

GUERNSEY STATUTORY INSTRUMENT  
1991 No. 54

The Weights and Measures (Weighing Equipment)  
(Non-automatic Weighing Machines) Regulations, 1991

Made ... .. 16th December, 1991  
Laid before the States ... 29th January, 1992  
Coming into operation ... 17th December, 1991

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 -

Application

1.(1) Subject to paragraph (2) below, these Regulations apply to all non-automatic weighing machines for use for trade, and such machines are hereby prescribed for the purposes of section 8(1) of the Law.

(2) Nothing in these Regulations shall apply to any non-automatic weighing machine of the following descriptions:-

- (a) counting machines without weight indicating or weight printing devices and which are for use only for counting the number of articles;

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

- (b) machines for use only for weighing coins or currency notes for the purpose of determining their number;
- (c) machines for use for grading by reference to their weight, for the purpose of trading transactions by reference to that grading, of hens' eggs in shell which are intended for human consumption;
- (d) machines for use only for weighing paint (other than paste paint);
- (e) machines for use only as vehicle check weighing machines and bearing a conspicuous notice to that effect;
- (f) machines for use only for making up packages if, and only if, the packages are subsequently checked in accordance with section 44(1)(b) of the Law;
- (g) machines specified in paragraph 7 of Schedule 4 to the United Kingdom Weights and Measures (Packaged Goods) Regulations 1986(b) (as applied to the Bailiwick by the Weights and Measures (Packaged Goods) Regulations, 1991(c)) for use only in checking packages in

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(b) United Kingdom S.I. 1986/2049; as amended by United Kingdom S.I. 1987/1538.  
(c) S.I. 1991/55.

accordance with section 44(1)(b) or (2)(a) of the Law;

and in this paragraph "packages" means packages as defined in Schedule 10 to the Law.

2.(1) Subject to paragraphs (2) to (16) and Regulations 3 and 4 below, Regulations 4 to 44 together with the Schedules mentioned therein of the United Kingdom Weighing Equipment (Non-automatic Weighing Machines) Regulations 1988 as amended(d) ("the United Kingdom Regulations") shall have effect in the Bailiwick as regulations under the Law for the purpose of prescribing for non-automatic weighing machines -

- (a) purposes of use for trade;
- (b) materials, principles of construction and marking;
- (c) manner of erection and use for trade;
- (d) testing;
- (e) prescribed limits of error; and
- (f) passing as fit for use for trade, stamping and obliteration of such stamps.

(2) In Regulation 4(7) of the United Kingdom Regulations for the words and figures "1st September 1991", there shall be substituted "30th December 2001".

(3) In Regulation 14(1) of the United Kingdom Regulations -

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(d) United Kingdom S.I. 1988/876; as amended by United Kingdom S.I. 1988/2120 and United Kingdom S.I. 1991/2019.

- (a) the word "first" shall be deleted; and
- (b) for the words and figures "1st November 1988", there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(4) In Regulation 15(1) of the United Kingdom Regulations for the words and figures "1st May 1989", there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(5) In Regulation 15(2) of the United Kingdom Regulations the words and figures "on or after 1st May 1989" shall be deleted.

(6) In Regulation 16(2) of the United Kingdom Regulations -

- (a) for the words and figures "paragraph 14(1) and (3) of Schedule 11 to the Act", there shall be substituted "paragraph 6(1) and (3) of Part VI of Schedule 1 to the Law"; and
- (b) the words from "or of the dram" onwards shall be deleted.

(7) In Regulation 18 of the United Kingdom Regulations for the words and figures "1st September 1989", there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(8) At the end of Regulation 28 of the United Kingdom Regulations there shall be added the following paragraph -

"(3) Weights bearing the prescribed stamp and

complying with the requirements specified above for use with Class I or II machines shall be deemed to satisfy the requirements of paragraph (1) above notwithstanding that they do not bear the mark of EEC initial verification.".

(9) In Regulation 31(2) of the United Kingdom Regulations for the words "the Act" there shall be substituted "the Law".

(10) In Regulation 33(1) of the United Kingdom Regulations -

(a) for the words and figures "(Local and Working Standard Weights and Testing Equipment) Regulations 1986(a)" there shall be substituted "(Bailiwick Standard and Working Standard Weights and Testing Equipment) Regulations, 1991"; and

(b) In the Table for the words "Local standard" wherever they occur there shall be substituted "Bailiwick standard".

(11) In Regulation 35(2) of the United Kingdom Regulations for the words "as from 1st September 1991", there shall be substituted "on and after 30th December 1992".

(12) In Regulation 37(2) of the United Kingdom Regulations for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(13) In Regulation 37(3) of the United Kingdom Regulations -

- (a) the words and figures in sub-paragraphs (i) and (ii) together with the hyphen after the word "may" shall be deleted and there shall be substituted "if first passed as fit for use for trade before the date of the application to the Bailiwick of these Regulations continue to be passed as fit for use for trade if it bears the legend "Only to be used on a level surface""; and
- (b) the words "in either case" shall be deleted.

