



Office for Product
Safety & Standards

Approved Verifier Guidance

Weights and Measures

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How to become an Approved Verifier under Section 11A of the Weights and Measures Act 1985

In the United Kingdom certain measuring equipment in use for trade must be passed as fit for use for trade by an Inspector of Weights and Measures in their area or an approved verifier (Section 11 of the Weights and Measures Act 1985 “WMA85”). An approved verifier is appointed in accordance with Section 11A.

Section 11A of WMA85 permits persons who are approved by the Secretary of State to become Approved Verifiers. This approval usually takes the form of a certificate issued by the Secretary of State. Approval entitles those persons, in the place of an Inspector but carried out to the same high standard as expected of an Inspector, to test and to pass as fit for use for trade measuring and weighing equipment that is manufactured, installed, adjusted or repaired by those persons. Approval also entitles those persons to stamp such equipment with the prescribed stamp. Accordingly, only manufacturers, installers, and repairers of weighing and measuring equipment are permitted to apply for Approved Verifier status.

The Secretary of State may only approve persons to be Approved Verifiers who the Secretary of State considers satisfy the requirements set out in Part II of Schedule 3A to the WMA85, including (among other things) that person having a quality system that meets the requirements set out in paragraph 7(1); and who are considered by the Secretary of State to be fit and proper persons to be approved. Any approval given and certificate issued by the Secretary of State is in relation to the passing as fit for use for trade in Great Britain. GB approved verifiers can operate as Approved Verifiers in Northern Ireland in accordance with the Weights & Measures (NI) Order 1981.

Persons seeking approval to be Approved Verifiers will have the audit and inspection of their quality system carried out by a UKAS Accredited Certification Body (“ACB”) (*Category: Self verification, Weights and Measures*), at the person’s own cost. A list of ACBs can be found on the UKAS website:

<https://www.ukas.com/find-an-organisation/browse-by-category/?cat=2622>

When the audit, inspection and/or assessment is undertaken and to the satisfaction of the ACB, the ACB will provide a recommendation to the Secretary of State stating that the person is competent to be an Approved Verifier, that the quality system is compliant with the requirements, and shall list the pattern approval certificates (including any variants) that the person can be approved to pass as fit for use for trade. The Secretary of State will then decide whether that person should be approved.

Approved Verifier Certificates shall list the classes or descriptions of equipment included in the approval and shall contain conditions requiring the person to satisfy the requirements set out in Part II of Schedule 3A WMA85, for a period not exceeding five years. This period can be renewed, for a fee, if the holder continues to meet the requirements of the Schedule (which is demonstrated by on-going surveillance audits and inspections by the ACB to the satisfaction of the Secretary of State).

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The certificates may also include such conditions as appear to the Secretary of State to be requisite or expedient having regard to the need to ensure that only such equipment as is fit for use for trade is passed as fit for such use (e.g. a requirement to comply with any direction from the Secretary of State in relation to matters specified in the approval or a requirement that the verifier ensure that their procedures for the testing of weighing or measuring equipment conform with specified quality standards).

An Approved Verifier can be subjected to ongoing monitoring to ensure the approval conditions are being met or adhered to, including the keeping up to date of the quality system manual. Failure to comply with or adhere to approval conditions can result in suspension or withdrawal of the Secretary of State's approval.

Application process

An applicant must be a manufacturer, installer, or repairer of weighing and measuring equipment to be eligible to apply. As the Secretary of State has exercised and continues to exercise discretion such that, in practice, the applicant has the audit, inspection and assessment of their quality system carried out by an ACB it is often useful for an applicant to consult first with an ACB to understand the assessment, auditing and inspection requirements and the associated costs of applying to become an Approved Verifier. There will be a considerable commitment in resources and training to meet the required standard.

