



Chartered Trading
Standards Institute
lead officer

Leading the trading standards profession

Weights and Measures Inspectors and Weights and Measures Authorities

Duties and Powers
October 2020

www.tradingstandards.uk

Introduction

A set of general powers of entry and inspection are laid out in the Consumer Rights Act 2015 which are supplemented by additional specific powers in other parts of the Weights and Measures Act 1985 and in delegated legislation, not removed from that legislation by the CRA 2015 to serve the necessary and specific purpose of fulfilling the complex, technical legal purposes of the Weights and Measures Act.

In addition to powers of entry, inspection and investigation into alleged offences where there are suspicions of offences, there are powers to examine as of right, to determine if legislation is being followed and adhered to, without any suspicion of offences.

In this presentation where the words “The Act” are used means the Weights and Measures Act 1985.

“CRA 2015” means the Consumer Rights Act 2015.

The powers which exist, are not always preceded by the word “powers”; duties to enforce imply powers as do words in legislation such as “may” “will” and “shall”.

To enforce legislation adequately, the enforcer must be able to scrutinise, check and test for compliance. In Weights and Measure legislation terms, this means being able to meaningfully establish compliance against technical legislation and to be able to do that, will have to take (temporary) control of equipment and products for the purpose of establishing the end outcome of processes and equipment used to keep that business within the technical requirements and be able to require business to reveal their processes and records, many of which the law requires must be routinely kept. In various legislation, product is required to perform tests and whilst an Inspector can bring his own test equipment, what cannot be brought, is the product itself needed to test the equipment if the test requires it to be part of the test. Checks on final products which are elsewhere in the supply chain, other than the manufacturing base are treated differently so a single approach to the powers which allow this is not possible; thus the powers to complete scrutiny are somewhat spread out across the legislation.

Introduction

These powers enable independently, BEIS approved (via the WMA 1985 section 73 qualification) Weights and Measures Inspectors to regulate:

- units and standards of measurement
- weighing and measuring equipment (and instruments) in trade use
- public weighing and measuring equipment
- transactions in goods
- the minimum and average quantity systems of measurement for packaged and non-packaged goods

The current powers deal with a range of technical matters with their own specific legal definitions and body of case law that has been built up over many years. These include:

units of measurement

standards of measurement

weighing and measuring equipment (and instruments), for those regulated by 'Old Approach' or 'New Approach' style regulation

goods (in relation to Part IV of the Act)

goods (not in relation to Part IV of the Act)

documents

Articles

containers (in relation to Part IV)

outer containers (not in relation to Part IV)

packages

equipment (not in relation to Part II)

records, checks and documentation

Purpose

The first part of this presentation is an revision update of the duties of Weights and Measures Inspectors and their Authorities.

The second part is powers to perform duties of the individual. In 2015, General Powers were transferred from individual Consumer protection legislation, because there were differences between them.

Having one set of powers was intended to simplify understanding amongst enforcers and those being engaged with. Some powers are aimed solely at Weights and Measures Inspectors within CRA 2015 and some remained within the Weights and Measures legislation.

The powers are limited to those persons who hold a section 73 certificate. It is important that such persons maintain their competence which will ensure the powers are used properly.

This presentation examines the powers outside and those which are specific “weights and measures” only powers contained within the CRA 2015.

Duties

Weights and Measures Authority

Defined in the Weights and Measures Act 1985, the Packaged Goods Regulations, MCB's, Non-Automatic Weighing Instruments Regulations 2016, Measuring Instruments Regulations 2016

Note - Legislation.gov.uk includes the Revised version of the WMA, annotated as being up to date to Aug 2020, outstanding changes are those which will be introduced by by S.I. 2019/529 (The Mega SI)

Duties

Weights and Measures Authority

Section 4; Local Standards

Duty to maintain and be properly certified, necessary as the Authority or Sec of State may determine.

Subsection 8(b)

May be located elsewhere at the approval of the Sec of State.

Section 5; Working standards
and Testing and Stamping
Equipment

Provide and maintain such proper and sufficient for the efficient discharge of functions in the Authority area.

The Local Authority must determine the equipment required for the activities in their area. If an individual authority does not hold their own Local Standards, the arrangements with another provider must be notified to and approved by the Secretary of State. There is no such requirement for working standards and testing equipment. Sharing arrangements are therefore at the discretion of the Authorities involved. Many serving officers are currently reporting that they do not have the Working Standards and Testing Equipment they need to perform their duties.

Duties

Weights and Measures Authority

Section 70, Annual reports by local weights and measures authorities.

Each Financial year, the Authority to make a report as directed by the Sec of State.

Section 72, Appointment of Inspectors.

From persons possessing a Sec 73 Certificate, Appoint a Chief Inspector and sufficient Inspectors for the efficient discharge of the functions under the Act and the PGR

In reality, the duties are performed by the Chief Inspector. The challenge is often, that the Chief Inspector has no control over appointments to the Trading Standards services, and thus the number of Inspectors, and has only limited control over the budget for equipment and the maintenance of that equipment.

It is a further challenge to maintain equipment which is only rarely used and can be in competition for funding with other non-TSS equipment.

Duties

Weights and Measures Authority

Packaged Goods Regulations 2006 Reg 10 (1).

To enforce the provisions within the Local Authority area.

Non-automatic Weighing Instruments Regulations 2016 Section 62

Competent authorities and enforcement proceedings

62.—(1) In Great Britain, it is the duty of every local weights and measures authority to enforce these Regulations within its area.

Measuring Instruments Regulations 2016 Section 67 for application see the note below:

(2) In Northern Ireland, it is the duty of the Department for the Economy to enforce these Regulations (other than Part 7).

NAWI Part 7 – Use for trade of regulated non-automatic weighing instruments in Great Britain.

MIR - Enforcement of the Regulations

67....(2) In Great Britain it is the duty of every local weights and measures authority to enforce these Regulations within its area in relation to regulated measuring instruments other than—

(a) gas meters; (b) active electrical energy meters; (c) taximeters; and (d) exhaust gas analysers.

