1983 No. 138

WEIGHTS AND MEASURES

Measuring Equipment (Liquid Fuel by Road Tanker) (Amendment) Regulations (Northern Ireland) 1983

Made	*1st June 1983*
Coming into operation . . .	*1st July 1983*

The Department of Economic Development, in exercise of the powers conferred by Articles 9(1) and 13(1) of the Weights and Measures (Northern Ireland) Order 1981(a) and now vested in it(b) and of every other power enabling it in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Measuring Equipment (Liquid Fuel by Road Tanker) (Amendment) Regulations (Northern Ireland) 1983 and shall come into operation on 1st July 1983.

Amendments and revocations

2. The Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1980(c) shall be amended as follows:—

(*a*) in Regulation 1(*b*) for "1983" there shall be substituted "1984";

(*b*) in Regulation 2(1):—

(i) in the definition of "approved" before the word "granted" there shall be added "or is deemed to be";

(ii) after the definition of "dipstick measuring system" there shall be added the following definition:—
""footvalve" means a mechanical device fitted at the junction of a compartment and its outlet valve by means of which the contents of the compartment may be isolated from any associated pipework;"; and

(iii) in the definition of "reference meter" the words "of weights and measures" shall be revoked;

(*c*) for Regulation 5 there shall be substituted:—

"*Use for trade*

5.—(1) Subject to paragraph (2), on and after 1st July 1984 a meter measuring system shall be used for trade only for the purpose of measuring delivered quantities of not less than the minimum delivery marked on the indicator of the system.

(2) Paragraph (1) shall not apply where a measurement is made only for the purpose of payments in respect of any customs or excise duty.

5A.—(1) Subject to paragraph (2), on and after 1st July 1987 a dipstick measuring system shall be used for trade only for the purpose of measuring delivered quantities of not less than 30% of the nominal capacity marked on the compartment with which the dipstick is associated.

(a) S.I. 1981/231 (N.I. 10)
(b) By S.I. 1982/846 (N.I. 11) Art. 4
(c) S.R. 1980 No. 127

(2) Paragraph (1) shall not apply where a measurement is made only for the purpose of payments in respect of any customs or excise duty.'';

(*d*) in Regulation 8(1) for ''1983'' there shall be substituted ''1984'' and after the word ''granted'' there shall be added ''or deemed to be granted'';

(*e*) for paragraph (2) of Regulation 8 there shall be substituted:—

''(2) Notwithstanding paragraph (1), a meter measuring system which does not comply with that paragraph at 1st July 1984 may continue to be tested and stamped and used for trade until 1st July 1987 if it has before 1st July 1984 been passed as fit for use for trade in accordance with these Regulations'';

(*f*) in Regulation 14(1) for the words ''or other material approved by the Department'' there shall be substituted ''or other suitable material'';

(*g*) in Regulation 14(1) and (2) for the expression ''12mm'' there shall be substituted the expression ''20mm'';

(*h*) in Regulation 17 after the word ''crosspiece'' where it first occurs there shall be added ''of a dipstick'' and for the words ''or other material approved by the Department'' there shall be substituted ''or other suitable material'';

(*i*) Paragraphs (*a*) and (*b*) of Regulation 22 shall be revoked;

(*j*) for Regulation 31 there shall be substituted:—

''*Manner of use for trade*

31. On and after 1st July 1984—

(*a*) liquid fuel shall not be transferred from one compartment into another during a delivery;

(*b*) a meter measuring system shall be used as follows—

(i) the individual sales indicator shall be reset to zero before a delivery commences; and

(ii) the ticket printing mechanism shall be used to provide an individual printed ticket in accordance with Regulation 11;

(*c*) a meter measuring system shall not be used at a rate of flow which is more than its approved maximum or less than its approved minimum rate '';

(*k*) to Regulation 44 there shall be added after paragraph (*b*) the following paragraph:—

''and

(*c*) in the case of a meter measuring system first submitted before 1st July 1984 for testing with a view to passing as fit for use for trade, it is not constructed in a manner which facilitates fraudulent use.''

(*l*) in Regulation 45(1) after the word ''granted'' there shall be added ''or deemed to be granted''.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 1st June 1983.

(L.S.) *W. T. McCrory*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Measuring Equipment (Liquid Fuel by Road Tanker) Regulations (Northern Ireland) 1980 which were made under the powers contained in the Weights and Measures Act (Northern Ireland) 1967, now consolidated in the Weights and Measures (Northern Ireland) Order 1981. The main amendments:—

(*a*) defer the date on which the measuring equipment becomes prescribed for the purposes of Article 9 of the Weights and Measures (Northern Ireland) Order 1981 and on which meter measuring systems require pattern approval under Article 10 of that Order from 1st July 1983 to 1st July 1984 (Reg. 2(*a*) and (*d*));

(*b*) defer the date on which provisions relating to the purposes of use of equipment for trade apply to 1st July 1984 (meter measuring systems) and to 1st July 1987 (dipstick measuring systems) (Reg. 2(*c*));

(*c*) defer the date beyond which meter measuring systems not made in accordance with an approved pattern on 1st July 1984 may continue to be tested and stamped and used for trade in certain conditions from 1st July 1986 to 1st July 1987 (Reg. 2(*e*) and (*k*));

(*d*) increase the permissible gap between the end of a dipstick and the bottom of its compartment from 12mm to 20mm (Reg. 2(*g*)) and remove certain requirements for dipstick markings (Reg. 2(*i*));

(*e*) defer the date on which requirements on the manner of use for trade of measuring equipment apply to 1st July 1984 and prohibit meter measuring systems being used at rates of flow more than their approved maxima or less than their approved minima (Reg. 2(*j*)).