1979 No. 436

WEIGHTS AND MEASURES

Weights and Measures (Amendment) Regulations (Northern Ireland) 1979

Made . . . . . 10*th December* 1979

Coming into operation . . . 1*st January* 1980

The Department(**a**) of Commerce, in exercise of the powers conferred on it by sections 5(3), 7(1) and 8(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:—

Citation and commencement

1. These Regulations may be cited as the Weights and Measures (Amendment) Regulations (Northern Ireland) 1979 and shall come into operation on 1st January 1980.

Amendment of the Regulations of 1967

2. The Weights and Measures Regulations (Northern Ireland) 1967(**c**) shall have effect subject to the following amendments:—

(*a*) to Regulation 3(2) there shall be added:—

"(*c*) weighing equipment for use only for determining the actual weight of hens' eggs in shell;

(*d*) weighing equipment for use only for making up packages if, and only if, the packages are subsequently checked in accordance with section 1(6)(*b*) of the Weights and Measures Act 1979(**d**);

(*e*) weighing equipment specified in paragraph 7 of Schedule 4 to the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 1979(**e**) for use only for checking packages in accordance with section 1(6)(*b*) or (7)(*a*) of the said Act of 1979; and

(*f*) liquid capacity measures specified in paragraph 4 of the said Schedule 4 for use only for making up or checking packages in accordance with section 1(6) or (7)(*a*) of the said Act of 1979.

In this paragraph "packages" means packages as defined in section 14(1) of the Weights and Measures Act 1979";

(*b*) for Regulation 47(9) there shall be substituted:—

"(9) Except where a platform weighing machine or weighbridge is of a pattern in respect of which a certificate of approval granted or deemed to have been granted under section 6 of the Weights and Measures Act (Northern Ireland) 1967 is in force (or of a pattern modified in accordance with an authorisation for the time being in force under the said section 6) and that pattern makes other provisions, the balancing arrangement for platform weighing machines and weighbridges to compensate for daily wear and tear shall—

(**a**) Formerly Ministry: *see* 1973 c. 36 s. 40 and Sch. 5 para. 8(1)
(**b**) 1967 c. 6 (N.I.)
(**c**) S.R. & O. (N.I.) 1967 No. 237 (p. 853)
(**d**) 1979 c. 45 as adapted for Northern Ireland by Schedule 6
(**e**) S.R. 1979 No. 435

(*a*) have a range not exceeding one-half per cent. of the capacity of the instrument and not less than one-eighth per cent. in each direction, and

(*b*) be securely attached to the instrument and activated by a detachable key.";

(*c*) for Regulation 56(3) there shall be substituted:—

"(3) Subject to paragraph (5), in the case of an automatic weighing machine of a pattern in respect of which a certificate of approval granted or deemed to have been granted under section 6 of the Weights and Measures Act (Northern Ireland) 1967 is in force (or of a pattern modified in accordance with an authorisation for the time being in force under the said section 6), if, in the course of carrying out test A in the manner specified in regulation 56(1)(*a*), the weight of any of the test loads exceeds the purported weight of that load—

(i) by more than one-half per cent. of the said purported weight, or

(ii) in the case of an automatic weighing machine of a capacity of one hundredweight or less for use only for weighing vegetable produce, by more than one per cent. of the said purported weight,

the machine shall, when appropriate, be subjected to the further test (hereinafter referred to as "test B") described in paragraph (4).";

(*d*) in Regulation 56(5), after "automatic weighing machines of a capacity of 10 pounds or more" there shall be inserted "(other than automatic weighing machines of a capacity of one hundredweight or less for use only for weighing vegetable produce)".

(*e*) for Table X of Schedule 3 there shall be substituted the Table in the Schedule.

Sealed with the Official Seal of the Department of Commerce for Northern Ireland on 10th December 1979.

(L.S.) *W. T. McCrory*
Assistant Secretary