



Weights and Measures Act 1985

1985 CHAPTER 72

PART IV

REGULATION OF TRANSACTIONS IN GOODS

General offences

30 Quantity less than stated.

- (1) If, in the case of any ^[F1]goods that are pre-packed within the meaning of this Act or are prepacked food within the meaning of the FIC Regulation and (in either case) are] in or on a container marked with a statement in writing with respect to the quantity of the goods, the quantity of the goods is at any time found to be less than that stated, then, subject to sections 33 to 37 below—
- (a) any person who has those goods in his possession for sale shall be guilty of an offence, and
 - (b) if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been sold by retail and delivered to, or to a person nominated in that behalf by, the buyer, any person by whom or on whose behalf those goods have been sold or agreed to be sold at any time while they were pre-packed ^[F2]within the meaning of this Act or were prepacked food within the meaning of the FIC Regulation and (in either case) were] in or on the container in question, shall be guilty of an offence.
- (2) If—
- (a) in the case of a sale of or agreement to sell any goods which, not being pre-packed ^[F3]within the meaning of this Act or prepacked food within the meaning of the FIC Regulation] , are made up for sale or for delivery after sale in or on a container marked with a statement in writing with respect to the quantity of the goods, or
 - (b) in the case of any goods which, in connection with their sale or an agreement for their sale, have associated with them a document containing such a statement,

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Weights and Measures Act 1985, Section 30. (See end of Document for details)*

the quantity of the goods is at any time found to be less than that stated, then, if it is shown that the deficiency cannot be accounted for by anything occurring after the goods had been delivered to, or to a person nominated in that behalf by, the buyer, and subject to sections 33 to 37 below and paragraph 10 of Schedule 4 to this Act, the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence.

- (3) Subsections (1) and (2) above shall have effect notwithstanding that the quantity stated is expressed to be the quantity of the goods at a specified time falling before the time in question, or is expressed with some other qualification of what ever description, except where—
- (a) that quantity is so expressed in pursuance of an express requirement of this Part of this Act or any instrument made under this Part, or
 - (b) the goods, although falling within subsection (1) or subsection (2)(a) above—
 - (i) are not required by or under this Part of this Act to be pre-packed as mentioned in subsection (1) [^{F4}or required by the FIC Regulation to be prepacked food as mentioned in that subsection] or, as the case may be, to be made up for sale or for delivery after sale in or on a container only if the container is marked as mentioned in subsection (2)(a), and
 - (ii) are not goods on a sale of which (whether any sale or a sale of any particular description) the quantity sold is required by or under any provision of this Part of this Act other than section 26 [^{F5}or required by the FIC Regulation], to be made known to the buyer at or before a particular time, or
 - (c) the goods, although falling within subsection (2)(b) above, are not required by or under this Part of this Act to have associated with them such a document as is mentioned in that provision.
- (4) In any case to which, by virtue of paragraph (a), (b) or (c) of subsection (3) above, the provisions of subsection (1) or (2) above do not apply, if it is found at any time that the quantity of the goods in question is less than that stated and it is shown that the deficiency is greater than can be reasonably justified on the ground justifying the qualification in question, then, subject to sections 33 to 37 below—
- (a) in the case of goods such as are mentioned in subsection (1) above, if it is further shown as mentioned in that subsection, then—
 - (i) where the container in question was marked in Great Britain, the person by whom, and any other person on whose behalf, the container was marked, or
 - (ii) where the container in question was marked outside Great Britain, the person by whom, and any other person on whose behalf, the goods were first sold in Great Britain,
shall be guilty of an offence;
 - (b) in the case of goods such as are mentioned in subsection (2) above, the person by whom, and any other person on whose behalf, the goods were sold or agreed to be sold shall be guilty of an offence if, but only if, he would, but for paragraph (a), (b) or (c) of subsection (3) above have been guilty of an offence under subsection (2).
- (5) Subsection (2) of section 28 above shall have effect for the purposes of this section as it has effect for the purposes of that section.

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(6) Nothing in this section shall apply in relation to any such goods or sales as are mentioned in section 24(2)(a) or (b) above.

Textual Amendments

- F1** Words in s. 30(1) substituted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **4(a)**
- F2** Words in s. 30(1)(b) inserted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **4(b)**
- F3** Words in s. 30(2)(a) inserted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **4(c)**
- F4** Words in s. 30(3)(b)(i) inserted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **4(d)**
- F5** Words in s. 30(3)(b)(ii) inserted (13.12.2014) by [The Weights and Measures \(Food\) \(Amendment\) Regulations 2014 \(S.I. 2014/2975\)](#), regs. 1, **4(e)**

Changes to legislation:

There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 30.