STATUTORY RULES OF NORTHERN IRELAND

2005 No. 472

WEIGHTS AND MEASURES

Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 2005

Made - - - -	*28th October 2005*
Coming into operation	*5th December 2005*

The Department of Enterprise, Trade and Investment(**1**) in exercise of the powers conferred by Articles 9(1) and (3) and 13(1) of the Weights and Measures (Northern Ireland) Order 1981(**2**) and now vested in it(**3**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 5th December 2005.

Amendment of the Measuring Equipment (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1998

2. The Measuring Equipment (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1998(**4**) shall be amended as provided in regulations 3 to 11.

Sales indicators

3. For regulation 5 there shall be substituted the following regulation –

"**Sales indicators**

5. Every individual sales indicator fitted to measuring equipment shall be so arranged that the indicator reading –

(a) is capable of being set to zero before a delivery commences;

(**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.R. 1998 No. 113 as amended by S.R. 2002 No. 71 and S.R. 2003 No. 422

(b) remains at zero until liquid fuel starts to emerge from the equipment; and

(c) cannot be advanced by any means other than by the proper operation of the equipment.".

Indication of product delivered

4. After regulation 5 there shall be added the following regulation –

"**Indication of product delivered**

5A.—(1) Subject to paragraphs (3) and (4), any measuring equipment which delivers a product –

(a) the composition of which is in accordance with a British Standard of the British Standards Institution listed in column 3 of the table set out below; or

(b) which is represented (whether by an indication marked on or referable to the instrument or otherwise) by the seller to be a product listed in column 1 of that table,

shall when in use for trade be marked with the name of that product as it appears in column 1 and the number of the relevant British Standard as it appears in column 2.

TABLE

Column 1 *Product*	*Column 2* *Number*	*Column 3* *Title of British Standard*
Unleaded petrol	BS EN 228: 2004	**BS EN 228: 2004** "Automotive **fuels**. Unleaded petrol. Requirements and test methods." ISBN 0 580 441180
High octane (super) unleaded petrol	BS 7800: 2000	**BS 7800: 2000** "Automotive **fuels**. High octane (super) unleaded petrol. Specification." ISBN 0580 33226 8
Diesel	BS EN 590: 2004	**BS EN 590: 2004** "Automotive **fuels**. Diesel. Requirements and test methods." ISBN 0 580 441199
Leaded petrol	BS 4040: 2001	**BS 4040: 2001** "Specification for leaded petrol (gasoline) for motor vehicles." ISBN 0 580 332977

(2) Subject to paragraphs (3) and (4), any measuring equipment which delivers a product other than a product listed in the above table shall be marked with an indication of the product delivered which is sufficiently clear to enable the buyer to identify the product.

(3) This regulation applies –

(a) on and after (date of coming into operation) to measuring equipment first passed as fit for use for trade on and after that date; and

(b) on and after (exactly one year after the date of coming into operation) to measuring equipment first passed as fit for use for trade before (date of coming into operation).

(4) This regulation does not apply to any equipment used in the absence of the buyer.".

Markings on equipment

5. In regulation 7(b), between "measuring equipment referring to the method of operation or to the" and "quantity of liquid fuel delivered" there shall be inserted the words "product or to the".

Relaxation of requirement to test at low flow rate

6.—(1) In regulation 8A(3) –

(a) for the words "In all cases the" at the beginning there shall be substituted the word "The"; and

(b) after the words "paragraph (2) shall" there shall be inserted "subject to paragraph (4)".

(2) After regulation 8(A)(3) there shall be added the following paragraph –

"(4) In the case of a 20 litre test delivery pursuant to paragraph (2), only one delivery need be taken at the highest flow rate, and accordingly a low flow rate delivery, whilst not required, may be taken if the inspector considers it appropriate.".

Prescribed limits of error

7. For paragraph 5 of regulation 15 there shall be substituted the following paragraph –

"(5) On the testing of any measuring equipment fitted with a price computing device, the difference between –

(a) the price indicated by that device; and

(b) the price computed on the basis of the unit price and of –

(i) the quantity indicated for test purposes; or

(ii) where the equipment is incapable of indicating the quantity for test purposes, the quantity indicated for use for trade,

shall not exceed the price of the quantity equal to the error in deficiency set out in Table 2 in relation to passing as fit for use for trade having regard to the dynamic viscosity of the test liquid employed; provided that the difference need not be less than the lowest value coin in circulation in the country or territory in which the equipment is used or intended to be used.".

Inspector to attach test report

8. After regulation 15, there shall be added the following regulation –

"**Inspector to attach test report**

15A.—(1) Without prejudice to the duty of the inspector, pursuant to Article 9(3) of the Order, to keep a record of every test carried out by him, where measuring equipment is tested by an inspector at the place of its manufacture or assembly or at testing premises, the inspector shall in addition attach securely to the inside of the measuring equipment a copy of the test record.

(2) The test record shall include at least the following particulars –