(3) In Northern Ireland—

(c) the Department for the Economy must enforce these Regulations (other than Part 6) insofar as they relate to regulated measuring instruments of the following kinds— (i) cold water meters; (ii) automatic weighing instruments; (iii) material measures; and (iv) non-water liquid measuring systems.

Part 6 - Part 6 use for trade of certain regulated instruments

Duties

Chief Inspector of Weights and Measures

Section 72 (3), Chief inspector responsibilities to the Local Authority

Section 72 (4), may appoint a Deputy, if efficiency requires, hold the same responsibilities.

Responsibility for Custody and maintenance of Local and Working standards and testing equipment,

operation of arrangements in the Local Authority area and for the Packaged goods Regulations 2006

The Chief Inspector will be the person in actuality carrying out the Duties of the Local Authority.

Authorities who do not maintain their own Local Standards are required to have the arrangements made notified to and approved by the Secretary of State

Duties

Weights and Measures Inspector

Section 11, Certain equipment to be tested and passed by an Inspector. Subsecs 4, 5, 6, 12.

Shall test submitted equipment within the scope of the Act and regulations, charge fees, keep records, give statement in writing of refusal to pass equipment, pass equipment with a current S12 notice

Section 14, General specifications and Section 15, Regulations relating to weighing or measuring for trade Subsection 4

Shall refer differences of interpretation of regulations to the secretary of state

Various regulations: duty to remove verification marks or stamps

Where a correction notice has been given onto equipment which has not been repaired and reverified with the given time period, remove the stamp

www.tradingstandards.uk

Further to Section 15, CRA 2015 schedule 5 powers specific to weights and measures inspectors- on testing equipment -

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.

Section 11 extracts:

(4)Any person requiring any equipment to which this section applies to be passed by an inspector as fit for use for trade shall submit the equipment, in such manner as the local weights and measures authority may direct, to the inspector who (subject to the provisions of this Act and of any regulations under section 15 below) shall—

(a)test the equipment by means of such local or working standards and testing equipment

as he considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose,

(b) if the equipment submitted falls within the prescribed limits of error and by virtue of subsection (10) below is not required to be stamped as mentioned in paragraph (c) of this subsection, give to the person submitting it a statement in writing to the effect that it is passed as fit for use for trade, and

(c) except as otherwise expressly provided by or under this Act, cause it to be stamped with the prescribed stamp.

An approved verifier may (subject to the provisions of this Act, to any regulations under section 15 below and to any conditions included in his approval)–

(a) test any equipment to which this section applies by means of other equipment which has already been tested and which the verifier considers suitable for the purpose,

(b) if the equipment being tested falls within the prescribed limits of error and by virtue of subsection (10) below is not required to be stamped as mentioned in paragraph (c) below, make a statement in writing to the effect that it is passed fit for use for trade, and

(c) except as otherwise expressly provided for by or under this Act, stamp it with the prescribed stamp.]

(5) There shall be charged in respect of any test carried out under subsection (4) above such reasonable fees as the local weights and measures authority may determine.

(6) An inspector shall keep a record of every test carried out by him under subsection (4) above.

(12) If an inspector refuses to pass as fit for use for trade any equipment submitted to him under this section and is requested by the person by whom the equipment was submitted to give reasons for the refusal, the inspector shall give to that person a statement of those reasons in writing.

Various regulations - List of Product Safety and legal metrology regulations can be found at:

<https://www.gov.uk/guidance/product-safety-and-legal-metrology-regulations> under the heading;

Legal metrology

(It includes - Please note that the legal metrology regulations are not applicable in Northern Ireland, which has separate weights and measures legislation in place.)

Powers

Weights and Measures Inspector

Reminder - Consumer rights act 2015 Schedule 5 contains the general powers under most TSS legislation. Includes all W&M legislation.

Weights and Measures Authority defined as both domestic and eu enforcers

Powers of Inspectors including:

Entry, In relation to the production of information and documents, seize and detain goods and documents, purchase products, inspect products, test equipment, break open containers, require assistance from persons on premises – see note below specific to PGR and S11 WMA for equipment tests.

Power to require assistance from person on premises

34(1) If an officer of an enforcer has entered premises under the power in paragraph 23(1) or under a warrant under paragraph 32, the officer may require any person on the premises to provide such assistance or information as the officer reasonably considers necessary.

(2) Sub-paragraph (3) applies if an officer of a domestic enforcer has entered premises under the power in paragraph 23(1) or under a warrant under paragraph 32 for the purposes of the enforcement of—

(a) the Weights and Measures (Packaged Goods) Regulations 2006 (SI 2006/659), or

(b) the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 (SR 2011/331).

(3) The officer may, in particular, require any person on the premises to provide such information as the person possesses about the name and address of the packer and of any importer of a package which the officer finds on the premises.

(4) In sub-paragraph (3) “importer”, “package” and “packer” have the same meaning as in—

(a) the Weights and Measures (Packaged Goods) Regulations 2006 (see regulation 2), in the case of a domestic enforcer in Great Britain, or

(b) the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 (see regulation 2), in the case of a domestic enforcer in Northern Ireland.

W and M Act 1985 Section (11) Where a person submits equipment to an inspector under this section, the inspector may require the person to provide the inspector with such assistance in connection with the testing of the equipment as the inspector reasonably considers it necessary for the person to provide and shall not be obliged to proceed with the test until the person provides it; but a failure to provide the assistance shall not constitute an offence under section 81 below.

Powers

Weights and Measures Inspector, Weights and Measures Act 1985

Section 15 Regulations may specify the testing of equipment and this can include the power to require assistance, including providing materials – e.g. alcoholic liquors for testing measures – see note below

Section 15 regulations may specify the circumstances in which an inspector may remove or detain any such equipment for inspection or testing,

Section 20, Public equipment. Inspector has the power to inspect Public equipment Records

www.tradingstandards.uk

15 Regulations relating to weighing or measuring for trade.

(1) The Secretary of State may make regulations with respect to—

b) the inspection, testing, passing as fit for use for trade and stamping of such equipment,
(ii) the circumstances in which an inspector may remove or detain any such equipment for inspection or testing,

Beer Measuring instruments as an example:

Regulations are Measuring Equipment (Intoxicating Liquor) Regulations 1983 No 1656

Regulation 10 requires the equipment to be tested with the liquid it is intended to deliver.

