



Jersey

**WEIGHTS AND MEASURES (MEASURING
INSTRUMENTS) (INTOXICATING LIQUOR)
(JERSEY) ORDER 1975**

Official Consolidated Version

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Contents

Article	
INTERPRETATION	4
1	4
APPLICATION	5
2	5
PRINCIPLES OF CONSTRUCTION	5
3	5
4	5
5	5
6	5
7	5
TESTING	6
8	6
9	6
10	6
11	6
12	6
PRESCRIBED LIMITS OF ERROR	7
13	7
PASSING AS FIT FOR USE FOR TRADE	7
14	7
STAMPING	8
15	8
16	8
17	8
OBLITERATION OF STAMPS	8
18	8
19	8
20	9

CITATION	9
21	9
SCHEDULE 1	10
PRESCRIBED LIMITS OF ERROR	10
1. Imperial measures	10
2. Metric measures	11
SCHEDULE 2	12
PERMITTED ABBREVIATIONS INDICATING THE MEASURED QUANTITY OR QUANTITIES DELIVERED BY A MEASURING INSTRUMENT	12
1. Imperial quantities	12
2. Metric quantity	12
ENDNOTES	13
Table of Legislation History	13
Table of Renumbered Provisions	13
Table of Endnote References	13



Jersey

WEIGHTS AND MEASURES (MEASURING INSTRUMENTS) (INTOXICATING LIQUOR) (JERSEY) ORDER 1975¹

THE ENVIRONMENT AND PUBLIC SERVICES COMMITTEE, in pursuance of Articles 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](#);
- “licensed premises” means premises in respect of which a licence, other than a licence of the fifth category, is held under the [Licensing \(Jersey\) Law 1974](#);
- “manager” means, where any instrument is being tested at the premises on which it was manufactured, the manager of those premises or the manager’s appointed representative and, where any instrument is being tested on licensed premises, the licensee, or in the manager’s absence, the person for the time being in charge of the instrument;
- “prescribed stamp” means a stamp specified in the [Weights and Measures \(Prescribed Stamp\) \(Jersey\) Order 1975](#).
- (2) A reference in this Order to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

APPLICATION

2

- (1) Measuring instruments, other than capacity measures, for use for trade on premises where intoxicating liquor is sold by retail for the purpose of making any measurement of intoxicating liquor are hereby prescribed for the purposes of Article 12(1) of the Law.
- (2) Any reference in this Order to measuring instruments shall be construed as a reference to instruments described in paragraph (1) of this Article.

PRINCIPLES OF CONSTRUCTION

3

Any counting or totalising device fitted to a measuring instrument shall be so arranged as to avoid any possibility of confusion with any other indication of quantity.

4

Any 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 the proper operation of the instrument.

5

Every measuring instrument shall be fitted –

- (a) with adequate sight glasses, observation windows or other devices for showing clearly that any measuring chamber is properly charged and discharged; or
- (b) with a device or devices which prevent any liquid being discharged by any measuring chamber until the chamber is properly charged; and any measuring chamber being charged anew until it has been properly discharged.

6

No measuring instrument shall be fitted with a delivery pipe, outlet spout or nozzle which, when open, is liable to trap any portion of the liquid being delivered.

7

Every measuring instrument shall be fitted with one or more plugs, seals or sealing devices of suitable form and material to protect all adjustable parts affecting the quantity delivered or with such alternative sealing arrangements as may be authorized by the Minister in relation to a measuring instrument of an approved pattern.

TESTING

8

Before testing any measuring instrument, the inspector shall ensure either that liquid has first been passed through the instrument or that the instrument is fully primed.

9

- (1) Any measuring instrument constructed to measure a quantity of less than 200 millilitres shall be tested with the liquor which it is intended to deliver or with water.²
- (2) Any other measuring instrument shall be tested with the liquor it is intended to deliver unless it is tested at the premises on which it was manufactured in which case it shall be tested either with that liquor or with water.

10

For purposes of the performance by an inspector of the inspector's tests, the manager shall, if requested, provide for the inspector's use such liquids as the inspector may reasonably require.

11

- (1) The inspector shall test a measuring instrument by causing it to deliver both the minimum and the maximum quantity which it is capable of measuring in a single operation, or if the instrument is capable of measuring only one quantity in a single operation, the inspector shall cause it to deliver that quantity.
- (2) The inspector may also, if the inspector thinks fit, cause the instrument to deliver any quantity between the minimum and the maximum quantity which it is capable of measuring in a single operation.
- (3) The inspector may cause the instrument to deliver any quantity such number of times as the inspector may determine.
- (4) The inspector shall determine which of the quantities delivered by the instrument are to be treated as relevant for purposes of determining whether the instrument falls within the prescribed limits of error.

12

- (1) Any intoxicating liquor withdrawn from any container for the purpose of an inspector's test of a measuring instrument shall, upon conclusion of the test, be forthwith returned to the container from which it was withdrawn if the inspector is of the opinion that it is practicable and desirable so to do and the manager does not object; otherwise, it shall be placed in another receptacle reasonably convenient for the purpose and nominated by the manager.

- (2) The inspector shall, if requested, furnish to the manager a signed and dated statement of the quantity of intoxicating liquor withdrawn from the container and returned or placed as aforesaid.

PREScribed LIMITS OF ERROR

13

- (1) The prescribed limits of error are those specified in Schedule 1.
- (2) In determining whether a measuring instrument falls within the prescribed limits of error, account shall be taken only of the quantity of liquid delivered by the instrument.

