

SCHEDULES

SCHEDULE 5

INVESTIGATORY POWERS ETC.

PART 4

FURTHER POWERS EXERCISABLE BY DOMESTIC ENFORCERS AND EU ENFORCERS

Power to test equipment

- 26 (1) An officer of a domestic enforcer may test any weighing or measuring equipment—
- (a) which is, or which the officer has reasonable cause to believe may be, used for trade or in the possession of any person or on any premises for such use, or
 - (b) which has been, or which the officer has reasonable cause to believe to have been, passed by an approved verifier, or by a person purporting to act as such a verifier, as fit for such use.
- (2) Expressions used in sub-paragraph (1) have the same meaning—
- (a) as in the Weights and Measures Act 1985, in the case of a domestic enforcer in Great Britain;
 - (b) as in the Weights and Measures (Northern Ireland) Order 1981 ([SI 1981/231 \(NI 10\)](#)), in the case of a domestic enforcer in Northern Ireland.
- (3) The powers in sub-paragraph (4) are available to an officer of a domestic enforcer acting pursuant to—
- (a) the duty in regulation 10(1) of the Weights and Measures (Packaged Goods) Regulations 2006 ([SI 2006/659](#)) (“the 2006 Regulations”), or
 - (b) the duty in regulation 10(1) of the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 ([SR 2011/331](#)) (“the 2011 Regulations”).
- (4) The officer may test any equipment which the officer has reasonable cause to believe is used in—
- (a) making up packages (as defined in regulation 2) in the United Kingdom, or
 - (b) carrying out a check mentioned in paragraphs (1) and (3) of regulation 9.
- (5) The references in sub-paragraph (4) to regulations are to regulations in the 2006 Regulations in the case of a domestic enforcer in Great Britain or the 2011 Regulations in the case of a domestic enforcer in Northern Ireland.