

2003 No. 2110

WEIGHTS AND MEASURES

**The Measuring Equipment (Liquid Fuel and Lubricants)
(Amendment) Regulations 2003**

Made - - - - - *9th August 2003*

Laid before Parliament *14th August 2003*

Coming into force - - *3rd November 2003*

The Secretary of State, in exercise of the powers conferred on her by sections 15(1), 86(1) and 94(1) of the Weights and Measures Act 1985(a) and of all other powers enabling her in that behalf, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 2003 and shall come into force on 3rd November 2003.

(2) These Regulations extend to Great Britain.

Effect and interpretation

2. These Regulations have effect for the purposes of further amending the Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995(b) (“the principal Regulations”); and accordingly a reference to a numbered provision in the following provisions of these regulations is a reference to the provision so numbered in the principal Regulations.

Sales indicators

3. For regulation 6 there is substituted the following—

“Sales indicators

6. Every individual sales indicator fitted to measuring equipment shall be so arranged that the indicator reading—

- (a) is capable of being set to zero before a delivery commences;
- (b) remains at zero until liquid fuel starts to emerge from the equipment; and
- (c) cannot be advanced by any means other than by the proper operation of the equipment.”.

(a) 1985 c. 72.

(b) S.I. 1995/1014, as amended by S.I. 1998/2218.

Indication of product delivered

4. There is inserted after regulation 6 the following regulation—

“Indication of product delivered

6A. (1) Subject to paragraphs (3) and (4) of this regulation, any measuring equipment which delivers a product—

- (a) the composition of which is in accordance with a British Standard of the British Standards Institution listed in column 3 of the table below; or
- (b) which is represented (whether by an indication marked on or referable to the instrument or otherwise) by the seller to be a product listed in column 1 of the table,

shall when in use for trade be marked with the name of that product as it appears in column 1 and the number of the relevant British Standard as it appears in column 2.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Product</i>	<i>Number</i>	<i>Title of British Standard</i>
Unleaded petrol	BS EN 228: 2000	BS EN 228: 2000 ‘Automotive fuels. Unleaded petrol. Requirements and test methods.’ ISBN 0 580 34956 X
High octane (super) unleaded petrol	BS 7800: 2000	BS 7800: 2000 ‘Automotive fuels. High octane (super) unleaded petrol. Specification.’ ISBN 0580 33226 8
Diesel	BS EN 590: 2000	BS EN 590: 2000 ‘Automotive fuels. Diesel. Requirements and test methods.’ ISBN 0 580 34906 3
Leaded petrol	BS 4040: 1997	BS 4040: 1997 ‘Specification for leaded petrol (gasoline) for motor vehicles.’ ISBN 0 580 27649 X

(2) Subject to paragraphs (3) and (4) of this regulation, any measuring equipment which delivers a product other than a product listed in the above table shall be marked with an indication of the product delivered which is sufficiently clear to enable the buyer to identify the product.

(3) This regulation applies—

- (a) on and after 3rd November 2003 to measuring equipment first passed as fit for use for trade on and after that date; and
- (b) on and after 3rd November 2004 to measuring equipment first passed as fit for use for trade before 3rd November 2003.

(4) This regulation does not apply to any equipment used in the absence of the buyer.”.

Markings on equipment

5. In regulation 7, the words “product or” are inserted between “method of operation or to the” and “quantity of liquid fuel delivered”.

Relaxation of requirement to test at low flow rate

6. To regulation 10A(3) there is added the following—

“Provided that in the case of a 20 litre test delivery pursuant to paragraph (2) above, only one delivery need be taken at the highest flow rate, and accordingly a low flow rate delivery, whilst not required, may be taken if the inspector considers it appropriate.”.

Prescribed limits of error

7. For regulation 17(6) there is substituted the following:

“(6) On the testing of any measuring equipment fitted with a price computing device, the difference between—

- (a) the price indicated by that device; and
- (b) the price computed on the basis of the unit price and of—

- (i) the quantity indicated for test purposes; or
- (ii) where the equipment is incapable of indicating the quantity for test purposes, the quantity indicated for use for trade,

shall not exceed the price of the quantity equal to the error in deficiency set out in the said Table 2 in relation to passing as fit for use for trade having regard to the dynamic viscosity of the test liquid employed; provided that the difference need not be less than the lowest value coin in circulation in the country or territory in which the equipment is used or intended to be used.”.

Inspector to attach test report

8. After regulation 17, there is inserted the following regulation—

“Inspector to attach test report

17A.—(1) Without prejudice to the duty of the inspector, pursuant to section 11(6) of the Act, to keep a record of every test carried out by him, where measuring equipment is tested by an inspector at the place of its manufacture or assembly or at testing premises, the inspector shall in addition attach securely to the inside of the measuring equipment a copy of the test record.

(2) The test record shall include at least the following particulars—

- (a) the certification number of the certificate of approval;
- (b) a list of the components of the measuring equipment;
- (c) details of the testing procedures carried out;
- (d) details of the test liquid used;
- (e) the test results; and
- (f) the inspector’s name, identification number and the name of the local weights and measures authority in which he holds office.

(3) In this regulation “testing premises” has the same meaning as it has in regulation 12.”.

Measuring equipment imported from another EEA State

9. In regulation 18 the following are omitted—

- (a) in the title, the words “another member State or”;
- (b) in paragraph (1), the words “from another member State or”;
- (c) in paragraph (2)(b), the words “but until the EEA Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein”; and
- (d) in paragraph (3), the words “in a member State or” on both occasions that they occur.

10. In regulation 19(2), the words “from another member State or” are omitted.

Repeal of regulation 26

11. Regulation 26 is revoked.

Nigel Griffiths,
Parliamentary Under Secretary of State for
Small Business and Enterprise,
Department of Trade and Industry

9th August 2003

EXPLANATORY NOTE

(This note does not form part of these Regulations)

These Regulations further amend the Measuring Equipment (Liquid Fuel and Lubricants) Regulations 1995 (the “1995 Regulations”) as amended by the Measuring Equipment (Liquid Fuel and Lubricants) (Amendment) Regulations 1998.

The Regulations prescribe the tests an inspector of weights and measures shall apply to measuring equipment with a view to passing it as fit for use for trade and stamping it.

The Regulations also make certain minor amendments and clarifications to the 1995 Regulations.

These Regulations were notified to the European Commission in accordance with the requirements of Directive 98/34/EC of the European Parliament and of the Council (1998 OJ L204/37), (as amended), (formerly Council Directive 83/189/EEC (1983 OJ L109/8), (as amended)).

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