STATUTORY RULES OF NORTHERN IRELAND

2007 No. 383

WEIGHTS AND MEASURES

The Measuring Instruments (Automatic Catchweighers) (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 Catchweighers) (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 Catchweighers) Regulations 2006(**4**);

"accuracy class" means the classification of an automatic catchweigher in accordance with paragraph 16 of Schedule 1 to the 2006 Regulations;

"automatic catchweigher" means an automatic weighing instrument that determines the mass of pre-assembled discrete loads (for example pre-packages) or single loads of loose material, but does not include an automatic checkweigher or an automatic weight grading instrument;

"automatic checkweigher" means an automatic catchweigher which sub-divides articles of different mass into two or more sub-groups according to the value of the difference between their mass and the nominal set point;

"automatic weight grading instrument" means an instrument which sub-divides articles of different mass into several sub-groups each characterised by a given mass range;

(**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. 2006/1257

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

"instrument" has the same meaning as automatic catchweigher;

"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 an automatic catchweigher 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 catchweigher which comprises—

(a) an automatic catchweight weighing machine for the purposes of the Weighing Equipment (Non-automatic Weighing Machines) Regulations (Northern Ireland) 2006(**5**); or

(b) an automatic catchweighing instrument for the purposes of the Weighing Equipment (Automatic Catchweighing Instruments) Regulations (Northern Ireland) 2006(**6**),

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

(c) which is first passed as fit for use for trade and stamped under either of those Regulations.

(3) These Regulations do not apply to an automatic catchweigher to which the 2006 Regulations do not apply by virtue of regulation 3(3) to (4) thereof.

Requirements for use for trade

4. A person shall not use for trade an automatic catchweigher 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 to 8 are complied with;

(c) it has been erected and installed in accordance with the requirements of regulation 9;

(d) in the case of an automatic catchweigher of accuracy class Y(I), Y(II), Y(a), or Y(b) in automatic operation, it is within the maximum permissible error for that instrument as set out in Table 1 in Schedule 5 to the 2006 Regulations; and

(e) in the case of an automatic catchweigher of accuracy class Y(I), Y(II), Y(a) or Y(b) in non-automatic operation, it is within the maximum permissible error for that instrument as set out in Table 2 in Schedule 5 to the 2006 Regulations.

Manner of use

5. An automatic catchweigher marked with a measurement range may be used for trade for determining the weight of any item by ascertaining the difference between the weight of that item and a separate item, where both items fall within the measurement range.

(**5**) S.R. 2006 No. 5
(**6**) S.R. 2006 No. 154