STATUTORY RULES OF NORTHERN IRELAND

2007 No. 385

WEIGHTS AND MEASURES

The Measuring Instruments (Liquid Fuel and Lubricants) (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 (Liquid Fuel and Lubricants) (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 (Liquid Fuel and Lubricants) Regulations 2006(**4**);

"accuracy class" means the classification of a measuring system determined in accordance with paragraph 19 of Schedule 1 to the 2006 Regulations;

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

"flowrate range" means the range between the minimum flowrate and the maximum flowrate;

"instrument" has the same meaning as measuring system;

"liquid fuel" includes lubricants and any mixture of liquid fuel and lubricants;

"measuring system" means a system that comprises the meter and all devices required to ensure correct measurement or intended to facilitate the measuring operations;

(**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. 2006/1266

"minimum measured quantity" means the smallest quantity of liquid fuel for which the measurement is metrologically acceptable for the measuring system;

"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; and

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

Application

3.—(1) Subject to paragraphs (2) and (3), these Regulations apply to a measuring system which is—

(a) for use for trade in the making of a continuous and dynamic measurement of liquid fuel in a quantity equal to or less than 100 litres or 100 kilograms; 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 measuring system—

(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 Measuring Equipment (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1998(**5**).

(3) These Regulations do not apply to a measuring system to which the 2006 Regulations do not apply by virtue of regulation 3(3) to (6) thereof.

Requirements for use for trade

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

(a) it is compliant with the essential requirements other than the provisions relating to maximum permissible errors referred to in paragraph 16 of Schedule 1 to the 2006 Regulations;

(b) it is so positioned as to facilitate testing;

(c) it operates within the maximum permissible errors in regulation 5; and

(d) the requirements of regulation 6 are complied with.

Maximum permissible error

5.—(1) In the case of a measuring system used to measure a quantity of liquid fuel—

(a) above the minimum measured quantity of the instrument, the maximum permissible error shall be determined in accordance with Table 1 in Schedule 5 to the 2006 Regulations; and

(b) equal to the minimum measured quantity of the instrument, the maximum permissible error shall be determined in accordance with Table 2 in Schedule 5 to the 2006 Regulations.

(2) But the maximum permissible error for a quantity above the minimum measured quantity of the instrument shall not be less than the maximum permissible error for a quantity equal to the minimum measured quantity.

(3) Where the instrument falls within an accuracy class of 0.3, 0.5, 1.0, 1.5 or 2.5, it shall, for a quantity set out in column 1 of the relevant Table, operate within the maximum permissible error set out in column 2, 3, 4, 5 or 6 of that Table for that class and that quantity.

(**5**) S.R. 1998 No. 113, as amended by S.R. 2002 No. 71, S.R. 2003 No. 422, S.R. 2005 No. 26 and S.R. 2005 No. 472