



Jersey

WEIGHTS AND MEASURES (MEASURING INSTRUMENTS) (LIQUID FUEL AND LUBRICANTS) (JERSEY) ORDER 1968

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Contents

Article	
INTERPRETATION	4
1	4
APPLICATION	4
2	4
PRINCIPLES OF CONSTRUCTION	5
3	5
4	5
5	5
6	5
7	5
8	6
9	6
10	6
11	6
12	6
13	7
14	7
15	7
16	7
17	7
18	7
TESTING	8
19	8
20	8
21	8
22	8
23	8
24	9
25	9
26	9

27	9
PREScribed LIMITS OF ERROR	9
28	9
STAMPING	10
29	10
30	10
OBLITERATION OF STAMPS	11
31	11
32	11
33	11
CITATION	11
34	11
SCHEDULE	12
PART 1	12
PREScribed LIMITS OF ERROR ORDINARILY APPLICABLE UPON TESTING WITH A VIEW TO PASSING AS FIT FOR USE FOR TRADE	12
PART 2	12
PREScribed LIMITS OF ERROR UPON RETESTING FOLLOWING AN ADJUSTMENT OR ALTERATION OF A PRICE COMPUTING MECHANISM AND LIMITS OF ERROR IN RELATION TO THE OBLITERATION OF STAMPS	12
ENDNOTES	13
Table of Legislation History	13
Table of Renumbered Provisions	13
Table of Endnote References	13



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WEIGHTS AND MEASURES (MEASURING INSTRUMENTS) (LIQUID FUEL AND LUBRICANTS) (JERSEY) ORDER 1968¹

THE ENVIRONMENT AND PUBLIC SERVICES COMMITTEE, in pursuance of Articles 11(5), 12(1) and (3), 13(1) and 38(1) of the [Weights and Measures \(Jersey\) Law 1967](#), orders as follows –

Commencement [[see endnotes](#)]

INTERPRETATION

1

- (1) In this Order, unless the context otherwise requires –
- “Law” means the [Weights and Measures \(Jersey\) Law 1967](#);
 - “measuring instrument” means any measuring equipment other than a capacity measure;
 - “prescribed limits of error” means the limits of error prescribed by this Order;
 - “prescribed stamp” means the stamp specified in the [Weights and Measures \(Prescribed Stamp\) \(Jersey\) Order 1975](#).
- (2) References in this Order to any enactment shall be construed as references to that enactment as amended by any subsequent enactment or to any other enactment repealing and re-enacting that enactment with or without further amendment.

APPLICATION

2

The provisions of this Order shall apply to all measuring instruments for use for trade in the making of any measurement of liquid fuel or lubricants or any mixture of such fuel

and lubricants in a quantity not exceeding 20 gallons and such instruments are hereby prescribed for the purposes of Article 12(1) of the Law.

PRINCIPLES OF CONSTRUCTION

3

No measuring instrument for use for the measurement of liquid fuel or lubricants or a mixture of such fuel and lubricants in the presence of the buyer shall be so arranged as to deliver quantities at more than one outlet.

4

- (1) Every measuring instrument for use for the measurement of liquid fuel or a mixture of such fuel and lubricants in the presence of the buyer shall be provided with an individual sales indicator so graduated as to indicate all possible deliveries –
 - (a) in the case of instruments delivering liquid fuel, up to not less than 10 gallons;
 - (b) in the case of instruments delivering a mixture of liquid fuel and lubricants, up to not less than one gallon.
- (2) Any other counting or totalising device that may be provided shall be so arranged as to avoid any possibility of confusion with the individual sales indicator.

5

- (1) Every individual sales indicator fitted to a measuring instrument shall be arranged so that it can be readily re-set to its zero indication, and so that it is not possible to advance the indication by means other than by the proper operation of the instrument.
- (2) In the case of instruments of the twin or multiple container type, the individual sales indicator shall be so arranged as not to register before the discharge from each container has commenced.

6

No audible or other signals of discharge which can be operated to signal before the movement of the individual sales indicator shall be fitted to any measuring instrument.

7

Every graduated dial, scale or other indicating device of a measuring instrument shall –

- (a) be so graduated and numbered that it can be read in numerical sequence in one direction only;
- (b) be securely attached to its support or to the spindle or other part of the mechanism which controls its movement.