(14) In Regulation 37(4) of the United Kingdom Regulations for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(15) In Regulation 40(3) of the United Kingdom Regulations for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(16) In Regulation 41(3) of the United Kingdom Regulations for the words from "chief inspector" to "is situated" there shall be substituted "Committee".

3.(1) In Schedule 2 to the United Kingdom Regulations -

- (a) in paragraph 12(b) for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations";
- (b) in the said paragraph 12(b) the words and

figures from "in accordance" to "Regulations 1963" shall be deleted;

- (c) in paragraph 14(b) for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations";
- (d) in the said paragraph 14(b) the words and figures from "in accordance" to "Regulations 1963" shall be deleted;
- (e) paragraph 14(c) shall be deleted;
- (f) in paragraph 16(b) after the word "stamped" there shall be inserted "in the United Kingdom"; and
- (g) in paragraphs 16(c) and 16(d) for the words and figures "1st November 1988" there shall be substituted "the date of the application to the Bailiwick of these Regulations".

(2) In paragraph 4 schedule 4 to the United Kingdom Regulations for the words from "chief inspector" to "carried out", there shall be substituted "Committee".

#### Interpretation

4.(1) The Interpretation (Guernsey) Law, 1948(e) applies to the interpretation of these Regulations and the United Kingdom Regulations as if they were an enactment.

(2) In these Regulations and the United Kingdom Regulations unless the context otherwise requires -

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

"accelerating machine" means a machine which provides an indication by switching from one state of rest to the other;

"accuracy classification" means classification as a Class I, Class II, Class III or Class IIII machine in accordance with the provisions of Schedule 2 to the United Kingdom Regulations;

"additive tare device" means a tare device which does not intrude upon any of the weighing ranges of the weight indicating and printing devices with which it is associated;

"analogue" means capable of assigning any value or position within a continuous range;

"approved minimum load" means the minimum load which a machine is authorised to weigh;

"approved pattern" means a pattern in respect of which a certificate of approval is in force;

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

"automatic weighing machine" means weighing equipment that includes a machine which accomplishes a weighing operation without intervention by an operator and which sets in motion an automatic process characteristic of the machine;

"automatic zero tracking device" means a device

which is designed to correct small, slow changes within the zero setting range of the machine;

"ballast" means any of the materials to which the expression ballast applies in Schedule 5 to the Law;

"certificate of approval" means a certificate of approval of a pattern of weighing equipment issued by the competent authority;

"committee" means the States of Guernsey Board of Employment, Industry and Commerce or such other Committee or like body of the States of Guernsey as may by resolution of the States be appointed to administer this Law;

"counting machine" means a machine which, by weighing articles of uniform size and composition -

(a) determines the number of such articles placed on or removed from its load receptor, or

(b) detects when a pre-determined number of such articles have been placed on or removed from its load receptor;

"customer check weighing machine" means a non-automatic weighing machine which, in accordance with section 4(3)(a) of the Law, is made available for use for trade by any prospective buyer of goods so that he may check their weight

before purchasing them;

"device for interpolation of reading" means a device which subdivides without special adjustment the weight scale of an indicating device;

"digital" means capable of assigning only certain discrete values or positions within a continuous range by a series of discontinuous steps;

"first part of the range" means that part of the weighing range defined, in verification scale intervals according to the accuracy classifications of the machine, by the Table in Schedule 4 to the United Kingdom Regulations;

"graduated" means having its operating range subdivided into one or more continuous series of scale intervals;

"the Law" means the Weights and Measures (Guernsey and Alderney) Law, 1991;

"level indicating device" means a device which indicates when the structure to which it is attached is tilted away from its correct operating position;

"live part" means a part of a machine which, when a force is applied to it, could cause an alteration of the indicated or printed value;

"load receptor" means a part of a machine on which loads are placed for the purpose of their being weighed;

"locking device" means a device which engages a live part or parts of a machine to prevent relative movement between live parts and the frame or casing of the machine;

"mark of EEC initial verification" means the mark described in paragraph 5 of Schedule 1 to the United Kingdom Measuring Instruments (EEC Requirements) Regulations 1988(f);

"maximum capacity" means the greatest load which a weight indicating or printing device is constructed to indicate or print, as the case may be when all associated tare devices are set to zero;

"maximum load" means the sum of the maximum capacity plus the maximum of any additive tare;

"metrological characteristics" means those operational characteristics of a machine which are evaluated during testing of the machine in accordance with the appropriate provisions of Regulation 35 of and Schedule 3 to the United Kingdom Regulations;

"multiple weighing" means determining the mass of a load by totalising the results of more than one static weighing operation during each of which the load is only partially supported by the load receptor;

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(f) United Kingdom S.I. 1988/186.