The applicant should have developed a suitable quality management system that meets the requirements of Schedule 3A to the WMA85, and that enables the drawing up and updating of a quality system manual:

- showing how the quality system satisfies these requirements:
 - any weighing or measuring equipment passed by the verifier as fit for use for trade satisfies any requirements relating to it imposed by or under the WMA85; and
 - adequate testing procedures are undertaken by the verifier having regard to the nature of weighing or measuring equipment with which the verifier is concerned.
- setting out the objectives of that system;
- containing details of the organisational structure, including details of:
 - the persons who have management responsibility for that system, including their names and individual responsibilities;
 - the persons who are authorised to test, pass or stamp weighing or measuring equipment with which the verifier is concerned, including their names and qualifications;
- containing details of the equipment and other items required for the testing of weighing or measuring equipment with which the verifier is concerned;
- containing a description of the regulations made under the WMA85, and certificates of approval issued under section 12 of the WMA85, which are applicable to the testing, passing, or stamping of weighing or measuring equipment with which the verifier is concerned;
- containing a description of the verifier's procedures:
 - for the testing of weighing or measuring equipment;
 - for ensuring that weighing or measuring equipment passed as fit for use for trade conforms with any such regulations and (where applicable) any such certificates of approval;
 - for ensuring that weighing or measuring equipment which does not conform with any such regulations, or (where applicable) any such certificates of approval, is prevented from being passed as fit for use for trade;
 - for ensuring that any persons conducting tests of weighing or measuring equipment have the necessary skills and qualifications to do so;
 - for ensuring that the verifier exercises control over and retains responsibility for the actions of any sub-contractor in relation to the testing of weighing and measuring equipment;

- for enabling identification of individual items or batches of weighing or measuring equipment;
- for the control of the equipment used for the testing of weighing or measuring equipment;
- for the control and use of the prescribed stamp;
- for the control of documents and data; and
- for undertaking internal reviews and audits of the verifier's quality system.
- containing a description of the verifier's system of records for showing that any weighing or measuring equipment passed as fit for use for trade conforms with any such regulations and (where applicable) any such certificates of approval;
- for keeping a record of every test carried out of equipment to which section 11 of the WMA85 applies.

On completion of the formal audit the ACB will inform the applicant of the outcome and will detail any non-conformities that need attention. Once the ACB is satisfied the criteria is met, the applicant will receive a copy of the audit report and a letter of recommendation for the Secretary of State which details the class of equipment and pattern approval certificates / type examination certificates that should be included in any potential approval.

The applicant should at this point formally apply to the Secretary of State to become an Approved Verifier. The online application form can be found here:

<https://www.gov.uk/guidance/approved-verification-guidance-application-form-and-stickers#apply-to-become-an-approved-verifier>

On receipt of the application and the ACB recommendation letter, the Secretary of State will complete checks to ensure the applicant would satisfy the requirements in Part II of Schedule 3A to the WMA85 at the time of approval and is a fit and proper person. This could include a self-declaration of fitness and a check with the local Chief Inspector of Weights and Measures, whose area the applicant is based in.

Once these checks are satisfactory, and upon payment of the relevant application fee, the Secretary of State shall approve the applicant usually in the form of issuing an approval certificate. The Secretary of State is under a duty to refuse an application if the Secretary of State is not satisfied that the applicant meets the approval requirements outlined above and/or is not a fit and proper person. If the Secretary of State refuses an application, the applicant may make representations to him.

It is recommended that the applicant consider entering a Primary Authority Partnership with their local Weights and Measures Authority to obtain further ongoing guidance and advice on legal metrology. Further information on the scheme can be found on this link:

<https://www.gov.uk/guidance/primary-authority-a-guide-for-businesses>

The Secretary of State may publish all valid approvals on gov.uk and shall remove those approvals when they expire, are suspended, withdrawn, or superseded.

Responsibilities during approval

The Secretary of State can, at any reasonable time after giving written notice, carry out such audits and inspections of the verifier's quality system as the Secretary of State considers necessary to establish that the conditions of the approval have been, and will continue to be observed.

Under the WMA85, an Approved Verifier shall give the Secretary of State written notice, within five working days of any modifications to the verifier's quality system which are liable to affect its appropriateness or effectiveness.

The Approved Verifier can apply to change the scope of their approval to add additional classes of equipment or add additional pattern approval certificates (see the paragraphs under 'Application to the Measuring Instrument Regulations 2016 ("MIR") & the Non-Automatic Weighing Instrument Regulations 2016 ("NAWI")' below) to its schedule.

