STATUTORY RULES OF NORTHERN IRELAND

2007 No. 386

WEIGHTS AND MEASURES

The Measuring Instruments (Beltweighers) (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 (Beltweighers) (Use for Trade) Regulations (Northern Ireland) 2007 and shall come into operation on 15th October 2007.

Interpretation

2. In these Regulations—

"the 1981 Order" means the Weights and Measures (Northern Ireland) Order 1981;

"the 2006 Regulations" means the Measuring Instruments (Beltweighers) Regulations 2006(**4**);

"accuracy class" means the classification of a beltweigher as set out in paragraph 16 of Schedule 1 to the 2006 Regulations;

"automatic weighing instrument" means an instrument that determines the mass of a product without the intervention of an operator and follows a predetermined programme of automatic processes characteristic of the instrument intended to determine the mass of a body by using the action of gravity on that body;

"beltweigher" means an automatic weighing instrument that continuously determines the mass of a bulk product on a conveyor belt without systematic subdivision of the product and without interrupting the movement of the conveyor belt;

(**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. 2006/1259

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

"instrument" has the same meaning as beltweigher;

"maximum capacity" means the maximum instantaneous net load that the weighing unit is intended to weigh on the portion of the conveyor belt representing the weigh length;

"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

"weighing unit" means the part of a beltweigher providing information on the mass of the load to be measured.

Application

3.—(1) Subject to paragraphs (2) and (3), these Regulations apply to a beltweigher 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 a beltweigher—

(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 (Beltweighers) Regulations (Northern Ireland) 1985(**5**) or the Weighing Equipment (Beltweighers) Regulations (Northern Ireland) 2006(**6**).

(3) These Regulations do not apply to a beltweigher to which the 2006 Regulations do not apply by virtue of regulation 3(3) to (5) thereof.

Requirements for use for trade

4. A person shall not use for trade a beltweigher unless—

(a) it is compliant with the essential requirements, other than the provisions relating to maximum permissible errors referred to in paragraph 18 of Schedule 1 to the 2006 Regulations;

(b) the requirements of regulations 5 and 6 are complied with;

(c) it has been erected and installed in accordance with the requirements of regulation 7; and

(d) in the case of a beltweigher of an accuracy class set out in column 1 of the Table in Schedule 5 to the 2006 Regulations, it is within the maximum permissible error for that accuracy class as set out in column 2 of that Table.

Manner of use

5.—(1) Where a beltweigher is marked with a temperature range, it shall not be used for trade in temperatures outside that range.

(2) Where a beltweigher bears a mark which signifies the manner and purpose of use, it shall not be used for trade in a manner or for a purpose which does not accord with that marking.

(3) A beltweigher of accuracy class 2 shall only be used for trade for weighing any of the materials to which the expression "ballast" applies in Schedule 4 to the 1981 Order.

(**5**) S.R. 1985 No. 319.
(**6**) S.R. 2006 No.157.