Regulation 11, the person using the equipment must provide such material as the inspector reasonably requires.

Regulation 13 must return it either to storage or another receptacle and must furnish a statement of the quantity withdrawn.

Section 20 (6) An inspector, subject to the production of his credentials if so requested, may require the responsible person to produce any such record as is mentioned in subsection (5) above for inspection at any time while it is retained by him.

Powers

Weights and Measures Inspector, Weights and Measures Act 1985

Section 38, Special powers of inspectors with respect to certain goods.

Connects Consumer Rights Act, Food Information Regs Powers to specified goods under Part IV to detailed powers.

Section 39, Powers in respect of documents associated with goods under Part IV

Demand documents be produced, detain those with inaccurate statements, endorse the documents.

Section 40, Powers in respect of Road vehicles carrying specified goods with quantity documents

Perform checks against required documents by requiring weighing the load, taking to weighbridge, unloading the vehicle. Not PGR 2006 goods.

www.tradingstandards.uk

38 Special powers of inspectors with respect to certain goods.

(1) Subsection (2) below applies where any person—

(a) makes in any manner any representation as to the quantity of any goods offered or exposed for sale by him, or

(b) has in his possession or charge awaiting or in the course of delivery to the buyer any goods which have been sold or agreed to be sold, and the sale is, or purports to be, or is required by or under this Part of this Act or the FIC Regulation to be, by quantity expressed in a particular manner, or is such that the quantity of the goods sold is required by or under any provision of this Part other than section 26 to be made known to the buyer at or before a particular time, or

(c) has in his possession or charge for sale, or awaiting or in the course of delivery to a buyer after they have been sold or agreed to be sold—

(i) any goods pre-packed or otherwise made up in or on a container for sale or for delivery after sale which are required by or under this Part of this Act or the FIC Regulation to be pre-packed, or to be otherwise so made up, as the case may be, only in particular quantities or only if the container is marked with particular information, or

(ii) any goods pre-packed in or on a container marked with an indication of quantity, or

(iii) any goods required by or under this Part of this Act or the FIC Regulation to be made for sale only in particular quantities, or

(d) has in his possession or charge for sale, or awaiting or in the course of delivery to a buyer after they have been sold or agreed to be sold, any goods subject to a requirement

imposed by virtue of section 22(1)(c) above.

(2) Where this subsection applies, the powers of an inspector under Schedule 5 to the Consumer Rights Act 2015 shall, subject to subsection (4) below, include power to require the person referred to in subsection (1) above either to do in the presence of the inspector, or to permit the inspector to do, all or any of the following things, that is to say—

(a) weigh or otherwise measure or count the goods,

(b) weigh or otherwise measure any container in or on which the goods are made up,

(c) in the case of goods within subsection (1)(d) above, do anything else as respects the goods or container which is reasonably necessary to ascertain whether the requirement there mentioned is complied with, and which does not damage or depreciate the goods or container,

(d) if necessary for any of the purposes of paragraphs (a) to (c) above, break open any container of goods, or open any vending machine in which goods are offered or exposed for sale, and, in the case of any of the goods which are not already sold, power to require that person to sell any of them to the inspector.

(3) Where any container of goods is broken open under subsection (2) above and all requirements of, and of any instrument made under, this Part of this Act or the FIC Regulation which are applicable to those goods are found to have been complied with, then—

(a) if the container can be resealed without injury to the contents, the inspector may reseal it with a label certifying that all such requirements have been complied with, and

(b) if he does not so reseal it or it cannot be so resealed without injury to the contents, the inspector shall at the request of the person referred to in subsection (1) above buy the goods on behalf of the local weights and measures authority.

39 Powers of inspectors with respect to certain documents.

(1) An inspector, subject to the production if so requested of his credentials, may require the person in charge of any document required by or under this Part of this Act to be associated with any goods to produce that document for inspection.

(2) If the inspector has reasonable cause to believe that any document produced to him under subsection (1) above contains any inaccurate statement, he may either—

(a) seize and detain the document, giving in exchange a copy with an endorsement signed by him certifying that the original has been seized and giving particulars of any inaccuracy alleged, or

(b) without prejudice to any proceedings which may be taken by reason of any inaccuracy alleged, make on the document an endorsement signed by him giving particulars of any such inaccuracy; and, except where the context otherwise requires, any reference in this Part of this Act to any such document includes a reference to a copy given in pursuance of paragraph (a) above.

40 Powers of inspectors with respect to goods carried on road vehicles.

(1) Subsection (2) below applies where, in the case of any goods being carried on a road vehicle,—

(a) the whole of the vehicle's load is being carried for sale to, or for delivery after sale to, the same person, and

(b) any document produced in pursuance of section 39(1) above by the person in charge of the vehicle purports, or is required by or under this Part of this Act, to state the quantity of the goods.

(2) Where this subsection applies, the inspector may, for the purpose of the exercise of his powers under section 38(2) above do all or any of the following things that is to say—

(a) require the goods to which the document relates to be unloaded from the vehicle;

(b) require the vehicle to be taken to the nearest suitable and available weighing or measuring equipment;

(c) require the person in charge of the vehicle to have it check-weighed.

(3) The powers conferred by subsection (2) above shall be exercised only to such extent as may appear to the inspector reasonably necessary in order to secure that the provisions of this Act ... and of any instrument made under those provisions are duly observed.

Powers

Weights and Measures Inspector, Weights and Measures Act 1985

Section 41, Check weighing of road vehicles carrying single buyer whole loads.

Applies to the requirement of buyer or seller of a whole load to have the load check weighed – includes an Inspector authorised by that buyer or seller.

Schedule V, Pt IV (Carriage of solid fuel by rail) Paragraphs 23, 24 and 25

Gives the inspector the authority to look at the documentation associated with the carriage of solid fuel by rail.

www.tradingstandards.uk

Unlike Road traffic law, there is no maximum distance specified. The criteria is the nearest suitable and available.

