

SCHEDULE 1

Regulation 2(1)

ANNEX III TO COUNCIL DIRECTIVE 90/384/EEC of 20TH JUNE 1990 ON THE HARMONISATION OF THE LAWS OF MEMBER STATES RELATING TO NON-AUTOMATIC WEIGHING INSTRUMENTS

DESIGN DOCUMENTATION

The technical documentation must render the design, manufacture and operation of the product intelligible and enable an assessment to be made of its conformity with the requirements of the Directive.

The documentation shall include in so far as relevant for assessment:

- general description of the type,
- conceptual designs and manufacturing drawings and plans of components, sub-assemblies, circuits etc.,
- descriptions and explanations necessary for the understanding of the above, including the operation of the instrument,
- a list of the standards referred to in Article 5, applied in full or in part, and descriptions of the solutions adopted to meet the essential requirements where the standards referred to in Article 5 have not been applied,
- results of design calculations made and of examinations, etc.,
- test reports,
- the EC type-approval certificates and the results of relevant tests on instruments containing parts identical to those in the design.

SCHEDULE 2

Regulations 2(1) and (2), 18(7)(b) and
23(1)(a)

ANNEX I TO COUNCIL DIRECTIVE 90/384/EEC of 20TH JUNE 1990 ON THE HARMONISATION OF THE LAWS OF MEMBER STATES RELATING TO NON-AUTOMATIC WEIGHING INSTRUMENTS

The essential requirements that must be met by the instruments referred to in Article 1(2) (a) are set out below. The terminology used is that of the Organisation Internationale de Métrologie Légale(1).

Preliminary observation

Where an instrument includes or is connected to more than one indicating or printing device used for the applications listed in Article 1(2)(a), those devices which repeat the results of the weighing operation and which cannot influence the correct functioning of the instrument shall not be subject to the essential requirements if the weighing results are printed or recorded correctly and indelibly by a part of the instrument which meets the essential requirements and the results are accessible to both parties concerned by the measurement. However, in the case of instruments used for direct sales to the public, display and printing devices for the vendor and the customer must fulfil the essential requirements.

(1) See “Non-automatic weighing instruments Part I: Metrological and Technical requirements—Tests” OIML R 76-1 Edition 1992 (E) published by the International Organisation for Legal Metrology.

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METROLOGICAL REQUIREMENTS

Units of mass

1. The units of mass used shall be the legal units within the meaning of Directive 80/181/EEC(2) as last amended by Directive 1999/103/EC(3).

Subject to compliance with this condition, the following units are permitted:

- SI units: kilogram, microgram, milligram, gram, tonne,
- Imperial units: Troy ounce,
- other non-SI units: metric carat, if weighing precious stones.

For instruments that make use of the Imperial units of mass referred to above, the relevant essential requirements specified below shall be converted to the said Imperial units, using simple interpolation.

Accuracy classes

2

The following accuracy classes have been defined:

- I special
- II high
- III medium
- III ordinary

The specifications of these classes are given in Table 1.

TABLE 1

Accuracy classes

Class	Verification scale interval (e)	Minimum capacity (Min)	Number of verification scale intervals	
			n	Max
		minimum value	minimum value	maximum value
I	0,001 g ≤ e	100 e	50 000	—
II	0,001 g ≤ e ≤ 0,005 g	20 e	100	100 000
	0,1 g ≤ e	50 e	5 000	100 000
III	0,1 g ≤ e ≤ 2 g	20 e	100	10 000
	5 g ≤ e	20 e	500	10 000
III	5 g ≤ e	10 e	100	1 000

(2) OJNo. L39, 15.2.1980, p. 40.

(3) OJ No. L34, 9.2.2000, p. 17.

The minimum capacity is reduced to 5e for instruments in classes II and III for determining a conveying tariff.

Scale intervals

2.2

2.2.1. The actual scale interval (d) and the verification scale interval (e) shall be in the form:

1×10^k , 2×10^k or 5×10^k mass units,
k being any integer or zero.

2.2.2. For all instruments other than those with auxiliary indicating devices:

d = e

2.2.3. For instruments with auxiliary indicating devices the following conditions apply:

$e = 1 \times 10^k$ g
 $d < e \leq 10 d$

except for instruments of class I with $d < 10^{-4}$ g, for which $e = 10^{-3}$ g.

