1984 No. 188

WEIGHTS AND MEASURES

Measuring Equipment (Intoxicating Liquor) Regulations (Northern Ireland) 1984

Made	*6th June 1984*
Coming into operation . . .	*9th July 1984*

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The Department of Economic Development, in exercise of the powers conferred by Articles 9(1) and (3), 10(6) and 13(1) of the Weights and Measures (Northern Ireland) Order 1981(**a**) and now vested in it(**b**) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

PART I

GENERAL

Citation, commencement, interpretation and revocation

1.—(1) These Regulations may be cited as the Measuring Equipment (Intoxicating Liquor) Regulations (Northern Ireland) 1984 and shall come into operation on 9th July 1984.

(2) In these Regulations—

"certificate of approval" means a certificate of approval of a pattern of measuring equipment granted or renewed by the Department of Economic Development under Article 10 of the Order or any instrument having effect under Article 11(5) of the Order as if it were a certificate of approval so granted on 4th April 1979 or a certificate of approval of a pattern of measuring equipment deemed under Article 10(8) of the Order to have been granted and published under the provisions of the said Article 10;

"liquor" means intoxicating liquor;

"manager" means, where any measuring equipment is being tested at the premises on which it was manufactured, a person exercising managerial functions at those premises or his authorised representative and, where any measuring equipment is being tested on licensed premises, the licensee, or, in his absence, his representative authorised for the time being to be in charge of the equipment;

"measuring equipment" means any measuring equipment, other than a capacity measure, including a measuring device, ancillary equipment associated with it and any other equipment physically or otherwise connected to it whether or not such equipment has been connected to ensure correct measurement or is intended to facilitate operation of the measuring device and ancillary equipment;

"nominal quantity" means the quantity of liquor which the measuring equipment is designed to deliver;

"notice of examination" means a notice caused to be published by the Secretary of State(**c**) in pursuance of section 12(1) of the Weights and Measures Act 1963(**d**) giving particulars of a pattern in respect of which a certificate of approval has been granted;

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

"prescribed limits of error" has the meaning set out in Regulation 14; and

"the stamp" means the stamp prescribed by the Weights and Measures (Prescribed Stamp) Regulations (Northern Ireland) 1969(**e**).

(**a**) S.I. 1981/231 (N.I. 10)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) By virtue of S.I. 1970/1537
(**d**) 1963 c. 31. This Act was amended by the Weights and Measures &c. Act 1976 (c. 77) and the Weights and Measures Act 1979 (c. 45)
(**e**) S.R. & O. (N.I.) 1969 No. 11

(3) The Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967(**a**) and the Measuring Instruments (Intoxicating Liquor) (Amendment) Regulations (Northern Ireland) 1979(**b**) are hereby revoked.

Application of Regulations and prescription of measuring equipment

2. These Regulations apply to measuring equipment for use for trade on premises where liquor is sold by retail for the purpose of making any measurement of liquor in a quantity not exceeding one quart; and measuring equipment to which these Regulations apply is hereby prescribed for the purposes of Article 9(1) of the Order.

PART II

PRINCIPLES OF CONSTRUCTION AND MARKING OF MEASURING EQUIPMENT

Approved patterns of construction

3. All measuring equipment shall be made in accordance with a pattern in respect of which a certificate of approval is in force.

Identification marks

4. All measuring equipment may, where first submitted for testing with a view to passing as fit for use for trade before 1st October 1984, and shall, where first submitted for such testing on or after that date, be legibly and durably marked with the number of the certificate of approval or of the notice of examination in respect of the pattern in accordance with which it is made, preceded by the words "Certification No.", or "Cert. No." or "Notice No." or "DED Certification No." or "DED Cert. No." as the case may be.

Display of marking of method of operation

5. Every marking, notice, inscription or indication on measuring equipment referring to the method of operation or to its nominal quantity shall be conspicuously, legibly and durably marked in a suitable position on the equipment in plain block characters on a plain background and in distinct contrast thereto.

Marking with name of manufacturer or supplier

6. All measuring equipment shall be legibly and durably marked with the name of its manufacturer or supplier.

Marking of nominal quantity

7.—(1) Subject to paragraphs (2) and (3), all measuring equipment shall have marked on it an indication of its nominal quantity in full, or in such an abbreviated or alternative form as is permitted in accordance with the following Table:—

(**a**) S.R. & O. (N.I.) 1967 No. 230
(**b**) S.R. 1979 No. 212

TABLE

FORM OF INDICATION OF NOMINAL QUANTITY	
Nominal Quantity	Abbreviated or permitted alternative
One-sixth gill ...	⅙ gill
One-fifth gill ...	⅕ gill (or 1 fl oz)
Quarter gill ...	¼ gill
One-third gill ...	⅓ gill
Two-fifths gill ...	⅖ gill (or 2 fl oz)
Half gill ...	½ gill
Gill ...	¼ pt
One-third pint ...	⅓ pt
Half pint ...	½ pt
Pint ...	pt
Quart ...	qt
Quarter litre ...	¼ litre (or 25 cl or 250 ml)

(2) Paragraph (1) shall not apply in the case of measuring equipment used for measuring beer and cider where the nominal quantity is half a pint.

(3) Where the nominal quantity of measuring equipment is indicated in metric units of measurement, other than the quarter litre, the equipment shall have marked on it an indication of its nominal quantity in words, symbols or figures and where that nominal quantity is—

(*a*) one litre or more, the indication of nominal quantity shall be entirely in terms of litres and decimal fractions of a litre, and no abbreviation of "litre" may be used;

(*b*) less than one litre, the indication of nominal quantity shall be entirely in terms of centilitres and decimal fractions of a centilitre or entirely in terms of millilitres, and such units may be indicated by the symbols "cl" and "ml" only as the case may require.

Provision of sight glasses, etc.

8.—(1) All measuring equipment for use in measuring liquor other than beer or cider shall be fitted—

(*a*) with adequate sight glasses, observation windows or other devices for showing clearly that any measuring chamber is properly charged and discharged; or

(*b*) with a device which prevents—

(i) any liquid being discharged by any measuring chamber until the chamber is properly charged; and

(ii) any measuring chamber being charged anew until it has been properly discharged.

(2) All measuring equipment for use in measuring beer or cider shall be fitted with a device mentioned in paragraph (1)(*b*).