sequence and summed. Each discrete load is then delivered to bulk;

"essential requirements" means the requirements set out in Schedule 1 to the 2006 Regulations;

"instrument" has the same meaning as automatic discontinuous totaliser;

"load receptor" means a part of an automatic discontinuous totaliser on which loads are placed for the purpose of their being weighed;

(**1**) Formerly the Department of Economic Development; see S.I. 1999/283 (N.I. 1), Art. 3(5)
(**2**) S.I. 1981/231 (N.I. 10) as amended by 2000 c. 5 (N.I.)
(**3**) By S.I. 1982/846 (N.I. 11) Art. 4
(**4**) S.I. 2006/1255

"maximum capacity" means the maximum discrete load which the automatic discontinuous totaliser is authorised to weigh and that can be weighed automatically on a load receptor;

"minimum capacity" means the minimum discrete load which the automatic discontinuous totaliser is authorised to weigh and that can be weighed automatically on a load receptor;

"minimum totalised load" means the value of the smallest bulk load that can be totalised without exceeding the maximum permissible error when the automatic operation is comprised of discrete loads, each within the automatic weighing range;

"non-automatic zero-setting device" means a device for setting the indication by the operator;

"place on the market" means making available for the first time in a member State an instrument intended for an end user, whether for reward or free of charge;

"put into use" means the first use of an instrument intended for the end user for the purposes for which it was intended; and

"semi-automatic zero-setting device" means a device for automatically setting the indication to zero following a manual command.

Application

3.—(1) Subject to paragraph (2) and (3), these Regulations apply to an automatic discontinuous totaliser which is—

(a) for use for trade; and

(b) first placed on the market or put into use on or after 15th October 2007.

(2) These Regulations do not apply to an automatic discontinuous totaliser—

(a) in respect of which a certificate of approval has been granted before 15th October 2007 and is in force; and

(b) which is first passed as fit for use for trade and stamped under the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland) 1986 (**5**).

(3) These Regulations do not apply to an automatic discontinuous totaliser to which the 2006 Regulations do not apply by virtue of regulation 3(3) thereof.

Requirements for use for trade

4. A person shall not use for trade an automatic discontinuous totaliser unless—

(a) it is compliant with the essential requirements, other than the provisions relating to maximum permissible errors referred to in paragraph 17 of Schedule 1 to the 2006 Regulations;

(b) the requirements of regulation 5 are complied with;

(c) it has been erected and installed in accordance with the requirements of regulation 6; and

(d) in the case of an instrument falling within an accuracy class set out in column 1 of the following Table, it falls within the maximum permissible error for that class set out in column 2 of that Table.

(**5**) S.R. 1986 No. 311, as amended by S.R. 2004 No. 189