8

Every marking, notice, inscription or indication on a measuring instrument having reference to the method of operation or to the quantity delivered shall be conspicuously and legibly marked in a suitable position in plain block characters on a plain background and in distinct contrast thereto.

9

Every stop or setting device of a measuring instrument either shall be marked in such a manner as to indicate the quantity it represents or shall be clearly associated with a suitable indicating device for the same purpose.

10

Every indication of quantity on a measuring instrument shall be marked either in full or by means of one or other of the following abbreviations only –

Half-pint	½ pt
Pint	pt
Quart	qt
Half-gallon	½ gal
Gallon	gal:

Provided that the indications of quantity on containers or on the dial of a sales indicator may be shown by figures only where the unit of measurement is boldly marked on the container or dial and no confusion can arise.

11

Every measuring instrument shall be legibly marked with the name of the maker or supplier.

12²

- (1) Subject to paragraph (2), a measuring instrument which forms part of a fixed installation shall be so positioned that a purchaser may readily obtain a clear and unobstructed view –
 - (a) of all the operations carried out by any other person using the instrument to measure the fuel or lubricant being supplied to the purchaser; and
 - (b) of any device on the instrument which indicates the quantity supplied or the amount payable or that delivery is being effected.
- (2) Paragraph (1) shall not apply to any instrument for use only for measuring kerosene except where the instrument is –
 - (a) situated on premises where petroleum is sold; or
 - (b) used for measuring kerosene in the course of delivery into the fuel tanks of vehicles, vessels or aircraft.

13

Every measuring instrument shall be fitted with adequate sight glasses, observation windows or other devices approved by the Minister for showing clearly either –

- (a) that the container or containers are properly charged or discharged; or, as the case may be –
- (b) that the instrument is properly primed before use, in which case the instrument shall bear, adjacent to each sight glass, observation window or other said device, a notice indicating the priming level:

Provided that the provisions of this Article shall not apply to instruments for use for the measurement of lubricants, where the delivery system remains permanently full up to the outer extremity of the discharge pipe.

14

In the case of measuring instruments of the piston type a non-return valve shall not be fitted in the pipe line between the piston and any sight glass.

15

Where a measuring instrument is provided with a swing arm or rigid form of extension pipe, such arm or pipe shall be so constructed as either –

- (a) to empty itself completely through the delivery outlet; or
- (b) to remain permanently filled up to its connection to the flexible hose, in which case a sight glass shall be fitted at the highest point of the swing arm or extension pipe.

16

Every flexible hose for delivering liquid fuel or a mixture of such fuel and lubricants from a measuring instrument, together with any swing arm or extension pipe which empties itself on delivery, shall be so arranged as to facilitate drainage of the liquid.

17

No measuring instrument shall be fitted with a flexible discharge hose exceeding 12 feet in length:

Provided that this Article shall not apply to instruments for use for the delivery of –

- (a) liquid fuel to ships or to aircraft;
- (b) lubricants.

18

No nozzle of a form liable, when open, to trap any portion of the liquid being delivered shall be attached to the discharge hose of any measuring instrument.

TESTING

19

Every measuring instrument shall be tested under practical working conditions with the liquid fuel or lubricant or mixture of such fuel and lubricant that the instrument is intended to deliver.

20

No measuring instrument shall be tested unless it is complete with all parts and attachments concerned in the operations of measurement and delivery.

21

Every measuring instrument which is permanently fixed in the position in which it is to be used shall be tested, passed as fit for use for trade and stamped only when completely erected ready for use and installed at the place where it is to be used.

22

Before testing any measuring instrument fitted with a discharge hose, the inspector shall ensure that liquid fuel or lubricant or a mixture of such fuel and lubricant, as the case may be, has first been passed through the instrument:

Provided that the provisions of this Article shall not apply to instruments used for the measurement of such liquid fuel, lubricants or mixtures where the delivery system remains permanently full up to the outer extremity of the discharge pipe.