41 Check-weighing of certain road vehicles.

Where any road vehicle is loaded with goods for sale by weight to a single buyer of the whole of the vehicle's load, or for delivery to the buyer after they have been so sold, the buyer or seller of the goods, or **any inspector who shows that he is authorised so to do by the buyer or seller of the goods**, may require the person in charge of the vehicle to have it check-weighed, and if that person fails without reasonable cause to comply with any such requirement he shall be guilty of an offence.

Rail Vehicles - Sch 5 Pt IV, 23 and 24 specify the required information, powers to inspect and test are in 25 –

In part.....

25(1) The following provisions of this paragraph apply—

(a) in a case where by virtue of paragraph 24 above a train bill is carried, when the train reaches its destination, and

(b) in any other case, when the vehicle in question reaches its destination.

(2) The authority responsible for railway traffic at the destination of the train or vehicle, as the case may be, shall—

(a) permit the consignee and, subject to the production if so requested of his credentials,

any inspector to inspect the document required by paragraph 23 or, as the case may be, 24 above,

(3) Subject to sub-paragraphs (5) and (6) below, any of the following persons, that is to say—

(a) any inspector, subject to the production if so requested of his credentials, or

(b) the consignee, subject to his undertaking to pay any cost reasonably incurred, may require the vehicle to be weighed either before or after or both before and after it is unloaded, and the vehicle shall be weighed accordingly unless it is certified by or on behalf of the authority mentioned in sub-paragraph (2) above that in the circumstances of the particular case the carrying out of the weighing would cause undue dislocation of railway traffic at the vehicle's destination; and any inspector who is present at any such weighing shall if so requested certify the weight found.

(4) If when the fuel is unloaded from the vehicle it is weighed accurately with accurate weighing equipment in the presence of an inspector, the inspector shall if so requested certify that it was so weighed and state in his certificate the weight found.

Powers

Packaged Goods Regulation 2006 and The Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011

In Great Britain, (ESW), Schedule 7 Powers of Inspectors and Local Weights and Measures authorities, have been wholly removed to the CRA 2015.

The relevant content is found in Schedule 5 paragraphs 25 entry and inspect and 26 Power to test equipment

Includes the powers regarding packages and equipment use to make such packages.

Power to open vending machines is a generic one found in paragraph 28.

Power to require assistance from person on premises is in CRA 2015 at ~~34(1).~~

www.tradingstandards.uk

Sch. 7 omitted (1.10.2015) by virtue of The Consumer Rights Act 2015 (Commencement No. 3, Transitional Provisions, Savings and Consequential Amendments) Order 2015 (S.I. 2015/1630), art. 1, Sch. 2 para. 49 (with art. 8)

25(1)The officer may inspect any product on the premises.

(3)The officer may examine any procedure (including any arrangements for carrying out a test) connected with the production of a product.

(4)The powers in sub-paragraph (5) are also 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”).

(5)The officer may inspect and take copies of, or of anything purporting to be—

(a)a record of a kind mentioned in regulation 5(2) or 9(1), or

(b)evidence of a kind mentioned in regulation 9(3).

(6)The references in sub-paragraph (5) 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.

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.

Power to require assistance from person on premises

34(1) If an officer of an enforcer has entered premises under the power in paragraph 23(1) or under a warrant under paragraph 32, the officer may require any person on the premises to provide such assistance or information as the officer reasonably considers necessary.

(2) Sub-paragraph (3) applies if an officer of a domestic enforcer has entered premises under the power in paragraph 23(1) or under a warrant under paragraph 32 for the purposes of the enforcement of—

(a) the Weights and Measures (Packaged Goods) Regulations 2006 (SI 2006/659), or

(b) the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011 (SR 2011/331).

(3) The officer may, in particular, require any person on the premises to provide such information as the person possesses about the name and address of the packer and of any importer of a package which the officer finds on the premises.

(4) In sub-paragraph (3) “importer”, “package” and “packer” have the same meaning as in—

(a) the Weights and Measures (Packaged Goods) Regulations 2006 (see regulation 2), in the case of a domestic enforcer in Great Britain, or

(b)the Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011
(see regulation 2), in the case of a domestic enforcer in Northern Ireland.

Powers

Packaged Goods Regulation 2006 and The Weights and Measures (Packaged Goods) Regulations (Northern Ireland) 2011

Regulation 11, (in GB now in the CRA 2015), Notices of export to the EU and import for distribution to another member state.

The inspector had the right, therefore a power, to require further information about goods to which the notice applies.

Under the Mega SI, this part will be deleted in GB.

PGR 2006 and NI 2011 Regulation 12 Instructions by inspectors - *may* give instructions if the packer has failed to perform a duty, but *duty* to refer objections to the Secretary of state.

Regulation 11 (3) Where a person has given a notice pursuant to paragraph (1), an inspector may serve a notice in writing on that person requiring him to provide to the inspector such further information about the packages as is specified in the notice.

Regulation 12.—(1) If an inspector has reasonable cause to believe that a person has failed to perform the duty imposed on him by regulation 4 in relation to a batch of packages, the inspector may give to the person in possession of the packages instructions in writing—

(a) specifying the packages, and

(b) requiring that person to keep the packages at a place specified in the instructions and at the disposal of the inspector until the end of the next working day after the instructions have been issued, or for such shorter period as the inspector may specify.

(2) If an inspector has reasonable cause to believe that a person has failed to perform the duty imposed on him by regulation 9(1) or 9(3), the inspector may give to that person such instructions in writing as the inspector considers appropriate with a view to ensuring that that person does not subsequently fail to perform that duty.

(4) Where under paragraph (3) a person gives to an inspector notice of objection to instructions, it shall be the duty of the inspector to refer the instructions to the Secretary of State.

Measuring Container Bottles

The Measuring Container Bottles (EEC Requirements) Regulations 1977

The Inspector is a W&MI as defined in the GB Act or the NI Act

MCB's are not equipment as defined in the Act

Regulation 7 defines the need to keep records and gives the power to the inspector to examine those records

Regulation 8 details the powers of the Inspector

Regulation 9 details directions concerning non-complying product

The schedule includes adaption for Northern Ireland

Duties of manufacturers to keep records

7.—(1) Every manufacturer shall—

(a) keep production control records and

(b) preserve the records for a period of six months after their making.

