1967. No. 230 **[C]**

WEIGHTS AND MEASURES

Measuring Instruments (Intoxicating Liquor)

REGULATIONS, DATED 23RD AUGUST 1967, MADE BY THE MINISTRY OF COMMERCE UNDER SECTIONS 5, 6 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) and (3), 6(4), and 8(1) of the Weights and Measures Act (Northern Ireland) 1967(a) and all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Measuring Instruments (Intoxicating Liquor) Regulations (Northern Ireland) 1967 and shall come into operation on 25th October 1967.

Interpretation

2. In these Regulations the following expressions shall have the following meanings respectively:—

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

"the Ministry" means the Ministry of Commerce;

"approved pattern" means a pattern in respect of which a certificate of approval under section 6 of the Act is in force;

"authorised modification" means an approved pattern modified in accordance with an authorisation for the time being in force under the said section 6;

"manager" means, where any instrument is being tested at the premises in which it was manufactured, the manager of those premises or his appointed representative and, where any instrument is being tested in licensed premises, the licensee, or in his absence, the person for the time being in charge of the instrument;

"the prescribed limits of error" has the meaning assigned to it by Regulation 14; and

"the prescribed stamp" means the stamp prescribed by the Ministry by regulations made under the Act.

Prescription under section 5

3.—(1) Measuring instruments, other than capacity measures, for use for trade on premises where intoxicating liquor is sold by retail for the purpose of making any measurement of intoxicating liquor in a quantity not exceeding one gallon are hereby prescribed as equipment to which section 5 of the Act applies.

(2) Any reference herein to measuring instruments shall be construed as a reference to instruments described in paragraph (1).

(a) 1967. c. 6 (N.I.).

Principles of Construction

4. Any counting or totalising device fitted to a measuring instrument shall be so arranged as to avoid any possibility of confusion with any other indication of quantity.

5. Any 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 the proper operation of the instrument.

6. Every measuring instrument shall be fitted either with adequate sight glasses, observation windows or other devices for showing clearly that the measuring chamber or chambers are properly charged and discharged or with a device to prevent any liquid being discharged by a measuring chamber until that chamber is properly charged.

7. No measuring instrument shall be fitted with a delivery pipe, outlet spout or nozzle which, when open, is liable to trap any portion of the liquid being delivered.

8. Every measuring instrument shall be fitted with one or more plugs, seals or sealing devices of suitable form and material to protect all adjustable parts affecting the quantity delivered or with such alternative sealing arrangements as may be authorised by the Ministry in relation to a particular approved pattern.

Testing

9. Before testing any measuring instrument, the inspector shall ensure either that liquid has first been passed through the instrument or that the instrument is fully primed.

10.—(1) Any measuring instrument constructed to measure a quantity of less than one quarter of a pint shall be tested with the liquor which it is intended to deliver or with water.

(2) Any other measuring instrument shall be tested with the liquor it is intended to deliver unless it is tested at the premises in which it was manufactured in which case it shall be tested either with that liquor or with water.

11. For the purposes of the performance by an inspector of his tests, the manager shall, if requested, provide for the inspector's use such liquids as the inspector may reasonably require.

12.—(1) The inspector shall test a measuring instrument by causing it to deliver both the minimum and the maximum quantity which it is capable of measuring in a single operation, or if the instrument is capable of measuring only one quantity in a single operation, the inspector shall cause it to deliver that quantity.

(2) The inspector may also, if he thinks fit, cause the instrument to deliver any quantity between the minimum and the maximum quantity which it is capable of measuring in a single operation.

(3) The inspector may cause the instrument to deliver any quantity such number of times as he may determine.