23

- (1) Before testing any measuring instrument of the piston type for accuracy, it shall first be tested for leakage by being fully primed and then left for a reasonable time; thereafter, if no leakage is apparent, the inspector may proceed to test for accuracy; otherwise, the inspector shall satisfy himself or herself that the instrument, without repriming does not, before the expiry of a period of one hour, show any deficiency of delivery exceeding one fluid ounce in the case of an instrument constructed to measure a minimum quantity of not less than one quart, or exceeding one half fluid ounce in the case of an instrument constructed to measure any quantity of less than one quart.
- (2) Every measuring instrument of the piston type shall be fully primed immediately before the test for accuracy is commenced; if, however, the instrument appears already to be fully primed, it may be tested forthwith for accuracy, but the test for leakage specified in paragraph (1) may, if the inspector thinks fit, also be carried out.
- (3) No measuring instrument of the piston type which fails to satisfy the test for leakage specified in paragraph (1) shall be passed as fit for use for trade.

24

No measuring instrument shall be passed as fit for use for trade unless –

- (a) it is of an approved pattern;
- (b) it complies with the appropriate requirements of this Order;
- (c) it measures and delivers liquid fuel or lubricants or mixtures of such fuel and lubricants to within the prescribed limits of error when it is operated at any reasonable speed, the speed of operation in respect of any individual delivery being as uniform as practicable.

25

For the purposes of the performance by an inspector of the inspector's tests, the trader or person in charge of a measuring instrument shall, if requested by the inspector, provide for the inspector's use such liquid fuel and lubricants as the inspector may reasonably require.

26

- (1) Any liquid fuel or lubricant withdrawn from any tank or container for the purpose of an inspector's test of a measuring instrument shall, on conclusion of the test, be forthwith returned to the tank or container from which it was withdrawn if the inspector is of the opinion that it is practicable and desirable so to do and the trader or person in charge of the instrument does not object; otherwise, it shall be placed in another receptacle reasonably convenient for the purpose and nominated by the trader or person in charge of the instrument.
- (2) The inspector shall, if requested, furnish to the trader or person in charge of the said instrument a signed and dated statement of the quantity of liquid fuel or lubricant withdrawn from the tank or container and returned or placed as aforesaid.

27

An inspector may open any locked or sealed tank or container from which liquid fuel or lubricant may have been withdrawn for the purpose of the inspector's tests in order to return the said liquid fuel or lubricant thereto and, immediately after the said liquid fuel or lubricant has been so returned, the inspector shall securely re-fasten the said tank or container, and for this purpose the inspector shall replace any seal or link broken by the inspector in opening the said tank or container with a seal on which the inspector shall affix the inspector's stamp.

PRESCRIBED LIMITS OF ERROR

28³

- (1) The prescribed limits of error on the testing of measuring instruments shall be –
 - (a) in the case of a price computing instrument which indicates the quantity of fuel delivered in imperial units but which is designed to be converted to

indicate the quantity in metric units, those set out in column 2 of Part 1 of the Schedule; and

- (b) in the case of any other instrument those set out in column 3 in the said Part 1:

Provided that –

- (i) in the case of an instrument fitted to a tank wagon for use in the measurement of lubricants, the prescribed limit of error in relation to quantities not exceeding 5 gallons shall be 5 fluid ounces, and
- (ii) in relation to the retesting of any instrument fitted with a price computing mechanism which is, in the opinion of an inspector, only required to be retested as a result of an alteration or adjustment of that mechanism occasioned by a change in price and has previously been tested and passed as fit for use for trade (but not since the said alteration or adjustment was made),

the prescribed limits of error shall be those set out in Part 2 of the Schedule.

- (2) The limits of error referred to in paragraph (1) shall apply both in respect of any individual delivery of liquid fuel or lubricant or of any mixture thereof and in respect of the total quantity delivered by a complete cycle of operation of the instrument.

STAMPING

29

- (1) Every measuring instrument shall be provided with one or more plugs, seals or sealing devices of a suitable form and material to protect all stops or other adjustable parts affecting the quantity delivered, or with such alternative sealing arrangements as may be authorized by the Minister in relation to a particular instrument which is of an approved pattern.
- (2) The prescribed stamp shall be placed on all plugs, seals or sealing devices provided on measuring instruments in pursuance of paragraph (1).

