



# Hallmarking Act 1973

## 1973 CHAPTER 43

### 9 Enforcement of Act.

(1) It shall be the duty of every local weights and measures authority to enforce the provisions of this Act within their area; and section 26 of the Act of 1968 (enforcing authorities) shall apply in relation to the enforcement of this Act, by such an authority, as it applies in relation to the enforcement of that Act.

(2) The Council and the assay offices may also enforce the provisions of this Act.

[<sup>F1</sup>(2A) For the investigatory powers available to a local weights and measures authority, the Council and an assay office for the purposes of the duty in subsection (1) and the power in subsection (2), see Schedule 5 to the Consumer Rights Act 2015.]

<sup>F2</sup>(3) .....

<sup>F3</sup>(4) .....

(5) Nothing in this section shall be taken as authorising the Council or an assay office to institute proceedings in Scotland for an offence.

(6) Subsection (1) above shall not apply in relation to the enforcement of this Act in Northern Ireland but, in addition to the power given by subsection (2) above, it shall be the duty of the Ministry of Commerce for Northern Ireland to enforce this Act in Northern Ireland.

<sup>F4</sup>(7) .....

#### Textual Amendments

**F1** S. 9(2A) inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 10(2)**; S.I. 2015/1630, art. 3(i)

**F2** S. 9(3) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 10(3)**; S.I. 2015/1630, art. 3(i) (with art. 8)

**F3** S. 9(4) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 6 para. 10(3)**; S.I. 2015/1630, art. 3(i) (with art. 8)

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*Changes to legislation: There are currently no known outstanding effects for the Hallmarking Act 1973, Section 9. (See end of Document for details)*

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**F4** S. 9(7) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 6 para. 10(3)**; S.I. 2015/1630, art. 3(i) (with art. 8)

**Modifications etc. (not altering text)**

**C1** Reference to Ministry of Commerce for Northern Ireland in s. 9(6) to be construed as reference to Department of Economic Development by virtue of Northern Ireland Constitution Act 1973 (c. 36, SIF 29:3), **Sch. 5 para. 8(1)** and S.I. 1982/846 (N.I. 11), **art. 4, 5**

**Changes to legislation:**

There are currently no known outstanding effects for the Hallmarking Act 1973, Section 9.