(2) Subject to the production if so requested of his credentials, an inspector may, within the area for which he was appointed inspector, at all reasonable times require the manufacturer to produce, and permit the inspector to inspect and copy, any production control records preserved in accordance with paragraph (1) above.

Powers of inspection and entry

8.—(1) Subject to the production if so requested of his credentials, an inspector may, within the area for which he was appointed inspector, at all reasonable times—

(a) for the purpose of ascertaining whether any offence under these Regulations has been committed, inspect any measuring container bottle or any article which he has reasonable cause to believe to be such a bottle;

(b) enter any premises on which he has reasonable cause to believe measuring container bottles are being made and are being marked with the EEC sign, or on which such bottles so marked are being stored with a view to sale, not being premises used only as a private dwelling;

(c) for the purpose of ascertaining whether measuring container bottles marked with the EEC sign comply with these Regulations, select batches of such bottles in accordance with the procedures set out in Annex II to the Directive and test samples from those batches in

accordance with such procedures, or by means of an equivalent procedure;
(d) require the manufacturer, owner or importer of such bottles to provide such reasonable facilities as appear to the inspector to be necessary for the purpose of ascertaining whether such bottles comply with these Regulations.

(2) An inspector, if he finds that a batch so selected fails to comply with the requirements of these Regulations when tested as aforesaid, shall give directions to the manufacturer or importer that no measuring container bottles in that batch may be sold marked with the EEC sign.

(3) *Obtaining a warrant from a Justice etc, not reproduced in full.*

(4) A person entering any premises by virtue of this Regulation may take with him such other persons and such equipment as may appear to him necessary; and on leaving any premises which he has entered by virtue of a warrant under paragraph (3) above, being premises which are unoccupied or the occupier of which is temporarily absent, he shall leave them as effectively secured against trespassers as he found them.

(5) If a person who enters any work-place by virtue of this Regulation discloses to any other person any information obtained by him in the workplace with regard to any manufacturing process or trade secret he shall, unless the disclosure was made in performance of his duty, be guilty of an offence.

Individual measuring container bottles

9. An inspector, if he finds that any person is in possession in the course of a business of any individual measuring container bottle which does not comply with these Regulations but which is marked with the EEC sign, shall give directions to that person that the bottle may not be sold or supplied marked with the EEC sign.

New Approach Directives, NAWI and MIR

The Powers included are not as specifically stated as in Old approach legislation.

As was explored earlier in “Duties” the regulations refer to competent authorities and the officers or inspectors (there)of. Compliance of course, is not restricted to Inspectors of Weights and Measures, so the phrases used to describe the eligible parties to verification activities are inclusive, rather than exclusive.

Some provisions include a “must” provision – therefore a duty in those cases, some include “may”, and thus to perform those action there is the power to do those actions.

Non-Automatic Weighing instruments

Regulation 2, Interpretation; as stated earlier, the competent authority is the Weights and measures authority.

“enforcement officer” means—

(a) an inspector; or

(b) a person appointed by the Secretary of State to act on the Secretary of State’s behalf to enforce these Regulations;
Inspector is not defined in the reg, but, in the NAWI 2016 Guidance notes, 1.4, is reproduced below, which makes it clear that it is intended to be an Inspector of Weights and Measures.

“competent authority” means a person who is, pursuant to regulation 62 (competent authorities and enforcement proceedings), authorised to enforce these Regulations ;

“enforcement officer” means—

(a) an inspector; or

(b) a person appointed by the Secretary of State to act on the Secretary of State’s behalf to enforce these Regulations;

From the legislation guidance:

1.4 This guidance is not intended to be an exhaustive explanation of the 2016 Regulations. It has no legal force, though it may be helpful in understanding the requirements of the Regulations. The law will continue to be enforced by Inspectors of Weights and Measures employed by local authority trading standards services. Those services will be pleased to provide further assistance and advice on the Regulations and how those affected can in practice discharge the obligations laid on them. It should be noted however that definitive interpretation of the law is a matter for the Courts.

Non-Automatic Weighing instruments

Regulation 62 specifies the competent Authorities, which includes the duty to enforce upon Weights and Measures Authorities and the DoE in NI.

Regulation 63, (compliance notices) and 64 (enforcement notices) does not impose a duty on the local authority it's a MAY issue compliance notices; it's a power to do so but when it does, this must be served on the secretary of state.

When invoked, of course, the procedures must be followed.

From the guidance; note that this ECA 1972 Authority of this will change to the UK Authority specified in the MEGA SI on 1 Jan 2021.

Regulation 62 Competent authorities and enforcement proceedings

The authority to enforce the 2016 Regulations comes from the Directive which has effect in the UK by virtue of the European Communities Act 1972. The powers of the Weights and Measures Act (in Northern Ireland the Weights and Measures (NI) Order 1981) do not extend to enforcement for these Regulations.

This regulation imposes a duty on every local weights and measures authority in Great Britain to enforce the 2016 Regulations within its area. (In Northern Ireland the enforcement authority is the Department for the Economy). It also authorises the Secretary of State to enforce these Regulations for market surveillance purposes and may appoint any persons to act on his behalf. Those authorised by this regulation are referred to as — competent authorities.

S 62 reasons to impose a compliance notice: (Whilst equipment in the supply chain will still be subject to the EU compliance notice, from 2021 will become the UKCA mark).

- (a) the CE marking or the M marking has been affixed in violation of Article 30 of the RAMS Regulation or the requirements of these Regulations;
- (b) the CE marking or the M marking has not been affixed;
- (c) the identification number of the notified body, where the body is involved in the production control phase has—

- (i) been affixed otherwise than in accordance with the requirements of these Regulations; or
- (ii) not been affixed;
- (d) the EU declaration of conformity has not been drawn up correctly;
- (e) the technical documentation is either not available or is not complete;
- (f) the information referred to in regulation 10 (manufacturers to mark contact details on regulated non-automatic weighing instruments) or regulation 18 (requirements to mark importers' details on regulated non-automatic weighing instruments) is absent, false or incomplete; or
- (g) any other failure—
- (i) by a manufacturer to comply with the requirements of Chapter 1 of Part 2; [OBLIGATIONS OF MANUFACTURERS AND PERSONS TO BE TREATED AS MANUFACTURERS] or
- (ii) by an importer to comply with the requirements of Chapter 2 of Part 2. [OBLIGATIONS OF IMPORTERS}

Enforcement notice procedure

64.—(1) This regulation applies where a competent authority has reasonable grounds for considering that an economic operator on whom a compliance notice has been served by the competent authority has failed to comply with that notice.