Classification

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3.1. Instruments with one weighing range

Instruments equipped with an auxiliary indicating device shall belong to class I or class II. For these instruments the minimum capacity lower limits for these two classes are obtained from Table 1 by replacement in column 3 of the verification scale interval (e) by the actual interval (d).

If $d < 10^{-4}$ g, the maximum capacity of class I may be less than 50 000 e.

Instruments with multiple weighing ranges

3.2. Multiple weighing ranges are permitted, provided they are clearly indicated on the instrument. Each individual weighing range is classified according to 3.1. If the weighing ranges fall into different accuracy classes the instrument shall comply with the severest of the requirements that apply for the accuracy classes in which the weighing ranges fall.

Multi-interval instruments

3.3

3.3.1. Instruments with one weighing range may have several partial weighing ranges (multi-interval instruments).

Multi-interval instruments shall not be equipped with an auxiliary indicating device.

3.3.2. Each partial weighing range i of multi-interval instruments is defined by:

- its verification scale interval e_i with $e_{(i+1)} > e_i$
 - its maximum capacity Max_i with $Max_r = Max$
 - its minimum capacity Min_i with $Min_i = Max_{(i-1)}$ and $Min_1 = Min$
- where:

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$i = 1, 2, \dots, r,$

i = partial weighing range number,

r = the total number of partial weighing ranges.

All capacities are capacities of net load, irrespective of the value of any tare used.

3.3.3. The partial ranges are classified according to Table 2. All partial weighing ranges shall fall into the same accuracy class, this class being the instrument's accuracy class.

TABLE 2

Multi-interval instruments

$i = 1, 2, \dots, r$ = partial weighing range number r = total number of partial weighing ranges

Class	Verification scale interval (e)	Minimum capacity (Min) Minimum Value	Number of verification scale intervals	
			Minimum value ⁽¹⁾ $n = \frac{M_{max}}{e}$	Maximum value $= \frac{M_{max}}{e}$
I	$0,001 \text{ g} \leq e_i$	$100 e_1$	50 000	—
II	$0,001 \text{ g} \leq e_i \leq 0,05 \text{ g}$	$20 e_1$	5 000	100 000
	$0,1 \text{ g} \leq e_i$	$50 e_1$;	5 000	100 000
III	$0,1 \text{ g} \leq e_i$	$20 e_1$	500	10 000
III	$5 \text{ g} \leq e_i$	$10 e_1$	50	1 000

(1) For $i=r$ the corresponding column of Table 1 applies, with e replaced by e_r .

Accuracy

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4.1. On implementation of the procedures laid down in Article 8, the error of indication shall not exceed the maximum permissible error of indication as shown in Table 3. In case of digital indication the error of indication shall be corrected for the rounding error.

The maximum permissible errors apply to the net and tare value for all possible loads, excluded preset tare values.

TABLE 3

Maximum permissible errors

Load				Maximum permissible error
Class I	Class II	Class III	Class III	
$0 \leq m \leq 50\,000 e$	$0 \leq m \leq 5\,000 e$	$0 \leq m \leq 500 e$	$0 \leq m \leq 50 e$	$\pm 0,5 e$

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Load				Maximum permissible error
Class I	Class II	Class III	Class IIII	
$50\,000\text{ e} < m \leq 200\,000\text{ e}$	$5\,000\text{ e} < m \leq 20\,000\text{ e}$	$500\text{ e} < m \leq 2\,000\text{ e}$	$50\text{ e} < m \leq 200\text{ e}$	$\pm 1,0\text{ e}$
$200\,000\text{ e} < m$	$20\,000\text{ e} < m \leq 100\,000\text{ e}$	$2\,000\text{ e} < m \leq 10\,000\text{ e}$	$200\text{ e} < m \leq 1\,000\text{ e}$	$\pm 1,5\text{ e}$

4.2. The maximum permissible errors in service are twice the maximum permissible errors fixed in section 4.1.

5. Weighing results of an instrument shall be repeatable, and shall be reproducible by the other indicating devices used and with other methods of balancing used.