The Secretary of State will assess the request to establish if any additional audits or checks are required by the ACB and will inform the applicant accordingly. The Secretary of State will assess the application and ACB recommendation to consider whether the Approved Verifier remains a fit and proper person. If satisfied, the Secretary of State will issue a new approval on receipt of the relevant fee.

Re-application, Suspension, and Withdrawal

Not more than three months before the end of the expiry of the approval certificate, the holder should notify the Secretary of State if they intend to re-apply for approval. If no notification is made the approval will expire on the date stated in the initial approval (which is usually in the form of a certificate).

To be granted further approval in the same, or substantially the same, terms as the existing approval, the Approved Verifier will require the approval of the Secretary of State.

Where the Approved Verifier applies directly to the Secretary of State for the grant of a further approval in the same or substantially the same terms, the Secretary of State exercises and continues to exercise his/her discretion such that, in practice, the question whether a re-assessment audit is required or whether the most recent audit carried out is acceptable due to no change in the Verifier's activities or scope, will be dealt with by the ACB. Accordingly, the Approved Verifier may contact its ACB directly to confirm if a re-assessment audit is required or whether the most recent audit carried out is acceptable due to no change in the Verifier's activities or scope. Following confirmation, the ACB will issue a recommendation letter to the Secretary of State if it considers that the Approved Verifier should be approved, and it will specify the scope of equipment that it recommends should be included in that approval.

The Secretary of State will consider approving the Approved Verifier using the same criteria as was used for the initial approval, as detailed above. Where the Approved Verifier demonstrates to the satisfaction of the Secretary of State that it satisfies these criteria, the Secretary of State may grant approval for a period not exceeding five years, but not before the Approved Verifier provides a purchase order for the renewal fee.

Suspension

An inspector of Weights & Measures may issue a notice suspending an approval for up to 28 days if it appears that the prescribed stamp has been or is being applied by an Approved Verifier to equipment which has not been duly tested and passed as fit for use for trade. The Approved Verifier may apply to the inspector for the suspension to be withdrawn. If making such an application, the Approved Verifier must apply no later than 21 days after the date of the suspension notice and state the steps taken to prevent a recurrence of the circumstances which led to the giving of a suspension notice. The inspector will consider the application and notify the Approved Verifier of the decision.

An Approved Verifier that is aggrieved by a suspension notice may apply to the Secretary of State by notice no later than 21 days after the date of the suspension notice to review the suspension. Such an application needs to state the grounds on which it is made. The Secretary of State shall consider any application and will notify the Approved Verifier and the inspector of the decision.

Withdrawal

The Secretary of State may withdraw an approval where the Secretary of State is of the opinion that if the approval had expired at that time the Secretary of State would not have granted further approval, or where the Secretary of State has reasonable grounds to believe that the Approved Verifier is, or has been, in breach of the approval conditions, or where any fee due to the Secretary of State as part of the approval application has not been paid.

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Unless the Secretary of State considers circumstances require an immediate withdrawal, the Approved Verifier will receive at least 28 days' written notice of the intention to withdraw an approval and, in any event, the Approved Verifier will be notified of the grounds for the withdrawal decision in writing. An Approved Verifier who receives notice of either an intended withdrawal or a withdrawal without delay may send representations in writing to the Secretary of State within 21 days of receipt of the notice.

The Secretary of State shall consider such representations and shall notify the Approved Verifier of the decision.

Application to the Measuring Instruments Regulations 2016 (“MIR”) & Non-Automatic Weighing Instruments Regulations 2016 (“NAWI”)

Under the regulations above, and in certain circumstances, Approved Verifiers are permitted to carry out re-qualification activities of instruments that have been placed on the market and in use. This is only permitted if the approval granted by the Secretary of State contains details of the instrument name and the type examination certificate number. [Note that a separate re-qualification route exists for approved manufacturers of NAWI, if they hold a Module D certificate that includes re-qualification from a UK Approved Body – see guidance here:

<https://www.gov.uk/guidance/approved-manufacturers-conformity-assessment>

Unlike UK pattern approval certificates issued under Section 12 of the WMA85, that are published as public documents and freely available, type examination certificates issued under the legislation above, or CE type examination certificates issued under the relevant EU directives before 1/1/2025 (unless the CE type examination certificates expire before this date), are owned by the submitter (usually the manufacturer), and can only be requested by a national authority.