Non-Automatic Weighing instruments

Reg 67 Disqualification. The Inspector may affix disqualification stickers or give a 21 day notice to equipment, under Para 4, if that notice is not complied with, must disqualify at the end of the period of the notice under Para 5

(5) If a notice given under paragraph (4) is not complied with, the inspector must affix a disqualification mark to the regulated non-automatic weighing instrument.

Regulation 67

Disqualification

67.—(1) Where the circumstances in paragraph (2) apply, an inspector may affix a disqualification mark to a regulated non-automatic weighing instrument which bears the—

(a) CE marking;

(b) M marking; and

(c) identification number of the notified body which carried out the conformity assessment procedure in respect of the instrument

(2) The circumstances referred to in paragraph (1) are that the instrument is used for any of the purposes listed in regulation 3(2) in circumstances where—

(a) the instrument does not conform to the **essential requirements**; (*see Reg 34 below*)

(b) the instrument does not conform to any EU-type examination certificate issued in relation to it;

(c) by reason of any adjustment, alteration, addition, repair or replacement it is likely that the instrument has ceased to be compliant with the essential requirements; or

(d) any requirements applicable to the instrument by virtue of Part 7 are not met.

(3) Where one or more of the markings and identification requirements referred to in paragraph (1) is not affixed to a regulated non-automatic weighing instrument, the inspector may affix a disqualification mark to the instrument.

(4) Where it appears to the inspector that the nature or degree of non-compliance of the

regulated non-automatic weighing instrument under paragraph (1) is not such that a disqualification mark should be immediately affixed to it, the inspector may give to any person in possession of the instrument a notice requiring the person to ensure that the instrument is made to comply with the essential requirements before the expiry of 21 days from the date of the notice or such longer period as may be specified in the notice.

(5) If a notice given under paragraph (4) is not complied with, the inspector must affix a disqualification mark to the regulated non-automatic weighing instrument.

(6) Any disqualification mark which is affixed to a regulated non-automatic weighing instrument under this regulation must be affixed in such a position that it is clearly visible when the instrument is in its regular operating position.

Reg 34 - Methods of establishing conformity with the essential requirements

34. Conformity with the essential requirements may be established in relation to a regulated non-automatic weighing instrument—

(a) through conformity with harmonised standards (or parts of those standards) covering the essential requirements where the harmonised standards have been published in the Official Journal of the European Union; or

(b) through the use by the manufacturer of any other technical solution that complies with the essential requirements.

Harmonised standard is BS EN 45501. International Standard is OIML R76.

Non-Automatic Weighing instruments

Regulation 68. Requalification.

An Inspector is one of the specified requalification authorities and unlike an approved verifier or manufacturer, is not limited to NAWI equipment for which they have been specifically approved. An Inspector must be competent, Regulation 2, interpretation, uses the word in the definition.

The Inspector, therefore has the power to requalify or refuse to apply the mark, in accordance with subsection 4 etc, below.

Re-qualification

68.—(1) This regulation applies where—

(a) a disqualification mark has been affixed to a regulated non-automatic weighing instrument in accordance with regulation 67 (disqualification);

(b) a notice has been served under regulation 67(4); or

(c) a regulated non-automatic weighing instrument intended to be used for any of the purposes mentioned in regulation 3(2) in the circumstances referred to in regulation 67(2)(a) to (iv) or (2) but a disqualification mark has not been affixed to the instrument.

(2) A person requiring a re-qualification mark to be affixed to the regulated non-automatic weighing instrument must submit it, in such manner as may be directed, to a re-qualification authority and provide such assistance as the requalification authority may reasonably require.

(3) For the purposes of this regulation, a requalification authority is—

(a) an inspector;

(b) an approved verifier;

(c) a UK approved notified body for module F or F1 in Annex II to the Directive; or

(d) a manufacturer whose quality system has been approved by a UK notified body under module D or D1 of Annex II to the Directive for the purposes of re-qualification.

(4) A requalification authority may affix a re-qualification mark to that regulated non-automatic weighing instrument if satisfied that the instrument is compliant with—

(a) the essential requirements;

(b) any EU-type examination certificate which applies to it; and

(c) where it is intended that the instrument is to be used for trade any requirements applicable to that instrument by virtue of Schedule 4.

(5) For the purposes of being satisfied that a re-qualification mark may be affixed to a regulated non-automatic weighing instrument, a requalification authority may take such steps as the requalification authority considers appropriate, including testing the instrument by means of such test equipment as the requalification authority considers appropriate and suitable for the purpose.

(6) There may be charged in respect of any steps taken under paragraph (5) such fees as are reasonable in the circumstances.

(7) The requalification authority must keep a record of any test carried out under paragraph (5).

(8) Where a re-qualification mark is affixed to a regulated non-automatic weighing instrument pursuant to paragraph (4), it must be affixed in such a position that it obliterates as far as possible any disqualification mark.

Non-Automatic Weighing instruments

Regulation 69, Testing. When an inspector considers a test necessary which is not being verified or requalified has the power to require assistance as specified.

Necessary where it is an Inspector decision to test, not necessary for a verification or requalification, as lack of assistance would simply stop the test, the opposite of the wish of the submitter.

Regulation 70, Power to prevent the use of equipment which is unsuitable, as defined in the regulation.

Testing of regulated non-automatic weighing instruments

69.—(1) Where an inspector considers that a test of a regulated non-automatic weighing instrument is necessary, otherwise than for the purposes of regulation 68 (re-qualification), the inspector may require the person who has control of the instrument, or whom the inspector has reasonable cause to believe has control of the instrument, to provide to the inspector such equipment, test liquid, materials, qualified personnel or other assistance as the inspector may reasonably require.

