

Draft EAC pattern approval regulations, 2011

- .. These regulations shall apply to weighing or measuring equipment submitted by any person to the Head of Legal Metrology for approval in accordance with the Act. **Types and denominations**
2. (1) Application for the approval of any pattern of weighing or measuring equipment shall be made to the Head of Legal Metrology in writing and shall contain the following, namely:- **Submission of models**
- a) full name and address of the person submitting the pattern (herein after referred to as the applicant), or, where the applicant is not resident in East Africa, the name and address of his representative in East Africa;
 - b) the trade name or type of the weighing or measuring equipment;
 - c) description of the weighing or measuring equipment and its intended use and, in the case of a non-automatic weighing instrument, the accuracy class to which it belongs;
 - d) Data regarding the metrological and technical characteristics of the equipment.
- (2) Every application shall be accompanied by two copies of:-
- (a) a drawing of the general arrangement and metrological details of the equipment including schematic diagrams and photographs showing the front, rear and side views of the equipment;
 - (b) the technical and/or servicing manual of the equipment and a document describing the following:
 - (i) the principal of construction and the method of operation of the equipment;
 - (ii) the safety devices provided to prevent any fraudulent or inaccurate operation of the equipment;
 - (iii) the manner in which and the extent to which the equipment may be adjusted or corrected;
 - (iv) the place where the verification stamp or seal, or both, may be applied;
 - (v) any other information which the applicant may consider to be useful for ascertaining the performance, and facilitating the approval, of the equipment.
- (3) Where a weighing or measuring equipment is provided with supplementary or additional devices, full information with regard to any such supplementary or additional device and its relationship to the said weighing or measuring equipment shall also be submitted with the application.
- 3 (1) For the purpose of examination and testing for approval under these rules, every application shall be accompanied by one weight, measure or instrument, as the case may be, representative of the pattern to be approved together with the appropriate fee as specified in these rules **Procedure where application for approval is rejected**

(2) Where the principles of construction and operation of any model submitted for approval are similar to those of a previously approved pattern, the approval of the submitted model may be made on the basis of documents submitted along with the application of such approved pattern.

4. (1) Every model submitted for approval shall be tested in accordance with such test procedures as may be laid down by the Head of Legal Metrology in relation to the type of weighing or measuring equipment to which such model pertains and at such place as the Head of Legal Metrology may specify;

**Revocation of
Certificate of
Approval**

(2) Tests on the submitted model shall be carried out under the normal conditions of use, whether actual or simulated, and shall be made with a view to –
(a) ascertaining whether such a model conforms to the specifications laid down in the Act and these Regulations;
(b) finding out the ability of such a model to maintain accuracy and other metrological characteristics over long periods of sustained use; and
(c) determining the performance of such a model under varied conditions of use.

5. (1) Where, after the completion of the tests, the Head of Legal Metrology is satisfied that the model complies with the requirements of the Act and of these Regulations, he shall issue a certificate of approval in respect of the submitted pattern and such certificate shall become effective from the date of its issue.

(2) The certificate of approval shall contain the following information, namely –

- (a) The number of the certificate;
- (b) Brief description of the pattern; and
- (c) Any special conditions pertaining to the certificate.

(3) Where any weight, measure or instrument is approved for a special use, the certificate of approval in respect of such weight, measure or instrument shall indicate the special use.

(4) The Head of Legal Metrology may, if he is satisfied that the tests for the approval of any pattern are likely to take more than one month, issue a provisional certificate in respect of the submitted model and such certificate shall be subject to such conditions as may be specified in the certificate.

(5) No provisional certificate issued under paragraph (4) shall remain valid for a period exceeding six months from the date of issue.

6. (1) The Head of Legal Metrology may reject any application for the approval of a pattern of weighing or measuring equipment if, after the completion of the tests on the submitted model of such pattern, he is of the

opinion that the pattern does not comply with the requirements of the Act or these Regulations.

- (2) Where any submitted model is not approved, such model may be re-submitted for approval after carrying out such modifications as may be necessary on the model.
- (3) Where any disapproved model is resubmitted for approval, it shall be deemed, for the purposes of levy of fees and tests under these Regulations, to be a fresh application for the approval of that pattern of weighing or measuring equipment

7. (1) The Head of Legal Metrology may revoke any certificate of approval issued by him if he is satisfied that –

- (a) defects with regard to reliability, accuracy or performance have been noticed in any equipment of the approved pattern in the course of its use; or
- (b) the manufacturer or applicant has failed to follow, either wholly or partly, the conditions specified in the certificate:

Provided that no certificate of approval shall be revoked, unless the holder of such certificate has been given a reasonable opportunity of showing cause against the proposed action.

- (2) Where a certificate of approval has been revoked, the production or sale of any weight, measure or instrument of a pattern conforming to the revoked certificate shall cease from such date as may be specified in the order of revocation.