1984 No. 85

WEIGHTS AND MEASURES

Capacity Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1984

Made . . . . . *14th March 1984*

Coming into operation . . . *16th April 1984*

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The Department of Economic Development, in exercise of the powers conferred by Articles 9(1) to (4) and 13(1) and (2) of the Weights and Measures (Northern Ireland) Order 1981(**a**) and now vested in it(**b**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1. These regulations may be cited as the Capacity Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1984 and shall come into operation on 16th April 1984.

Interpretation

2.—(1) In these Regulations—

"analogue" means capable of assigning any value or position within a continuous range;

"digital" means capable of assigning only certain discrete values or positions within a continuous range by a series of discontinuous steps;

"manufacturer's mark" means a mark authorised for use by the manufacturer by the Department of Economic Development on a liquid capacity measure to which these Regulations apply, which identifies all or any of the following—

(*a*) the manufacturer of the measure;

(*b*) the place and date of manufacture;

(*c*) the group of measures of which the measure forms part;

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

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

"scale interval" means the value expressed in units of measurement of mass equal to, in the case of a machine with an analogue indicator, the smallest sub-division of the scale, or, in the case of a machine with a digital indicator, the difference between two consecutive values indicated by the machine;

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

"value of verification scale division (e)" has the same meaning as it has in 2.3.2.3 of the Annex to Council Directive No. 73/360/EEC(**d**) as amended by Council Directive No. 82/622/EEC(**e**).

(2) The abbreviations of, and symbols for, units of measurement used in these Regulations refer to the relevant units as follows:—

Imperial System		*Metric System*	
fluid ounce	fl oz	gramme	g
pint	pt	millilitre	ml
		millimetre	mm

(**a**) S.I. 1981/231 (N.I. 10)
(**b**) By S.I. 1982/846 (N.I. 11) Art. 4
(**c**) S.R. & O. (N.I.) 1969 No. 11
(**d**) OJ No. L335, 5.12.1973, p. 1
(**e**) OJ No. L252, 27.8.1982, p. 2

Application

3.—(1) Subject to paragraph (2), these Regulations apply to the following liquid capacity measures for use for trade for the purpose of measuring intoxicating liquor for consumption on the premises at which it is sold namely measures of—

Imperial System	*Metric System*
4 fl oz	100 ml
1 gill (5 fl oz)	125 ml
6 fl oz	150 ml
⅓ pt (6⅔ fl oz)	175 ml
8 fl oz	200 ml
	250 ml

and such measures are hereby prescribed for the purposes of Article 9(1) of the Order.

(2) These Regulations do not apply to liquid capacity measures specified in paragraph 4 of Schedule 4 to the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1979(**a**) for use only for making up or checking packages in accordance with Article 31(9) or (10)(*a*) of the Order.

(3) The Weights and Measures Regulations (Northern Ireland) 1967(**b**) are hereby amended in Regulation 3(2) by the addition after sub-paragraph (*f*) of the following sub-paragraph:—

"(*g*) liquid capacity measures to which the Capacity Measures (Intoxicating Liquor) Regulations (Northern Ireland) 1984 apply.".

PART II

MATERIALS AND PRINCIPLES OF CONSTRUCTION AND MARKING OF CAPACITY MEASURES

Strength and durability

4. Every capacity measure shall be sufficiently strong, rigid and stable to withstand the wear and tear of ordinary use in trade.

Materials of construction

5. Every capacity measure shall be made of—

(*a*) transparent glass; or

(*b*) transparent plastics material which, after complete immersion in boiling water for 10 minutes, resists deformation under pressure and does not split or show signs of striae in the walls.

Method of construction

6. Every capacity measure shall be constructed so that no air is trapped on filling and no liquid retained on emptying when tilted to an angle of 120° from the vertical.

Definition of nominal capacity

7. Every capacity measure shall have its nominal capacity clearly and conspicuously defined by a durable and horizontal line which is not less than 10 mm in length and the top of which is not less than 5 mm from the brim.

Marking of nominal capacity

8.—(1) Every capacity measure shall have its nominal capacity conspicuously, legibly and durably marked on the outside of the body of the measure (and not on any

(**a**) S.R. 1979 No. 435 as amended by S.R. 1980 No. 403
(**b**) S.R. & O. (N.I.) 1967 No. 237 as amended by S.R. 1979 No. 436