1981 No. 317

WEIGHTS AND MEASURES

Measuring Instruments (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1981

Made . . . . . *1st October 1981*

Coming into operation . . . *2nd November 1981*

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SCHEDULE — Prescribed limits of error.

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

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Measuring Instruments (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1981 and shall come into operation on 2nd November 1981.

(a) S.I. 1981/231 (N.I. 10)

(2) The Measuring Instruments (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1967(**a**), the Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 1969(**b**), the Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 1970(**c**) and the Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 1976(**d**) are hereby revoked.

Interpretation

2. In these Regulations—

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

"measuring instrument" means any measuring equipment other than a capacity measure;

"minimum delivery" means the smallest quantity of liquid fuel or lubricants or any mixture of such fuel and lubricants which an instrument is designed to measure;

"prescribed limits of error" has the meaning set out in Regulation 29.

Application of Regulations and prescription of equipment

3.—(1) Subject to paragraphs (2) and (3), these Regulations shall apply to all measuring instruments for use for trade in the making of any measurement of liquid fuel or lubricants or any mixture of such fuel and lubricants in a quantity not exceeding 20 gallons if they are constructed to measure in imperial units, or 100 litres if they are constructed to measure in metric units, other than instruments for use for trade in the making of any measurement of liquefied petroleum gas; and instruments to which these Regulations apply are hereby prescribed for the purposes of Article 9(1) of the Order.

(2) These Regulations shall not apply to any measuring instrument for use for the measurement by capacity of liquid fuel or lubricants or any mixture of such fuel and lubricants in a quantity not exceeding 100 litres, which, in accordance with a programme of automatic control and without the intervention of an operator during the measuring process, measures quantities of those products to a constant nominal capacity, the quantities being kept separate.

(3) These Regulations shall not, until 1st April 1983, apply to measuring instruments for use for trade in transactions between the Post Office and British Telecommunications.

PART II

PRINCIPLES OF CONSTRUCTION, MARKING AND FITTING OF EQUIPMENT

Single delivery outlet

4. A measuring instrument for use for the measurement of liquid fuel or lubricants or a mixture of such fuel and lubricants in the presence of the buyer shall not be so arranged as to deliver measured quantities at more than one outlet.

Approved patterns of construction and identification marks

5.—(1) Every measuring instrument shall be made in accordance with a pattern in respect of which a certificate of approval granted or deemed to have been granted under Article 10 of the Order is in force.

(**a**) S.R. & O. (N.I.) 1967 No. 229
(**b**) S.R. & O. (N.I.) 1969 No. 10
(**c**) S.R. & O. (N.I.) 1970 No. 33
(**d**) S.R. 1976 No. 290

(2) Every measuring instrument first submitted for testing with a view to passing as fit for use for trade before 1st May 1982 may, and every measuring instrument first submitted for such testing on or after such date shall be legibly and durably marked with the certification number or the number of the notice of examination issued under the provisions of section 12 of the Weights and Measures Act 1963(**a**) or by the Department of Commerce in respect of the pattern in accordance with which it is made, preceded by the words "Certification No." or "Notice No." or "DoC Notice No." as the case may be.

Marking with name of maker or supplier

6. Every measuring instrument shall be legibly and durably marked with the name of the maker or supplier.

Provision of individual sales indicator

7.—(1) Every measuring instrument for use for the measurement of liquid fuel or a mixture of such fuel and lubricants in the presence of the buyer shall be provided with an individual sales indicator so graduated as to indicate all possible deliveries—

(*a*) in the case of instruments delivering liquid fuel, up to not less than 10 gallons if they are constructed to measure in imperial units or 50 litres if they are constructed to measure in metric units;

(*b*) in the case of instruments delivering a mixture of liquid fuel and lubricants, up to not less than 1 gallon if they are constructed to measure in imperial units or 5 litres if they are constructed to measure in metric units.

(2) Any other counting or totalising device that may be provided shall be so arranged as to avoid any possibility of confusion with the individual sales indicator.

Provision of zero indication device

8.—(1) Every individual sales indicator fitted to a measuring instrument shall be arranged so that it can be readily re-set to its zero indication, and so that it is not possible to advance the indication by means other than by the proper operation of the instrument.

(2) In the case of instruments of the twin or multiple container type, the individual sales indicator shall be so arranged as not to register before the discharge from each container has commenced.

Prohibition of certain indicators

9. No audible or other indicator of discharge which can be operated to signal before the movement of the individual sales indicator shall be fitted to any measuring instrument.

Requirements for indicating devices

10. Every graduated dial, scale or other indicating device fitted to a measuring instrument shall—

(*a*) be so graduated and numbered that it can be read in numerical sequence in one direction only; and

(*b*) where appropriate be securely attached to its support or to the spindle or other part of the mechanism which controls its movement.

(a) 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)

Display of marking of method of operation

11. Every marking, notice, inscription or indication on a measuring instrument having reference to the method of operation or to the quantity delivered shall be conspicuously and legibly marked in a suitable position in plain block characters on a plain background and in distinct contrast thereto.

Display of quantity markings

12. Every stop or setting device of a measuring instrument shall either be marked in such a manner as to indicate the quantity it represents or shall be clearly associated with a suitable indicating device for the same purpose.

Display of units of measurement

13.—(1) Subject to paragraph (2), all quantities shall be marked on a measuring instrument either in full in one of the units of measurement listed in column 1 of the Table below or by means of one of the abbreviations listed in column 2 of the Table below and in no other manner:

TABLE

Col. 1	*Col. 2*
Half-pint	½ pt
Pint	pt
Quart	qt
Half-gallon	½ gal
Gallon	gal
Litre	

(2) The indications of quantity on containers or on the dial of a sales indicator may be shown by figures only where the unit of measurement is boldly marked on the container or dial and no confusion can arise.

Display of information to buyer

14.—(1) Subject to paragraphs (2) and (3), a measuring instrument which forms part of a fixed installation shall be so positioned that a buyer may readily obtain a clear and unobstructed view—

(*a*) of all the operations carried out by any other person using the instrument to measure the fuel or lubricant being supplied to the buyer; and

(*b*) of any device on the instrument which indicates the quantity supplied or the amount payable or that delivery is being effected.

(2) Paragraph (1) shall not apply to any instrument for use only for measuring kerosene except where the instrument is—

(*a*) situated on premises where petroleum is sold, or

(*b*) used for measuring kerosene in the course of delivery into the fuel tanks of vehicles, vessels or aircraft.

(3) Paragraph (1) shall not apply to any instrument normally used for the measurement of lubricants in the absence of the buyer.

Provision of sight glasses, etc.

15.—(1) Subject to paragraph (2), every measuring instrument shall be fitted with adequate sight glasses, observation windows or other devices for showing clearly either—