"non-automatic weighing machine" means weighing equipment that includes a machine which accomplishes a weighing operation and which requires the intervention of an operator during the weighing process, especially to deposit loads on, or remove loads from, the load receptor and also to determine the result of the weighing process, and for the purposes of these Regulations and the United Kingdom Regulations shall include a weigh-price labeller;

"non-self indicating machine" means a machine in which the position of equilibrium is obtained entirely by the intervention of an operator;

"notice of examination" means a notice of examination caused to be published by the competent authority giving particulars of a pattern in respect of which a certificate of approval has been granted;

"prescribed limits of error" has the meaning set out in Regulation 36 of the United Kingdom Regulations;

"published particulars" means, in relation to an approved pattern, the particulars of the approved pattern which are published by the competent authority;

"range of self indication" means the range within which the position of equilibrium is obtained

without intervention of the operator;

"relieving device" means a device which can prevent forces applied to a load or weight receptor being transmitted to certain delicate bearings;

"rider" means a small poise which can be moved along a graduated bar or beam;

"rounding error" means the difference between the indicated or printed digital value and the result the machine would give if it were analogue;

"scale interval" means the value, expressed in units of measurement of mass, equal to -

- (a) in the case of a machine with an analogue indicating device, the smallest subdivision of the scale; or
- (b) in the case of a machine with a digital indicating or printing device, the smallest difference between two consecutive indicated or printed values;

"self indicating machine" means a machine in which the position of equilibrium is obtained without the intervention of the operator;

"self service weighing machine" means a non-automatic weighing machine which, in accordance with section 4(1) and 3(a) of the Law is made available for use for trade by any prospective buyer of goods so that the weight and price of

goods selected by him is determined and made known to him;

"semi-self indicating machine" means a machine in which the operator only intervenes above a certain range of self indication or printing, in order to re-establish the function of self indication or printing;

"the stamp" means the prescribed stamp(g)

"subtractive tare device" means a tare device which intrudes on the weighing range of any weight indicating and printing device with which it is associated;

"tare device" means a device for -

- (a) resetting the weight indicating and weight printing devices to zero when a load is on the associated load receptor, or
- (b) subtracting a preset value of weight from the weight indicating or printing device;

"vehicle check weighing machine" means a non-automatic weighing machine which, in accordance with section 4(3)(a) of the Law, is made available for use for trade only for the purpose of checking compliance with statutory provisions regarding the weight and axle weight of road vehicles;

"verification scale interval" means the metrologically significant value of the scale interval for the verification of the machine which is determined from Schedule 2 to the United Kingdom Regulations;

"weigh-price-labeller" means an automatic catchweight weighing machine which has facilities to price and label individual articles, and for the purpose of these Regulations and the United Kingdom Regulations such a machine is deemed to be a non-automatic weighing machine;

"weighing mode" means one of the number of ways of operating a machine which is necessary to bring into use each of its indicating, printing and taring devices, load receptors and combinations of load receptors, weighing ranges and values of verification scale interval;

"weighing range" means the range between the maximum capacity and -

- (a) the approved minimum load, or
- (b) in a case where there is no approved minimum load marking, the lowest value of weight which can be indicated or printed;

"weight indicating device" means a device which is not a weight printing device and which indicates the weight of a load on an associated load receptor of the machine;

"weight printing device" is a device which can print the weight of a load which is on an associated load receptor of the machine;

"weight receptor", in relation to a machine where equilibrium is obtained totally or partially by means of weights, means a live part of the machine on which the weights are placed for a weighing operation; and

"zero setting device" means a device by which a machine may be balanced, set to indicate zero, or set to a datum position when the load receptor is empty.

(3) The abbreviations of, and symbols for, units of measurement used in the United Kingdom Regulations refer to the relevant units as follows:-

hundredweight	cwt
quarter	qr
pound	lb
ounce	oz
ounce troy	oz tr
dram	dr
grain	gr
tonne	t
kilogram	kg, kilog
gram	g, grm
carat (metric)	CM
milligram	mg
millimetre	mm

Citation

5. These Regulations may be cited as the Weights and Measures (Weighing Equipment) (Non-automatic Weighing Machines) Regulations, 1991.

Commencement

6. These Regulations shall come into operation on 17th December, 1991.

Dated 16th December, 1991.



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

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations apply to all non-automatic weighing machines, other than certain machines specified in Regulation 1(2), for use for trade. Such machines are prescribed for the purposes of section 8(1) of the Weights and Measures (Guernsey and Alderney) Law, 1991 so that it is unlawful to use them for trade purposes unless they have been tested, passed as fit for such use and stamped by an inspector of weights and measures.

The powers granted to the Board of Employment, Industry and Commerce under section 61(3) of the Weights and Measures (Guernsey and Alderney) Law, 1991 to make provision by reference to United Kingdom legislation have been used to adopt parts of the United Kingdom Weights and Measures Weighing Equipment (Non-automatic Weighing Machines) Regulations, 1988 .

These Regulations therefore substantially follow the same requirements as those in the United Kingdom. They make provision by reference to the following parts of the United Kingdom Regulations -

Part II prescribes the materials, principles of construction and the marking of non-automatic weighing machines.

Part III prescribes the manner of erection and use for trade.

Part IV prescribes the method of testing by an inspector of weights and measures.

Part V prescribes the limits of error for non-automatic weighing machines, the manner of passing as fit for use for trade, of stamping and obliteration of such stamps.