1970. No. 33 **[C]**

WEIGHTS AND MEASURES

Measuring Instruments (Liquid Fuel and Lubricants)

REGULATIONS, DATED 25TH FEBRUARY 1970, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 5 AND 8 OF THE WEIGHTS AND MEASURES ACT (NORTHERN IRELAND) 1967.

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

1. These Regulations may be cited as the Measuring Instruments (Liquid Fuel and Lubricants) (Amendment) Regulations (Northern Ireland) 1970 and shall come into operation on 25th February 1970.

2. In these Regulations:

"the principal Regulations" means the Measuring Instruments (Liquid Fuel and Lubricants) Regulations (Northern Ireland) 1967(**b**), as amended(**c**); and

references to fuel include references to a mixture of fuel and lubricant.

3.—(1) The principal Regulations shall have effect as if there were substituted for Regulation 14 (positioning of instruments) the following:—

"**14.**—(1) Subject to paragraph (2) a measuring instrument which forms part of a fixed installation shall be so positioned that a purchaser 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 purchaser; 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."

4.—(1) In relation to—

(*a*) the adapting of instruments fitted with a price computing mechanism to compute prices in decimal currency, and

(*b*) the use of instruments which have been so adapted,

the principal Regulations shall have effect subject to the following provisions.

(**a**) 1967. c. 6 (N.I.).
(**b**) S.R. & O. (N.I.) 1967, No. 229.
(**c**) S.R. & O. (N.I.) 1969, No. 10.

(2) Until 15th February 1971, Regulation 26(*a*) (instruments to be of an approved pattern) shall not apply to any instrument which fails to comply with any such pattern as is mentioned in that Regulation as a consequence of its having been adapted as aforesaid.

(3) For the purposes of Regulation 30 (limits of error) any alteration or adjustment of an instrument connected with its adaptation to compute prices in decimal currency shall be treated as occasioned by a change in price, and shall be so treated even though it is not occasioned by any immediate change in price or that the only change is to a decimal price which is the exact equivalent of the previous price.

(4) Nothing in the principal Regulations shall make it unlawful to use any instrument for trade during a relevant period (as hereinafter defined) solely because a stamp upon it has been obliterated or destroyed by, or by the duly authorised agent of, a person who is a manufacturer of, or is regularly engaged in the repair of, instruments for measuring fuel or lubricants if such obliteration or destruction was to facilitate or permit the adaptation of the instrument to compute prices in decimal currency.

In this paragraph "relevant period" means—

(i) where the stamp protecting the calibration of the meter remains intact and notice of the fact that some other stamp has been oblitered or destroyed has been sent or given to the chief inspector of weights and measures, a period beginning when notice is so sent or given and expiring at the end of the twenty-eighth following day; and

(ii) where the stamp protecting the calibration of the meter has been obliterated or destroyed and the person responsible has attached to the instrument some seal or other device which must be defaced or removed before the calibration can be adjusted and notice of the obliteration or destruction of that stamp has been sent or given as aforesaid, a period beginning when notice is so sent or given and expiring at the end of the fifth following day.

(5) The principal Regulations shall require that any measuring instrument fitted with a price computing mechanism which is adapted as aforesaid before 15th February 1971 shall until that date—

(i) if used to measure only a single grade of fuel, bear a clear and legible indication in characters not less than ¼ inch high of the price in shillings and pence per gallon of that fuel, or

(ii) if used to measure fuel of different grades, bear such an indication of the price in shillings and pence per gallon of each of the available grades, being an indication which clearly relates the price to the appropriate grade.

(6) The principal Regulations shall require in the case of any instrument which is so adapted before 1st June 1970 that it no longer computes prices by reference to the shilling—

(*a*) that the part of the mechanism which shows the computed prices of deliveries shall until the transitional date be constantly set to zero or temporarily obscured or set to show such prices entirely in pence of the present currency; and

(*b*) where it is set to show prices as aforesaid, that the instrument bears a printed table indicating in characters not less than ¼ inch high the number of shillings represented by every multiple of 12 pence not exceeding 492 pence and the amount in pounds, shillings and pence