GUERNSEY STATUTORY INSTRUMENT
1993 No. 16

The Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) (Amendment) Regulations, 1993

Made	26th July, 1993
Laid before the States ...	29th September, 1993
Coming into operation	27th July, 1993

THE STATES BOARD OF EMPLOYMENT, INDUSTRY AND COMMERCE, in exercise of the powers conferred by sections 8(1) and (4), 11(1), 61(1) and (3) of the Weights and Measures (Guernsey and Alderney) Law, 1991 **(a)** and in exercise of all other powers enabling it in that behalf, hereby makes the following Regulations -

1. The Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) Regulations, 1991**(b)** are hereby amended as follows -

(a) in regulation 1(2), by the addition after sub-paragraph (g) of the following sub-paragraphs -

"(h) machines used for weighing persons which are made available for use by the public, whether on payment or otherwise;

(i) customer check weighing machines, that is to say, non-automatic weighing machines which, in accordance with section 4(3)(a) of the Law are made available for use for trade by prospective buyers of goods so that they may check the weight of the goods before purchasing them;";

(a) Ordre en Conseil No. XVII of 1991.

(b) S.I. 1991/54.

(b) in footnote **(d)** to Regulation 2(1) by the deletion of the existing words and figures thereof and the substitution of the following -

"**(d)** United Kingdom S.I. 1988/876; as amended by United Kingdom S.I. 1988/2120, United Kingdom S.I. 1991/2019 and United Kingdom S.I. 1992/3037.";

(c) after Regulation 2(7) there shall be inserted the following Regulation -

"(7A)Regulation 26 of the United Kingdom Regulations shall be deleted and the following shall be substituted -

"26.(1) Subject to paragraph (2) below every non-automatic weighing machine shall be erected and used in such a manner that, during a weighing operation, the load being weighed is stationary relative to the load receptor and supported only by the load receptor.

(2) Nothing in paragraph (1) above shall apply to the use of a weighbridge for the purpose of multiple weighing." ";

(d) Regulation 2(11) shall be deleted;

(e) in Regulation 4(2) -

(i) by the substitution for the definition of "automatic catchweight weighing machine" of the following definition -

" "automatic catchweight weighing machine" means an automatic weighing machine which determines, but does not regulate, the mass of individual items but does not include -

(a) an automatic checkweighing machine, that is to say, a machine which subdivides articles the mass of which varies on either side of a predetermined value, or

(b) an automatic weight grading machine, that is to say, a machine which subdivides articles of different mass for which there is no predetermined nominal mass;";

(ii) by the omission of the definition of "customer check weighing machine";

(iii) in the definition of "non-automatic weighing machine", by the substitution for the words "a weigh-price labeller" of the words "an automatic catchweight weighing machine"; and

(iv) by the omission of the definition of "weigh-price-labeller"; and

(f) in regulation 4(3), by the substitution for the entry -

"carat (metric) CM"

of the following entry -

"carat (metric) CM, ct".

2. In Regulation 33(1A) of the United Kingdom Weighing Equipment (Non-automatic Weighing Machines) Regulations 1988 as amended **(c)** (as applied to the Bailiwick by the Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) Regulations, 1991) the words "in both places where they occur," shall be deleted.

(c) United Kingdom S.I. 1988/876; as amended by United Kingdom S.I. 1988/2120, United Kingdom S.I. 1991/2019 and United Kingdom S.I. 1992/3037.

Interpretation

3. The Interpretation (Guernsey) Law, 1948 **(d)** applies to the interpretation of these Regulations as if they were an enactment.

Citation

4. These Regulations may be cited as the Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) (Amendment) Regulations, 1993.

Commencement

5. These Regulations shall come into operation on 27th July , 1993.

Dated 26th July, 1993.

DAVID EVANS
President of the
States Board of Employment, Industry and Commerce.

(d) Ordres en Conseil Vol. XIII, p.355.

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations amend the Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) Regulations, 1991 which gave effect, in the Bailiwick, of the United Kingdom Weighing Equipment (Non-automatic Weighing Machines) Regulations 1988. These amendment Regulations give effect, in particular, to the United Kingdom Weighing Equipment (Non-automatic Weighing Machines) (Amendment) Regulations 1992 which themselves amend the United Kingdom Regulations of 1988.

These Regulations therefore substantially follow the same requirements as those in the United Kingdom and the following changes of substance result -

(a) The definitions of "automatic catchweight weighing machine" and "non-automatic weighing machine" are changed.

(b) The abbreviation or symbol used for carat (metric) may be "ct" as an alternative to "CM".

(c) Person weighing machines and customer check weighing machines no longer need to be tested, passed as fit for use for trade and stamped by an inspector of weights and measures.

(d) The provision prohibiting the use for trade of non-automatic weighing machines marked with a weighing range outside that range is revised.

(e) It is no longer a requirement that a weighing machine used for trade for retail transactions in drugs or other pharmaceutical products shall be a Class I or Class II machine.

(f) The verification scale interval "e" for certain machines used for transactions in drugs or other pharmaceutical products is changed from Max/2000 to an interval in the range Max/2000 to Max/20 000 inclusive.

(g) The approved minimum load for certain tariff non-automatic weighing machines is defined.

(h) The provision of a rider and certain other devices on Class II machines is no longer restricted to machines with a maximum capacity not exceeding 12 kg.

(i) Non-automatic weighing machines (apart from weighbridges used for multiple weighing), in addition to being erected in such a manner that the load being weighed is stationary, must also be so used.

(j) The Table of weights to be used in the testing of non-automatic weighing machines is amended.

(k) Level indicator testing and tilt testing is only required to be carried out if the inspector considers it necessary. The requirements for eccentric load testing are modified.

(l) The specification for Class III machines is changed to reduce the lower limit of the minimum load from 50 verification scale intervals (50e) or 50 scale intervals (50d) to 20e and 20d respectively.