The weighing results shall be sufficiently insensitive to changes in the position of the load on the load receptor.

6. The instrument shall react to small variations in the load.

Influence quantities and time

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7.1. Instruments of classes II, III and IIII, liable to be used in a tilted position, shall be sufficiently insensitive to the degree of tilting that can exist in a normal installed condition.

7.2. The instruments shall meet the metrological requirements within the temperature range specified by the manufacturer. The value of this range shall be at least equal to:

- 5°C for an instrument in class I,
- 15°C for an instrument in class II,
- 30°C for an instrument in class III or IIII.

In the absence of a manufacturer’s specification, the temperature range of –10°C to +40°C applies.

7.3. Instruments operated from a mains power supply shall meet the metrological requirements under conditions of power supply within the limits of normal fluctuation.

Instruments operated from battery power shall indicate whenever the voltage drops below the minimum required value and shall under those circumstances either continue to function correctly or be automatically put out of service.

7.4. Electronic instruments, except those in class I and in class II if e is less than 1 g, shall meet the metrological requirements under conditions of high relative humidity at the upper limit of their temperature range.

7.5. Loading an instrument in class II, III or IIII for a prolonged period of time shall have a negligible influence on the indication at load or on the zero indication immediately after removal of the load.

7.6. Under other conditions the instruments shall either continue to function correctly or be automatically put out of service.

Design and Construction

General requirements

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8.1. Design and construction of the instruments shall be such that the instruments will preserve their metrological qualities when properly used and installed, and when used in an environment for which they are intended. The value of the mass must be indicated.

8.2. When exposed to disturbances, electronic instruments shall not display the effects of significant faults, or shall automatically detect and indicate them.

Upon automatic detection of a significant fault, electronic instruments shall provide a visual or audible alarm that shall continue until the user takes corrective action or the fault disappears.

8.3. The requirements of 8.1 and 8.2 shall be met on a lasting basis during a period of time that is normal in view of the intended use of such instruments.

Digital electronic devices shall always exercise adequate control of the correct operation of the measuring process, of the indicating facility, and of all data storage and data transfer.

Upon automatic detection of a significant durability error, electronic instruments shall provide a visual or audible alarm that shall continue until the user takes corrective action or the error disappears.

8.4. When external equipment is connected to an electronic instrument through an appropriate interface the metrological qualities of the instrument shall not be adversely influenced.

8.5. The instruments shall have no characteristics likely to facilitate fraudulent use, whereas possibilities for unintentional misuse shall be minimal. Components that may not be dismantled or adjusted by the user shall be secured against such actions.

8.6. Instruments shall be designed to permit ready execution of the statutory controls laid down by this Directive.

Indication of weighing results and other weight values

9. The indication of the weighing results and other weight values shall be accurate, unambiguous and non-misleading and the indicating device shall permit easy reading of the indication under normal conditions of use.

The names and symbols of the units referred to in paragraph 1 of this Annex shall comply with the provisions of Directive [80/181/EEC](#)(4) with the addition of the symbol for the metric carat which shall be the symbol “ct”.

Indication shall be impossible above the maximum capacity (Max), increased by 9e.

An auxiliary indicating device is permitted only to the right of the decimal mark. An extended indicating device may be used only temporarily, and printing shall be inhibited during its functioning.

Secondary indications may be shown, provided that they cannot be mistaken for primary indications.

Printing of weighing results and other weight values

10. Printed results shall be correct, suitably identified and unambiguous. The printing shall be clear, legible, non-erasable and durable.

(4) OJ No. L39, 15.2.1980, p. 40.

Levelling

11. When appropriate, instruments shall be fitted with a levelling device and a level indicator, sufficiently sensitive to allow proper installation.

Zeroing

12. Instruments may be equipped with zeroing devices. The operation of these devices shall result in accurate zeroing and shall not cause incorrect measuring results.

Tare devices and preset tare devices

13. The instruments may have one or more tare devices and a preset tare device. The operation of the tare devices shall result in accurate zeroing and shall ensure correct net weighing. The operation of the preset tare device shall ensure correct determination of the calculated net value.

Instruments for direct sales to the public with a maximum capacity not greater than 100 kg: additional requirements

14. Instruments for direct sale to the public shall show all essential information about the weighing operation and, in the case of price-indicating instruments, shall clearly show the customer the price calculation of the product to be purchased.