Unsuitable use of regulated non-automatic weighing instruments

70.—(1) This regulation applies to a regulated non-automatic weighing instrument.

(2) If it appears to an inspector that a regulated non-automatic weighing instrument used for a purpose mentioned in regulation 3(2)—

(a) for a purpose for which it is unsuitable; or

(b) in circumstances where it is subject to any extraordinary environmental or operating conditions which—

(i) may prevent it operating consistently or accurately; or

(ii) are likely prematurely to degrade its metrological characteristics,

the inspector may affix a disqualification mark to the instrument; and any such mark must be affixed in such a position that it is clearly visible when the instrument is in its regular operating position.

Measuring Instruments Regulations 2016

Regulation 67. In Great Britain, the Enforcement Authority, as with the NAWI regulations is the Weights and Measures Authority, to enforce within their area. In Northern Ireland, the Dept for the Economy. Weights and Measures Inspectors therefore have the power to examine and test.

Includes all equipment in scope of the regulations in GB, except gas meters; active electrical energy meters; taximeters; and exhaust gas analysers.

Includes following equipment in scope of the regulations in NI, cold water meters, automatic weighing instruments, material measures and non-water liquid measuring systems.

Note W&MA are not the Market surveillance Authority, the Secretary of State is, however the SoS may appoint others and W&MA's have taken part in such activities under contract.

Enforcement of the Regulations

67.—(1) The Secretary of State—

(a) must enforce these regulations where required to do so in the capacity of the market surveillance authority; and

(b) may otherwise than in the capacity of market surveillance authority, enforce these Regulations in Great Britain,

and for the purposes of this paragraph **may appoint a person to act on his behalf.**

(2) In **Great Britain** it is the duty of every local weights and measures authority to enforce these Regulations within its area in relation to regulated measuring instruments other than—

(a) gas meters;

(b) active electrical energy meters;

(c) taximeters; and

(d) exhaust gas analysers.

(3) In **Northern Ireland**—

(c) the Department for the Economy must enforce these Regulations (other than Part 6) insofar as they relate to regulated measuring instruments of the following kinds—

(i) cold water meters;

- (ii) automatic weighing instruments;
- (iii) material measures; and
- (iv) non-water liquid measuring systems.

Measuring Instruments Regulations 2016

Inspectors as Officers of the Competent Authority use powers to enforce where reasonable grounds of a breach exist :

Regulation 68 Introduces Compliance Notice Procedure.

Regulation 69 Introduces Enforcement Notice Procedure which follows failure to comply with the Compliance notice.

- Compliance notice procedure 68.**—(1) This regulation applies where a competent authority has reasonable grounds for considering that one or more of the following breaches applies in relation to a regulated measuring instrument that has been placed on the market or put into use—
- (a) the CE marking or the M marking has been affixed in violation of Article 30 of the RAMS regulation or the requirements of these Regulations;
 - (b) the CE marking or the M marking has not been affixed;
 - (c) the identification number of the notified body, where the notified body is involved in the production control phase has—
 - (i) been affixed otherwise than in accordance with the requirements of these Regulations;
 - or (ii) not been affixed;
 - (d) the EU declaration of conformity has not been drawn up correctly;
 - (e) the technical documentation is either not available or is not complete;
 - (f) the information referred to in regulation 11 or regulation 20 is false or incomplete;
 - Or (g) any other failure—
 - (i) by a manufacturer to comply with the requirements of Chapter 1 of Part 2; or
 - (ii) by an importer to comply with the requirements of Chapter 2 of Part 2.
- (2) The competent authority may serve a notice in writing (“a compliance notice”) on the economic operator it considers is the responsible for the breach which must—
- (a) describe the regulated measuring instrument to which it relates in a manner sufficient to identify that instrument;

(b) specify which of the circumstances in paragraph (1) applies in relation to the regulated measuring instrument;

(c) require the economic operator on whom the notice is served to take steps to remedy the matters referred to in paragraph (b);

(d) specify the date, being not less than 21 days from the date of the notice, by which the steps specified in it must be taken; and

(e) warn the economic operator that, where the non-conformity continues beyond the date specified in sub-paragraph (d), the competent authority may take further action under regulation 69 (enforcement notices) in respect of that regulated measuring instrument.

(3) Where a compliance notice is served by a competent authority other than the Secretary of State, it must at the same time as it serves that notice, send a copy to the Secretary of State

Enforcement notices 69.—(1) This regulation applies where a competent authority has reasonable grounds for considering that an economic operator on whom a compliance notice has been served by the competent authority has failed to comply with that notice.

(2) The competent authority may serve a notice (“an enforcement notice”) on the economic operator which must— (a) be in writing;

(b) describe the regulated measuring instrument to which it relates in a manner sufficient to identify that instrument;

(c) specify, with reasons, the respects in which, in the opinion of the competent authority, the compliance notice has not been complied with; and

(d) specify the steps that the economic operator must take to comply with the compliance notice; and

(e) specify the date, being not less than 21 days from the date of the notice, by which the economic operator to whom the notice is given is required to comply with it.

(3) An enforcement notice may impose either or both of the following requirements—

(a) that the regulated measuring instrument is to be withdrawn from the market unless the steps referred to in paragraph (2)(d) are taken; or

(b) that the placing on the market or putting into use of the regulated measuring instrument is to be prohibited or restricted unless the steps referred to in paragraph (2)(d) are taken.

(4) Where an enforcement notice is served by a competent authority other than the Secretary of State, it must at the same time as it serves that notice send a copy of the notice to the Secretary of State.

Measuring Instruments Regulations 2016

A much more common involvement is the power to affix disqualification stickers to non-conforming equipment and subsequently affix requalification stickers. May give 21 day notice in lieu of disqualification

Regulation 72 specifies the scope and circumstances where disqualification stickers may be applied to non-conforming equipment used for trade

Regulation 73 gives the power to affix a requalification sticker, includes require person requiring it to provide such assistance as may reasonably be required.

www.tradingstandards.uk

Disqualification

72.—(1) This regulation and regulation 73 (re-qualification) apply only in relation to a regulated measuring instruments of the following kinds—

- (a) cold water meters;
- (b) automatic weighing instruments;
- (c) material measures; and
- (d) non-water liquid measuring systems.

