1972. No. 278 **[C]**

WEIGHTS AND MEASURES

REGULATIONS, DATED 20TH OCTOBER 1972, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 5, 8 AND 41 OF THE WEIGHTS AND MEASURES ACT (NORTHERN IRELAND) 1967.

The Ministry of Commerce on behalf of the Secretary of State in exercise of the powers conferred upon it by sections 5(3), 8(1) and 41 of the Weights and Measures Act (Northern Ireland) 1967(**a**) and of all other powers enabling it on that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Weights and Measures (Amendment) Regulations (Northern Ireland) 1972.

Revocation

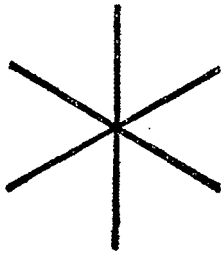
2. The Weights and Measures (Amendment) Regulations (Northern Ireland) 1969(**b**) are hereby revoked.

Amendment of 1967 Regulations

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

(1) For Regulation 7 there shall be substituted:—

"**7.**—(1) Stamps shall be obliterated by an inspector in accordance with the requirements of these Regulations, by means of punches or pincers of a six-pointed star design as shown in the following illustration:—



(2) Subject to the following provisions of this Regulation, an inspector shall obliterate the stamp on:—

(*a*) any weighing or measuring equipment which falls outside the prescribed limits of error or which does not comply with any relevant requirement of these Regulations;

(*b*) any measure which has been so broken or damaged that it cannot in his opinion be properly adjusted or the accuracy of which has in his opinion been affected by an alteration, adjustment, addition or repair made or carried out since it was last stamped;

(**a**) 1967. c. 6 (N.I.).
(**b**) S.R. & O. (N.I.) 1969, No. 114.
(**c**) S.R. & O. (N.I.) 1967, No. 237.

(*c*) any equal-armed weighing instrument which has been altered, adjusted or repaired since it was last stamped; or

(*d*) any other weighing instrument which has been so altered, adjusted or repaired since it was last stamped that it is in his opinion necessary to ascertain that the indications of the instrument remain correct throughout its range.

(3) Nothing in paragraph 2(*c*) or (*d*) shall require an inspector to obliterate the stamp on any weighing instrument which has been altered or adjusted if he is satisfied

(*a*) that the purpose of the alteration or adjustment was:—

(i) to convert it to compute prices in a decimal currency, or

(ii) to modify an imperial instrument to indicate weight in metric units and involved only the replacement or addition of a dial, chart or pointer;

and

(*b*) (i) that within the period of 15 days following the making of the alteration or adjustment the requirements of paragraph (6) were complied with; or

(ii) that the period for complying with those requirements has not yet expired.

(4) Where any equipment is found not to comply with the requirements of these Regulations solely because it falls outside the prescribed limits of error, an inspector may, instead of immediately obliterating the stamp thereon pursuant to paragraph (2), serve upon the person in possession of the equipment a notice requiring him to ensure that the equipment is brought within the prescribed limits of error before the expiry of 28 days or such shorter period as may be specified in the notice.

(5) Where any notice given pursuant to paragraph (4) is not duly complied with the inspector shall obliterate the stamp on the relevant equipment.

(6) The requirements referred to in paragraph (3)(*b*) are that the chief inspector of weights and measures is furnished by the person carrying out the alteration or adjustment with the following particulars, namely:—

(*a*) his name and address;

(*b*) particulars by which the instrument may be identified;

(*c*) the name and address of the person who will first use the instrument for trade after its alteration or adjustment and the address at which it will be so used or, if those particulars are not known, an address at which the instrument will be available for inspection;

(*d*) an indication as to whether or not the modification consisted only of the addition or replacement of a chart, dial or pointer; and

(*e*) where there is any other form of modification in place of or in addition to that in sub-paragraph (*d*) an indication as to whether the person owning the instrument and the person modifying it have agreed that its accuracy after modification shall be such that it falls within the limits ordinarily applicable upon the testing of such an instrument with a view to its being passed as fit for use for trade.