

2.1.2 ACTS AND REGULATIONS

The Weights and Measures Act 1985

The primary legislation governing weights and measures in GB is the Weights and Measures Act 1985. This supersedes all previous weights and measures acts. The equivalent for NI is the 1981 Northern Ireland Order.

The Act includes the following:

- Units and standards of measure with requirements for holding national, local and working standards for the UK
- Requirements for weighing and measuring for trade, transactions of goods, and packaged goods
- Definition of offences and possible defences
- Roles and responsibilities of various bodies and individuals including the Secretary of State, the Department of Innovation, Universities and Skills (in practice implemented through NMO), Local Weights and Measures Authorities, and Inspectors
- Authority for the Secretary of State to make Orders and Regulations for specific matters

The Act also includes various schedules which are enabled by specific sections within the main body and contain more detailed information such as definitions of units of measure, lists of units which may be used for trade and those which may not, primary standards, etc.

The European Communities Act 1972

The primary legislation used to implement European Directives e.g. in the field of legal metrology, for the UK is the European Communities Act 1972 (ECA).

Unlike the W&M Act, all provisions in relation to the control of weighing and measuring instruments are contained within the Regulations themselves.

REGULATIONS

Non-automatic Weighing Instruments Regulations 2000, SI 2000/3236 implements under the ECA directive 2009/23/EC on non-automatic weighing instruments and provides the structure for metrological control in the UK. This includes an expansion of controlled applications from “use for trade” as defined by the W&M Act 1985 to include other uses such as medical weighing and application of laws and regulations, as well as type-approval and unit verification procedures described by the NAWI directive. Separate in use provisions made under the W&M Act cover how NAWI can be used on the GB market place. Equivalent in use provisions exist for NI.

The Weighing Equipment (Non-automatic Weighing Machines) Regulations 2000, SI 2000/932 consolidate and revoke a series of previous regulations on non-automatic weighing machines and provide the provisions for control on the use of existing machines with GB national approval in GB. Equivalent provisions exist for NI.

Weights Regulations 1986, SI 1986/1683 define the specifications for “traders” weights in GB; denominations, markings, shapes and limits of error. Equivalent provisions exist for NI.

The Weights and Measures (Local and Working Standard Weights and Testing Equipment) Regulations 1986, SI 1986/1684 as amended by SIs 1991/1775 and 1994/1851 provides, in sections 4 and 5, for certain aspects of the standards and equipment used by inspectors (Trading Standards Officers) to be set out in Regulations. These aspects include the limits of error and intervals between calibrations. Equivalent provisions exist for NI.

Measuring Instruments (EEC Requirements) Regulations 1988, SI 1988/186

Implemented under the ECA the following directives:

- 71/316/EEC on common provisions for both measuring instruments and methods of metrological control
- 71/317/EEC on weights from 5 g to 50 kg of medium accuracy
- 73/360/EEC on non-automatic weighing machines
- 74/148/EEC on weights from 1 mg to 50 kg of above medium accuracy
- 75/410/EEC on continuous totalizing weighing machines (Superseded by the MID)
- 78/1031/EEC on automatic checkweighing and weight grading machines (Superseded by the MID)

REGULATIONS AMENDING THE W&M Act 1985

The Units of Measurement Regulations 1986, SI 1986/1082 consolidate and revoke previous regulations and define units of measurement. They do not affect the units which may lawfully be used for trade but simply provide definitions.

Section 8(5)(b) updated (regulation 10).

The Weights and Measures Act 1985 (Metrication) (Amendment) Order 1994, SI 1994/2866 together with SI 1994/2867 (below) end the authorised use, except in specified circumstances, of imperial units of measurement.

Section 8(2) and Schedules 3 to 7 amended.

The Units of Measurement Regulations 1994, SI 1994/2867

Sections 1, 3 and 27 and Schedules 1, 5 and 11 amended (The Units of Measurement Regulations 1986 also amended).

The Deregulation (Weights and Measures) Order 1999, SI 1999/503 provides for self-verification of machines by an approved verifier within GB and requires acceptance of machines tested by “official testers” elsewhere in the European Economic Area (EEA) by an Inspector.

Sections 11, 14, 16, 74, 75, 79, 84 and 94 amended; new sections 11A, 11B and 15A and Schedule 3A added.

The Units of Measurement Regulations 2009, SI 2009/3046 amend the Weights and Measures Act 1985 by removing a deadline of 31 December 2009 for the end of the authorised use of non-metric units in conjunction with metric units.

REGULATIONS GOVERNING AUTOMATIC WEIGHING INSTRUMENTS

Part A below details the GB Regulations that applied to automatic weighing instruments that were in use before the Measuring Instruments Directive came into force on 30th October 2006 and continue to apply to those instruments outside the scope of MID. Although now superseded in relation to MID instruments, these Regulations continue to apply to that equipment whilst it remains in use. Any equipment that has a national Type Approval under the 1985 Weights and Measures Act can continue to be manufactured, verified and taken into service until the Type Approval Certificate expires.

Part B below details the UK Regulations, implementing the provisions of the Measuring Instruments Directive, under the ECA, that relate to Automatic Weighing Instruments (AWIs). The instrument specific regulations provide the structure for metrological control in the UK. Separate in use provisions made under the W&M Act cover how AWIs can be used on the GB market place. Equivalent in use provisions exist, in most cases, for NI.

PART A

The Weights and Measures Regulations 1963, SI 1963/1710

Although mostly revoked by succeeding regulations, still governs dynamic axle weighers (road).

The Weighing Equipment (Filling and Discontinuous Totalising Automatic Weighing Machines) Regulations 1986, SI 1986/1320

Automatic weighing equipment:

- filling instruments (gravimetric filling instruments now approved under SI 2000/388)
- discontinuous totalisers

The Weighing Equipment (Automatic Gravimetric Filling Instruments) Regulations 2000, SI 2000/388

Automatic gravimetric filling instruments which sub-divide from bulk into pre-determined quantities

The Weighing Equipment (Beltweighers) Regulations 2001, SI 2001/1208

Beltweighers (continuous totalising automatic weighing machines). Replaced SI 1983/914

The Weighing Equipment (Automatic Rail-weighbridges) Regulations 2003, SI 2003/2454

Automatic rail-weighbridges

The Weighing Equipment (Automatic Catchweighing Instruments) Regulations 2003, SI 2003/2761

Automatic catchweighers, e.g. weigh-price labellers, garbage weighers, front-end loaders

PART B

The Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006; SI 2006/1255

The Measuring Instruments (Automatic Rail Weighbridges) Regulations 2006; SI 2006/1256

The Measuring Instruments (Automatic Catchweighers) Regulations 2006; SI 2006/1257

The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006; SI 2006/1258

The Measuring Instruments (Beltweighers) Regulations 2006; SI 2006/1259

The Measuring Instruments (Non prescribed Instruments) Regulations 2006/1270

These regulations provide for the conformity assessment i.e. approval and verification, of instruments not prescribed in the UK e.g. checkweighers, by, or on behalf of, UK notified bodies, which are regulated on other Member States markets.