(2) Where the circumstances in paragraph (3) apply, an inspector may affix a disqualification mark to a regulated measuring instrument which bears the—

- (a) CE marking; (b) M marking; and
- (c) identification number of the notified body which carried out the conformity assessment procedure in respect of the instrument.

(3) The circumstances referred to in paragraph (2) are that the instrument is used for trade in circumstances where—

- (a) the instrument does not conform to the **essential requirements** (other than the requirements relating to maximum permissible errors);
- (b) the instrument is not in conformity with any EU-type examination certificate or EU-design examination certificate which applies to it;
- (c) by reason of any adjustment, alteration, addition, repair or replacement, it is likely that the instrument has ceased to conform with the essential requirements (other than the requirements relating to maximum permissible errors); or

- (d) any requirements applicable to the instrument by virtue of Part 6 are not met.
- (4) Where one or more of the markings and identification requirements referred to in paragraph (2) is not affixed to a regulated measuring instrument, the inspector may affix a disqualification mark to the instrument.
- (5) Where it appears to the inspector that the nature or degree of non-compliance of the regulated measuring instrument under paragraph (2) is not such that a disqualification mark should be immediately affixed to it or to any sealing device on it, the inspector may give to any person in possession of the instrument a notice requiring the person to ensure that the instrument is made to comply with the essential requirements before the expiry of 21 days from the date of the notice or such longer period as may be specified in the notice.
- (6) If a notice given under paragraph (5) is not complied with, the inspector must affix a disqualification mark to the regulated measuring instrument or to any sealing device on it.

Essential requirements are found in the various instrument specific Normative Documents (OIML Recommendations).

The definitive list for these documents are found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690991/nmo-certification-oiml-recommendations.pdf

Note that this list includes all those found in the MIREgs including those not enforced by TS – e.g. Heat meters.

Re-qualification

73.—(1) This regulation applies where—

- (a) a disqualification mark has been affixed to a regulated measuring instrument in accordance with regulation 72 (disqualification);
 - (b) a notice has been served under regulation 72(5); or
 - (c) a regulated measuring instrument is intended to be used for trade in the circumstances referred to in [F1regulation 72(3) or 73(4)] but a disqualification mark has not been affixed to the instrument or to any sealing device on it.
- (2) A person requiring a re-qualification mark to be affixed to a regulated measuring instrument must submit it, in such manner as may be directed, to an inspector or approved verifier and provide such assistance as the inspector or approved verifier may reasonably require.
- (3) An inspector or approved verifier may affix a re-qualification mark to that regulated measuring instrument or to any sealing device if satisfied that the instrument is compliant with
- (a) the essential requirements;
 - (b) any EU-type examination certificate or EU-design examination certificate which applies to it; and

(c) any requirements applicable to that instrument by virtue of Schedule 6 other than the provisions relating to maximum permissible errors are met.

(4) For the purposes of being satisfied that a re-qualification mark may be affixed to a regulated measuring instrument or any sealing device on it under this regulation, an inspector or approved verifier may take such steps as the inspector or approved verifier considers appropriate, including testing the instrument by means of such test equipment as the inspector or approved verifier considers appropriate and suitable for the purpose.

Summary of powers, including rights and duties

- Upon production of his credentials if requested, at all reasonable times, to inspect and test all weighing or measuring equipment, which he believes to be in use or possession for, use for trade.
- To enter any premises, (not used solely as a dwelling house) where he has reasonable cause to believe that such equipment is to be found.
- To seize and detain any equipment which he has reasonable cause to believe is liable to forfeiture and any document, which may be required for evidence.
- To obtain a warrant to enter premises.
- To take any other person or equipment as necessary.

Summary of powers, including rights and duties

- Must leave unoccupied premises secure.
- Not to reveal trade secrets.
- To test any equipment submitted and stamp it if it complies with all requirements and supply a refusal certificate if required to.
- Reasonable assistance from the submitter of equipment.
- To keep a record of such test.
- To submit to Secretary of State for decisions on regulations where a dispute with the submitter.
- Not to be wilfully obstructed.

Summary of powers, including rights and duties

- To pay his Authority any fees for stamping.
- Not to stamp+ any equipment he has not tested.*
- Not to derive profit from repair or selling weighing or measuring equipment.
- Not to knowingly commit a breach of duty imposed on him.
- weigh, measure or count goods
- weighing or measuring of container on which goods are made up
- Anything else which doesn't damage goods or container
- Break open a container of goods or vending machine

+ Stamp includes, restamp, verify, verification, qualification, reverify, requalification.

* May stamp under very limited circumstances where prescribed by law – eg opening and re-sealing the jammed ticket printer of a Bulk Flowmeter.

Not to be confused with what tests are suitable for a particular piece of equipment on reverification; **WM 1003** gives guidance on suitable tests for particular repairs or replacements and modular equipment.

WM 1003 V4 2020 can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/895722/wm-bulletin-1003.pdf

Summary of powers, including rights and duties

- Require production of documents associated with goods
- Seize and detain document if contains inaccuracy
- Require the offloading of a vehicle for weighing when WHOLE load is going to same person AND required to have document associated with goods
- Require the vehicle to be taken to the nearest suitable and available weighing or measuring instrument when Whole load is going to same person And required to have document associated with goods
- Require the check weighing of a vehicle for weighing when Whole load is going to same person And required to have document associated with goods
- Where ANY vehicle carries goods for sale by weight to a single buyer with authorisation from buyer or seller check-weigh the vehicle



Chartered Trading
Standards Institute
lead officer

Leading the trading standards profession

Summary of powers, including rights and duties

- make test purchases
- inspect records of Public Weighings
- Inspect Packers and Importers records
- Inspect MCB manufacturers records

Questions?

Any questions regarding content please direct to
lometrology@tsi.org.uk

Please head your email "Duties and Powers"; this is a shared email; this will enable the other Lead Officers to recognise that it's about this presentation.



Thank you