

1995 No. 226

WEIGHTS AND MEASURES**Units of Measurement Regulations
(Northern Ireland) 1995***Made* 31st May 1995*Coming into operation* 3rd July 1995

The Department of Economic Development, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to units of measurement to be used for economic, health, safety or administrative purposes, in exercise of the powers conferred on it by that section, 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 Units of Measurement Regulations (Northern Ireland) 1995 and shall come into operation on 3rd July 1995.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

“the 1981 Order” means the Weights and Measures (Northern Ireland) Order 1981(d);

“the 1980 Regulations” means the Units of Measurement Regulations 1980(e);

“the 1985 Act” means the Weights and Measures Act 1985(f); and

“the 1986 Regulations” means the Units of Measurement Regulations 1986(g).

Amendment of the 1986 Regulations on the coming into operation of these Regulations

3.—(1) On the coming into operation of these Regulations the 1986 Regulations shall be amended as follows.

(a) S.I. 1992/707

(b) 1972 c. 68

(c) 1954 c. 33 (N.I.)

(d) S.I. 1981/231 (N.I. 10)

(e) S.I. 1980/1070 as amended by S.I. 1986/1082

(f) 1985 c. 72

(g) S.I. 1986/1082 as amended by S.I. 1994/2867

(2) In regulation 2 in the definition of "supplementary indication", after the words "section 8(5A) of the Act" there shall be added the words "or in Article 6(7A) of the Order as the case may require."

Amendment of the 1981 Order on the coming into operation of these Regulations

4.—(1) On the coming into operation of these Regulations the 1981 Order shall be amended as follows.

(2) In Article 6 for paragraph (7) there shall be substituted the following paragraphs—

"(7) This Article has effect subject to—

(a) paragraph (7A), and

(b) Articles 7 and 53.

(7A) Nothing in this Article precludes the use for trade of any supplementary indication; and for this purpose any indication of quantity ("the imperial indication") is a supplementary indication if—

(a) it is expressed in a unit of measurement other than a metric unit,

(b) it accompanies an indication of quantity expressed in a metric unit ("the metric indication") and is not itself authorised for use in the circumstances as a primary indication of quantity, and

(c) the metric indication is the more prominent, the imperial indication being, in particular, expressed in characters no larger than the metric indication."

Amendment of the 1985 Act on 1st October 1995

5.—(1) On 1st October 1995 the 1985 Act shall be amended as follows.

(2) In section 1(6)(a) for the words "(which permits the pound to be used for the purposes of the sale of goods loose from bulk)." there shall be substituted the words "or, as the case may require, paragraph 5 of Part VI of Schedule 1 or paragraph 5 of Part VI of Schedule 2 to the Weights and Measures (Northern Ireland) Order 1981 (which permit the pound to be used for the purposes of the sale of goods loose from bulk)."

Amendment of the 1981 Order on 1st October 1995

6.—(1) On 1st October 1995 the 1981 Order shall be amended as follows.

(2) In Article 3 (Northern Ireland local standards) in paragraph (1) for the words "one gallon" there shall be substituted the words "8 pints".

(3) In Article 6 (Units of measurement, weights and measures lawful for use for trade) for paragraph (5) there shall be substituted the following paragraph—

"(5) Without prejudice to paragraph (4)(c) (an order under paragraph (4) shall not remove the pint from Part IV of Schedule 2)."

(4) In sub-paragraph (a) of Article 21(6) (exemption from requirements of Article 21)—

- (a) in head (i) for the words “420 pounds” there shall be substituted the words “187.5 kilograms”; and
 - (b) in head (ii) for the words “5 gallons” there shall be substituted the words “25 litres”.
- (5) In Schedule 2 (Units of measurement lawful for use for trade)—
- (a) in Parts I and II the entries for imperial units shall be omitted; and
 - (b) in Part IV the gallon, quart and gill shall be omitted.

Amendment of the 1980 Regulations in 2000

7.—(1) On 1st January 2000, the 1980 Regulations shall be amended as follows.

- (2) In regulation 12—
- (a) in paragraph (b) the words “stones, quarters, hundredweights or tons” shall be omitted; and
 - (b) paragraph (i) and the word “and” immediately following it shall be omitted.

Amendment of the 1981 Order in 2000

8.—(1) On 1st January 2000 the 1981 Order shall be amended as follows.

- (2) In Schedule 2—
- (a) in Part IV—
 - (i) for the heading “Imperial units” there shall be substituted the heading “Imperial unit”; and
 - (ii) the fluid ounce shall be omitted; and
 - (b) in Part V—
 - (i) for the heading “Imperial units” there shall be substituted the heading “Imperial unit”; and
 - (ii) the pound and the ounce shall be omitted.

Sealed with the Official Seal of the Department of Economic Development on 31st May 1995.

(L.S.)

A. L. Brown

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Weights and Measures (Northern Ireland) Order 1981 ("the 1981 Order"), the Weights and Measures Act 1985, the Units of Measurement Regulations 1980 and the Units of Measurement Regulations 1986 so as to implement in part the amendments made by Council Directive 89/617/EEC (O.J. No. L357, 7.12.89, p. 28) to Council Directive 80/181/EEC (O.J. No. L39, 15.2.80, p. 40) ("the Directive") which relates to the use of units of measurement for economic, public health, public safety or administrative purposes.

The 1981 Order is also amended to reflect the requirements of the Directive by the Weights and Measures (Metrication) (Amendment) Order (Northern Ireland) 1995 (S.R. 1995 No. 227) ("the 1995 Order") which should be read in conjunction with these Regulations so as to see how the 1981 Order's provisions as a whole are amended in implementation of the Directive.

The 1995 Order and these Regulations between them end, in general, the authorised use for trade after 30th September 1995 of the imperial units of measurement most commonly used to describe length, area, volume and mass (such as the yard, pint and pound) except as supplementary indications of quantity. The 1995 Order and these Regulations do, however, provide certain exceptions which permit the continued use as primary units of some of those imperial units for specific purposes beyond that date. The pound (1b), for example, may be used either as a supplementary indication or until 1st January 2000 as a primary indication for the sale of goods loose from bulk.

These Regulations made consequential amendments to the Weights and Measurements Act 1985 and the Units of Measurement Regulations 1986 to take account of amendments made to the 1981 Order by, respectively, the 1995 Order and these Regulations.

A Compliance Cost Assessment of the impact that these Regulations will have on business is available, copies of which can be obtained from the Department of Economic Development, Trading Standards Branch, 176 Newtownbreda Road, Belfast BT8 4QS.