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*Changes to legislation: There are currently no known outstanding effects for the Weights and Measures Act 1985, Paragraph 28. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

#### SOLID FUEL

##### PART IV

###### CARRIAGE OF SOLID FUEL BY RAIL

- 28 [F<sup>1</sup>(1) Paragraph 21 above shall not apply to any rail vehicle loaded at a mine of coal respect to which it is certified by or on behalf of the [F<sup>2</sup>British Coal Corporation—]
- (a) that in no year is the aggregate amount of solid fuel loaded as mentioned in paragraph 20 above likely to exceed [F<sup>3</sup>101,600 tonnes]; or
  - (b) that owing to a shortage of rail vehicles compliance with paragraph 21 above would for the time being cause undue dislocation of the working of the mine.]
- (2) If any seller of solid fuel who uses any place <sup>F4</sup>. . . for causing solid fuel to be loaded as mentioned in paragraph 20 above makes representations to the Secretary of State that the provision at that place of weighing equipment suitable for determining the tare weight of rail vehicles is not reasonably practicable or would be unjustified on economic grounds and the Secretary of State is satisfied that there are grounds for those representations, the Secretary of State may direct, that subject to such conditions and for such period as may be specified in the directions, paragraph 21 above shall not apply to any vehicle loaded at that place.
- [F<sup>1</sup>(3) The National Coal Board shall cause notice in writing to be given forthwith to the local weights and measures authority within whose area the mine in question is situated of the issue or withdrawal of any certificate such as is mentioned in subparagraph (1)(b) above, and if without reasonable cause they fail so to do they shall be guilty of an offence.]

#### Textual Amendments

- F1** Sch. 5 para. 28(1)(3) repealed (31.10.1994) by 1994 c. 21, s. 67, Sch. 9 para. 34(a), **Sch. 11 Pt. II**; S.I. 1994/2553, **art. 2**
- F2** Words substituted by **Coal Industry Act 1987 (c. 3, SIF 86)** s. 1(2), Sch. 1
- F3** Words in Sch. 5 para. 28(1)(a) substituted (1.10.1995) by S.I. 1994/2867, **reg. 6(6)(b)**
- F4** Words in Sch. 5 para. 28(2) repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 9** para. 34(b), Sch. 11 Pt. II; S.I. 1994/2553, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Weights and Measures Act 1985, Paragraph 28.