The price to pay, if indicated, shall be accurate.

Price-computing instruments shall display the essential indications long enough for the customer to read them properly.

Price-computing instruments may perform functions other than per-article weighing and price computation only if all indications related to all transactions are printed clearly, unambiguously and conveniently arranged on a ticket or label for the customer.

Instruments shall bear no characteristics that can cause, directly or indirectly, indications whose interpretation is not easy or straightforward.

Instruments shall safeguard customers against incorrect sales transactions due to their malfunctioning.

Auxiliary indicating devices and extended indicating devices are not permitted.

Supplementary devices are permitted only if they cannot lead to fraudulent use.

Instruments similar to those normally used for direct sales to the public which do not satisfy the requirements of this section must carry near to the display the indelible marking "Not to be used for direct sale to the public".

Price labelling instruments

15. Price labelling instruments shall meet the requirements of price indicating instruments for direct sale to the public, as far as applicable to the instrument in question. The printing of a price label shall be impossible below a minimum capacity.

APPLICATIONS REFERRED TO IN ARTICLE 1(2)(a) OF THE NAWI DIRECTIVE

1. Determination of mass for commercial transactions.

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2. Determination of mass for the calculation of a toll, tariff, tax, bonus, penalty, remuneration, indemnity or similar type of payment.
3. Determination of mass for the application of laws or regulations including expert opinions given in court proceedings.
4. Determination of mass in the practice of medicine for weighing patients for the purpose of monitoring, diagnosis and medical treatment.
5. Determination of mass for making up medicines on prescription in a pharmacy and determination of mass in analyses carried out in medical and pharmaceutical laboratories.
6. Determination of price on the basis of mass for the purposes of direct sales to the public and the making up of pre-packages.

SCHEDULE 4

Regulation 18(5)

SPECIMEN FORM OF CE MARKING



If the CE marking is reduced or enlarged, the proportions given in the above graduated drawing must be respected. The various components of the CE marking must have substantially the same vertical dimensions, which may not be less than 5mm.

SCHEDULE 5

Regulation 43

ADAPTATIONS FOR NORTHERN IRELAND

1. For the purposes of these Regulations, references to a local weights and measures authority are references to the Department of Enterprise, Trade and Investment.

PART I

2. In regulation 3(2)—
 - (a) for sub-paragraph (c) there shall be substituted the following head—
 - “(c) an instrument—
 - (i) in respect of a pattern of which pattern approval is granted or extended, or deemed to be granted or extended, under article 10 of the 1981 Order and is in force; and
 - (ii) which is first passed as fit for use for trade and stamped before 1st January 2003 under the Weighing Equipment (Non-automatic Weighing Machines) (Northern Ireland) Regulations 1991(5); or”;

(5) S.R. 1991/266, as amended by S.R. 1992/537, 1995/228 and 1996/320.

(b) in sub-paragraph (d)(ii), for the words “4th April 1989” there shall be substituted the words “1st August 1991”.

3. In regulation 3(3), for the reference to the 1985 Act, there shall be substituted a reference to the 1981 Order.

PART II

4. Regulation 20 shall not have effect and accordingly regulations 16(2)(c)(iv) and 25(4)(c) shall also not have effect.

5. In regulation 24(3)(b), the reference to a chief inspector of weights and measures is a reference to a chief inspector of weights and measures appointed under article 40 of the 1981 Order.

PART III

6. Part III does not apply to Northern Ireland.

PART IV

7. In regulation 38—

(a) in each of paragraphs (1) and (2), for the words “within the area of the local weights and measures authority by which he is appointed” there shall be substituted in both places where they occur the words “within Northern Ireland”; and

(b) for paragraph (8) there shall be substituted the following paragraph—

“(8) In this regulation, “credentials”, in relation to an authorised person, means some duly authenticated document showing that he is authorised to act to exercise the powers conferred on him by this regulation.”.

8. For regulation 42 there shall be substituted—

“42. No proceedings for an offence under these Regulations may be instituted except by the Department of Enterprise, Trade and Investment or the Director of Public Prosecutions for Northern Ireland.”.