Thus, type examination certificates or CE type examination certificates can only be used by an Approved Verifier (or person seeking Approved Verifier status) if they have the submitter’s consent. This will include:

- the type examination certificates and related revisions, variants, and amendments;
- installation and service manuals; and
- technical support including specialist tools.

Submitters usually evidence any consent granted in writing to the approved verifier. Submitters are encouraged to support the scheme and support competent approved verifiers wherever possible.

An Approved Verifier’s schedule will include the equipment and instruments the verifier is permitted to pass as fit for use for trade or re-qualify. If the verifier wishes to include instruments that have a type examination certificate under NAWI, MIR, or valid EU directives but they do not hold the Type Examination, then they will need to obtain permission from the owner of the certificate, which may be the manufacturer.

Following a satisfactory audit, the ACB shall produce a recommendation letter for the Secretary of State to consider. This letter will include the NAWI & MIR instruments that the ACB recommends should be included in the Secretary of State’s approval.

Additional information

It is important to note that many UK Pattern Approval Certificates in a significant number of equipment categories have now expired. In relation to expired UK Pattern Approval Certificates, an Approved Verifier can only pass as fit for use for trade equipment that is already in use for trade. No new equipment can be approved for trade if the pattern approval certificate has expired.

Where a Pattern Approval Certificate has expired, the Approved Verifier must ensure that only replacement components or parts of the same specification as indicated in the expired certificate are used. If the equipment is electronic and connects with software, then only the type of software and version that is specified in the expired approval can be used. If it is not possible to repair the equipment to the specification set out in the expired approval, then it cannot be passed as fit for use for trade.

Qualification and skills

No specific qualifications or skills are stipulated in the legislation for Approved Verifiers. It is accepted that individuals that hold the Inspector of Weights and Measures qualification would be suitably qualified. Other staff completing verification activities should be trained on the legal requirements set out in the Weights and Measures Act 1985 relating to verification, and on the regulations relevant to the equipment in scope. Verification staff are expected to:

- understand the principles of operation & metrological requirements relating to the equipment covered by the approval;
- understand the principle and structure of approval certificates (including type examination and pattern approval) and be able to interpret them correctly;
- understand the concepts of accuracy and uncertainty in measurement;
- understand the calibration and traceability of testing equipment and working standards;
- understand how to examine and test equipment correctly including ancillary peripheries;
- understand how to record results / findings and interpret them correctly;
- understand how to seal correctly equipment against tampering; and
- understand when to apply correctly the prescribed stamp / re-qualification mark and when not to apply it.

A senior management representative should keep a record of who is qualified to undertake verification activities, the training they undertake to maintain competence and the results of any internal quality assurance carried out on their work.

Annex 1: Suggested Approved Verification application checklist

1. Consult a UKAS Accredited Certification Body (ACB) that has self-verification (Section 11A Weights and Measures Act 1985) as part of its scope for initial guidance, at your own cost.
2. Develop and implement a quality system that meets all the requirements stipulated in Schedule 3A to the Weights and Measures Act 1985.
3. Develop and train staff who will oversee and perform verifications by following documented procedures and keep accurate records of the skills and qualifications obtained.
4. Obtain consent in writing from manufacturers if you are an installer or repairer and you do not own type examination certificates, that you wish to add to your approval application. These should be obtained within 12 months before the approval date and should specify the length of time they are valid (maximum of 5 years).
5. Arrange for the formal audit of the quality system to take place by the ACB.
6. Take corrective action on any non-conformities identified by the formal audit.
7. Following any receipt of the recommendation letter from the ACB, complete your application to the Secretary of State via the application form.
8. Complete the self-declaration sent to you by the Secretary of State for the fit and proper person test. Answer any additional queries raised by the Secretary of State.
9. On confirmation that your application will be approved, generate a purchase order number for the application (or renewal/variation) fee due.
10. Adhere to the conditions set out in your approval by the Secretary of State and continue to satisfy the legal requirements (typically this is demonstrated by on-going surveillance audits and inspections by the ACB).

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