
STATUTORY INSTRUMENTS

1988 No. 120

**The Capacity Serving Measures
(Intoxicating Liquor) Regulations 1988**

PART IV

SUPPLEMENTARY PROVISIONS

Prescribed limits of error

19.—(1) The prescribed limits of error relating to the nominal capacity of capacity serving measures shall be the amounts set out in column 2 of Tables 1 and 2 in the Schedule to these Regulations.

(2) The prescribed limits of error relating to any subdivision of a capacity serving measure shall be:

- (a) the limits of error of a line measure of the equivalent capacity in Table 2; or
- (b) if the equivalent capacity is not shown, calculated by proportionate interpolation.

Passing as fit for use for trade

20. No capacity serving measure shall be passed as fit for use for trade unless —

- (a) on testing
 - (i) subject to regulation 10(5) above, it complies with all the appropriate requirements of these Regulations;
 - (ii) it falls within the prescribed limits of error; and
 - (iii) an inspector is of the opinion that it is not constructed in a manner which facilitates fraudulent use, and that it does not bear any decorations or designs which might cause confusion in use; or
- (b) where it has not been tested, it forms part of a group of measures treated under regulation 17(4) above as having satisfied the test or tests as the case may be.

Stamping

21.—(1) The stamp shall be placed on the outside of the capacity serving measure adjacent to the marking of its nominal capacity.

(2) No capacity serving measure shall be stamped if it bears any other mark which, in the opinion of the inspector, might reasonably be mistaken for the stamp or an expression of approval or guarantee of accuracy.

Obliteration of stamps

22.—(1) An inspector shall obliterate the stamp or manufacturer's mark on any measure which —

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- (a) fails upon testing to fall within the prescribed limits of error; or
- (b) fails to comply with any other appropriate requirement of these Regulations; or
- (c) has been the subject of any adjustment, alteration, addition, damage or repair which could, in the opinion of the inspector, have affected its compliance with the appropriate requirements of these Regulations:

Provided that an inspector shall not obliterate the stamp or manufacturer's mark on any capacity serving measure which falls within the prescribed limits of error and which was first stamped or marked with the manufacturer's mark before 1st July 1988, notwithstanding that it fails to comply with other appropriate requirements of these Regulations.

(2) In this regulation, "manufacturer's mark" means a mark on a liquid capacity measure authorised under the Capacity Measures (Intoxicating Liquor) Regulations 1983.