STATUTORY RULES OF NORTHERN IRELAND

2007 No. 384

WEIGHTS AND MEASURES

The Measuring Instruments (Automatic Gravimetric Filling Instruments) (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 Gravimetric Filling Instruments) (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 Gravimetric Filling Instruments) Regulations 2006(**4**);

"automatic gravimetric filling instrument" means an automatic weighing instrument that fills containers with a predetermined and virtually constant mass of product from bulk;

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

"instrument" has the same meaning as automatic gravimetric filling instrument;

"load receptor" means a part of an automatic gravimetric filling instrument 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. 2006/1258

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

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

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

"put into use" means the first use of an automatic gravimetric filling 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 an automatic gravimetric filling instrument 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 gravimetric filling instrument—

(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 Weights and Measures Regulations (Northern Ireland) 1967(**5**); the Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations (Northern Ireland) 1986(**6**); or the Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations (Northern Ireland) 2005(**7**).

(3) These Regulations do not apply to an automatic gravimetric filling instrument 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 gravimetric filling instrument 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 regulations 5 and 6 are complied with;

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

(d) the instrument operates within the limits of maximum permissible error set out in Table 2 in Part 2 of Schedule 5 to the 2006 Regulations;

(e) subject to paragraph (f), where test fills are required, these limits are determined on the basis of consecutive fills; and

(f) in the case of an instrument of the description and maximum capacity set out, respectively, in columns 1 and 2 of Table 1 in Part 1 of Schedule 5 to the 2006 Regulations, it is within

(**5**) S.R.& O. (N.I.) 1967 No 237 as amended by S.R.& O. (N.I.) 1971 No 114, S.R.& O. (N.I.) 1972 No 278, S.R.& O. (N.I.) 1974 No 280, S.R. 1979 No. 436, S.R.1985 No. 319, S.R. 1986 No. 308, S.R. 1986 No. 311, S.R. 1991 No. 266, S.R. 1993 No. 441; S.R. 1998 No.48; S.R. 2005 No. 27; S.R. 2006 No. 154 and S.R. 2006 No. 157

(**6**) S.R. 1986 No. 311 as amended by S.R. 1995 No. 228, S.R. 1998 No. 374, S.R. 2002 No. 71, S.R. 2004 No. 189 and S.R. 2005 No. 26

(**7**) S.R. 2005 No. 27