1980 No. 127

WEIGHTS AND MEASURES

Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1980

Made . . . . . 14th April 1980

Coming into operation in accordance with Regulation 1

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The Department(**a**) of Commerce, in exercise of the powers conferred on it by sections 5(1) and (3), 6(4), 7(1), 8(1) and 41(1) of the Weights and Measures Act (Northern Ireland) 1967(**b**) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1980 and shall come into operation as follows—

(*a*) all Regulations except Regulations 4 and 8(1), on 1st July 1980; and

(*b*) Regulations 4 and 8(1), on 1st July 1983.

(**a**) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)

(**b**) 1967 c. 6 (N.I.) as amended by the Weights and Measures &c. Act 1976 c. 77 and the Weights and Measures Act 1979 c. 45

Interpretation

2.—(1) In these Regulations—

"the Act" means the Weights and Measures Act (Northern Ireland) 1967;

"approved" means approved in accordance with a pattern in respect of which a certificate of approval has been granted under section 6 of the Act, and is in force for the time being or, if none, in accordance with the manufacturer's recommendations;

"calibration chart" means a table of figures which relates the volume of liquid in a particular compartment with the linear distance between the surface of the liquid and the datum surface;

"compartment" means a single container with which a dipstick is associated to measure quantities of liquid, but does not include associated pipework between the foot valve and the outlet valve unless specifically stated on a conspicuous notice adjacent to the outlet value;

"compartment number" means, in the case of a multi-compartment tank, the position of the compartment relative to the front of the vehicle, numbered sequentially from the front of the vehicle;

"datum face" means the flat surface of the crosspiece of a dipstick at right angles to the axis of the dipstick formed by the lower face of the crosspiece;

"datum point" means a point or area on the road tanker from which the relative height of the datum surface can be readily checked;

"datum surface" means the surface at the top of the dipstick guide tube, on which the datum face of the crosspiece rests when a measurement of liquid fuel is being made;

"dipstick measuring system" means any measuring equipment comprising a compartment with a datum surface and an associated dipstick with a datum face;

"meter measuring system" means any measuring equipment, other than a dipstick measuring system or a capacity measure, comprising all parts and devices from the source from which the liquid is drawn to the point of discharge and all mechanical, optical, electrical or pneumatic equipment associated therewith;

"reference meter" means a meter for use in testing measuring equipment to which these Regulations apply provided pursuant to section 2(1) of the Act for use by inspectors of weights and measures;

"registration mark" in relation to a vehicle means the registration mark assigned to it under the Vehicles (Excise) Act (Northern Ireland) 1972(c);

"replacement dipstick" means a dipstick which is presented for testing to replace a dipstick which has been broken, lost or destroyed or is otherwise unserviceable;

"road tanker" means any vehicle or trailer which carries liquid in a tank forming part of the vehicle or trailer other than that containing the fuel which is used to propel the vehicle, and also includes any tank with a capacity exceeding 3 m^3 carried on a vehicle;

"spare dipstick" means an additional dipstick which is tested and stamped at the same time as an original or replacement dipstick;

"tank" means a single or multiple container comprising one or more compartments with which one or more dipsticks are associated for the measurement of quantities of liquid;

(c) 1972 c. 10 (N.I.)

"tank number" means, in the case of a trailer part of a vehicle, the tank manufacturer's serial number and in the case of a rigid vehicle, either the tank manufacturer's serial number or the vehicle registration mark.

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

cubic metre	. .	m^3
millimetre	. .	mm
square centimetre	. .	cm^2

Application

3.—(1) These Regulations shall apply to measuring equipment used for trade for the measurement of liquid fuel in quantities in excess of 100 litres dispensed from road tankers.

(2) These Regulations shall not apply to—

(*a*) measuring equipment for use only for the delivery of liquefied gas, lubricating oils, or fuels dispensed at other than ambient temperature;

(*b*) measuring equipment for use only for the fuelling of aircraft, ships or hovercraft.

Prescription of equipment

4. Measuring equipment to which these Regulations apply is hereby prescribed for the purposes of section 5(1) of the Act.

Use for trade

5.—(1) Subject to paragraph (2) equipment shall be used for trade only for the purpose of measuring delivered quantities of not less than—

(*a*) the minimum delivery marked on the indicator of a meter measuring system; or

(*b*) 30% of the nominal capacity marked on the compartment with which a dipstick is associated.

(2) Paragraph (1) shall not apply where a measurement is only made for the purpose of payments in respect of any customs or excise duty.

PART II

MATERIAL AND PRINCIPLES OF CONSTRUCTION

Types of measuring equipment

6. Measuring equipment to which these Regulations apply shall consist of either a meter measuring system or a dipstick measuring system.

Provisions applicable to meter measuring systems

7. Regulations 8 to 11 shall apply to meter measuring systems.

Approved patterns of construction

8.—(1) On and after 1st July 1983 meter measuring systems shall be made only in accordance with a pattern in respect of which a certificate of approval granted under section 6 of the Act is for the time being in force.

(2) Notwithstanding paragraph (1), a meter measuring system which does not comply with that paragraph at 1st July 1983 may continue to be tested and stamped and used for trade until 1st July 1986 if—

(*a*) it has before 1st July 1983 been passed as fit for use for trade in accordance with these Regulations; and

(*b*) an inspector is of the opinion at the time when the equipment is submitted for testing or re-testing that it is not constructed in a manner which facilitates fraudulent use.

(3) Meter measuring systems made in accordance with a pattern as mentioned in paragraph (1) shall be marked with the certification number or the number of the notice of examination issued by the Department preceded by the words "Certification No" or "Notice No" as the case may be.

Markings for liquids of use and rate of flow

9. The minimum delivery, the minimum and maximum rates of flow and the liquids which a meter measuring system is intended to measure shall be marked legibly, permanently and conspicuously in a suitable position on or adjacent to the meter.

Sales indicators

10. Every meter measuring system shall be fitted with an individual sales indicator reading in litres or gallons and arranged so that—

(*a*) the indicator reading is capable of being set to zero indication before a delivery commences; and

(*b*) the indicator reading cannot be advanced by any means other than by the discharge of liquid fuel from the system.

Ticket printing mechanism

11. Every meter measuring system shall incorporate a ticket printing mechanism to enable a ticket to be issued indicating either the quantity of liquid fuel delivered in each transaction, or two numbers from which the quantity delivered may readily be calculated.

Provisions applicable to dipstick measuring systems

12. Regulations 13 to 30 shall apply to dipstick measuring systems.

Separate dipsticks

13. Each dipstick shall relate to, and be used for measuring the quantity of fuel in, one compartment only.

Construction of dipsticks

14.—(1) Subject to paragraph (2) the dipstick shall consist of a blade and a crosspiece. The blade shall be made of hard wood treated to reduce absorption, glass-reinforced plastic or other material approved by the Department. The blade shall be free from flaws, sufficiently straight to be satisfactory for measurement and shall extend to within 12 mm of the bottom of the compartment beneath the dipstick guide tube, but not so as to touch the bottom.

(2) For compartments in use before 1st July 1980 this Regulation shall have effect as if for "12 mm" there were substituted "25 mm".

Cross-sectional area of dipsticks

15. The cross-sectional area of a dipstick shall not exceed 5 cm^2.

Blades not practicable to stamp

16. Dipstick blades made from glass-reinforced plastic or other materials which it is not practicable to stamp shall have a metal rivet suitable for receiving the prescribed