PASSING AS FIT FOR USE FOR TRADE

14

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

- (a) it measures the liquid with which it is tested to within the appropriate 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;
- (b) it is made in accordance with an approved pattern;
- (c) it is constructed in accordance with the principles described in Articles 3 to 7;
- (d) it is complete with all parts and attachments concerned in the operations of measurement and delivery;
- (e) when it is fully primed, no leakage is apparent;
- (f) every marking, notice, inscription or indication having reference to the method of operation or to the quantity delivered is conspicuously and legibly marked in a suitable position on the instrument in plain block characters on a plain background and in distinct contrast thereto;
- (g) it is legibly marked with the name of the maker or supplier;
- (h) an indication of the measured quantity or quantities delivered by the instrument is marked in full or by means of one or other of the abbreviations specified in Schedule 2:

Provided that nothing in sub-paragraph (h) shall preclude the passing as fit for use for trade of any instrument notwithstanding that the indication of quantity is marked by figures only if the indication is marked on the measuring chamber or a sales indicator and the unit of measurement is boldly marked on the face of the chamber or indicator in a manner which avoids confusion.

STAMPING

15

Every measuring instrument which is passed as fit for use for trade shall be stamped with the prescribed stamp.

16

The prescribed stamp shall be placed on all plugs, seals and sealing devices fitted in accordance with Article 7.

17

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 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 the number of the notice of examination issued by the Department of Prices and Consumer Protection of the United Kingdom which denotes that it is of an approved pattern or a statement or mark which denotes the date of any modification to the approved pattern to which that measuring instrument conforms.

OBLITERATION OF STAMPS

18

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](#).

19

(1) An inspector shall obliterate the stamp on any measuring instrument which –

- (a) fails upon testing to measure the liquid with which it is tested to within the appropriate 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; or
- (b) has ceased to satisfy the requirements of Article 14(c) to (h):

Provided that where a measuring instrument does not fully comply with the requirements of this Order, but the nature and 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 not obliterate it but shall leave with the manager a notice calling upon the manager to have the instrument corrected within a stated period

(expiring not more than 28 days after the leaving of the notice) and shall obliterate the stamp if the correction is not made within that period.

- (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.

20

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

21

This Order may be cited as the Weights and Measures (Measuring Instruments) (Intoxicating Liquor) (Jersey) Order 1975.

SCHEDULE 1

(Article 13(1))

PREScribed LIMITS OF ERROR³

1. Imperial measures

Quantity Delivered	Upon passing as fit for use for trade	In relation to the obliteration of Stamps
$\frac{1}{5}$ gill (1 fluid ounce)	0.05 fluid ounce in excess	0.05 fluid ounce in excess; 0.02 fluid ounce in deficiency
$\frac{2}{5}$ gill (2 fluid ounces)	0.06 fluid ounce in excess	0.06 fluid ounce in excess; 0.03 fluid ounce in deficiency
$\frac{1}{3}$ pint, 1 gill ($\frac{1}{4}$ pint)	0.12 fluid ounce in excess	0.12 fluid ounce in excess; 0.06 fluid ounce in deficiency
$\frac{1}{2}$ pint	0.20 fluid ounce in excess	0.20 fluid ounce in excess; 0.10 fluid ounce in deficiency
1 pint	0.25 fluid ounce in excess	0.25 fluid ounce in excess; 0.12 fluid ounce in deficiency
1 quart, ($\frac{1}{2}$ gallon)	0.5 fluid ounce in excess	0.5 fluid ounce in excess; 0.25 fluid ounce in deficiency
1 gallon	1 fluid ounce in excess	1 fluid ounce in excess; 0.5 fluid ounce in deficiency

2. Metric measures

Quantity delivered	Upon passing as fit for use for trade, in excess or deficiency	In relation to the obliteration of Stamps
25 millilitres	0.7 millilitre	1.4 millilitres in excess 0.7 millilitre in deficiency
50 millilitres	0.7 millilitre	1.4 millilitres in excess 0.7 millilitre in deficiency
125 millilitres	1.25 millilitres	2.5 millilitres in excess 1.25 millilitres in deficiency
175 millilitres	1.75 millilitres	3.5 millilitres in excess 1.75 millilitres in deficiency

SCHEDULE 2

(Article 14(h))

PERMITTED ABBREVIATIONS INDICATING THE MEASURED QUANTITY OR QUANTITIES DELIVERED BY A MEASURING INSTRUMENT⁴

1. Imperial quantities

One-fifth gill	...	...	...	...	$\frac{1}{5}$ gill (or 1 fl. oz.)
Two-fifths gill	...	...	...	...	$\frac{2}{5}$ gill (or 2 fl. oz.)
Gill	...	...	...	...	$\frac{1}{4}$ pt
One-third pint	...	...	...	...	$\frac{1}{3}$ pt
Half-pint	...	...	...	...	$\frac{1}{2}$ pt
Pint	pt
Quart	qt
Half-gallon	$\frac{1}{2}$ gal
Gallon	gal.

2. Metric quantity

Millilitres	ml.
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ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Weights and Measures (Measuring Instruments) (Intoxicating Liquor) (Jersey) Order 1975	R&O.6229	1 January 1976
Weights and Measures (Measuring Instruments) (Intoxicating Liquor) (Amendment) (Jersey) Order 1991	R&O.8183	18 March 1991
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
21	spent, omitted from this revised edition
22	21

Table of Endnote References

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- ¹ *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.*
- ² *Article 9(1)* *amended by R&O.8183*
- ³ *Schedule 1* *amended by R&O.8183*
- ⁴ *Schedule 2* *amended by R&O.8183*