30

No measuring instrument shall be stamped if it bears any mark which, in the opinion of the inspector, might reasonably be mistaken for the prescribed stamp, or if it bears any statement or mark (other than an inspector's stamp) which purports to be or, in the opinion of the inspector, might reasonably be mistaken for, an expression of approval or guarantee of accuracy by any body or person:

Provided that a measuring instrument may be stamped notwithstanding that it bears –

- (a) the number of the notice of examination issued by the Board of Trade which denotes that it is of an approved pattern;
- (b) a statement or mark which denotes the date of any modification to the approved pattern to which the measuring instrument conforms.

OBLITERATION OF STAMPS

31

Stamps shall be obliterated by an inspector, in accordance with the requirements of this Order, by means of punches or pincers of suitable sizes of a 6-pointed star design as shown in Article 7 of the [Weights and Measures \(General Provisions\) \(Jersey\) Order 1968](#).

32

- (1) An inspector shall obliterate the stamp on any measuring instrument which –
- (a) fails to comply with the appropriate requirements of this Order;
 - (b) fails upon testing to fall within the limits of error set out in Part 2 of the Schedule:

Provided that where a measuring instrument does not fully comply with the requirements of this Order, by the nature or degree of the non-compliance is not, in the inspector's judgment, such as to require the immediate obliteration of the stamp, the inspector shall leave with the trader a notice calling on the trader to have the instrument corrected within a stated period, not exceeding 28 days, and shall obliterate the stamp if the correction has not been made within such period.⁴

- (2) An inspector may obliterate the stamp on any measuring instrument which, since it was last stamped, has in the inspector's opinion had its accuracy affected by reason of any alteration, addition, adjustment or repair.

33

For the purposes of this Order, the obliteration of any one stamp on a measuring instrument shall be deemed to be the obliteration of all the other stamps, if any, on that instrument.

CITATION

34

This Order may be cited as the Weights and Measures (Measuring Instruments) (Liquid Fuel and Lubricants) (Jersey) Order 1968.

SCHEDULE⁵

(Articles 28(1) and 32(1))

PART 1

PREScribed LIMITS OF ERROR ORDINARILY APPLICABLE UPON TESTING WITH A VIEW TO PASSING AS FIT FOR USE FOR TRADE

<i>Column 1</i> Quantity delivered	<i>Column 2</i> Error in excess only	<i>Column 3</i> Error in excess only
½ pint	⅜ fluid ounce	⅜ fluid ounce
Pint	½ fluid ounce	½ fluid ounce
Quart	1 fluid ounce	1 fluid ounce
½ gallon or 1 gallon	1⅜ fluid ounce	1 fluid ounce
Exceeding 1 gallon	at the rate of 1 fluid ounce per gallon.	at the rate of 1 fluid ounce per gallon.

NOTE:— The limits in column 2 are those applicable to certain adjustable price computing instruments mentioned in Article 28(1)(a).

PART 2

PREScribed LIMITS OF ERROR UPON RETESTING FOLLOWING AN ADJUSTMENT OR ALTERATION OF A PRICE COMPUTING MECHANISM AND LIMITS OF ERROR IN RELATION TO THE OBLITERATION OF STAMPS

<i>Column 1</i> Quantity delivered	<i>Column 2</i> Error in excess	<i>Column 3</i> Error in deficiency
½ pint	¾ fluid ounce	⅜ fluid ounce
Pint	1 fluid ounce	¼ fluid ounce
Quart, ½ gallon or gallon	2 fluid ounces	½ fluid ounce
Exceeding 1 gallon	at the rate of 2 fluid ounces per gallon.	at the rate of ½ fluid ounce per gallon.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Weights and Measures (Measuring Instruments) (Liquid Fuel and Lubricants) (Jersey) Order 1968	R&O.5094	1 June 1968
Weights and Measures (Measuring Instruments) (Liquid Fuel and Lubricants) (Amendment) (Jersey) Order 1975	R&O.6230	1 January 1976
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	R&O.44/2005	9 December 2005

Table of Renumbered Provisions

Original	Current
Article 32(3)	repealed by R&O.6230
SCHEDULE PART I	SCHEDULE PART 1
PART II	PART 2

Table of Endnote References

¹	<i>This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.</i>
² Article 12	<i>substituted by R&O.6230</i>
³ Article 28	<i>substituted by R&O.6230</i>
⁴ Article 32(1)	<i>amended by R&O.6230</i>
⁵ Schedule	<i>inserted by R&O.6230</i>