



# Weights and Measures Act 1985

## 1985 CHAPTER 72

### PART VII

#### GENERAL

#### *Enforcement and legal proceedings*

#### **85 Determination of certain questions by Secretary of State.**

- (1) Where in any proceedings for an offence under this Act or any instrument made under it<sup>F1</sup>... any question arises as to the accuracy of any weighing or measuring equipment, the court shall at the request of any party to the proceedings, and may if it thinks fit without any such request, refer the question to the Secretary of State, whose decision shall be final.
- (2) Except where in any particular proceedings the Secretary of State waives his rights under this subsection, any expenses incurred by the Secretary of State in making any test for the purpose of determining any question referred to him under subsection (1) above shall be paid by such of the parties to the proceedings as the court may by order direct.

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#### **Textual Amendments**

- F1** Words in s. 85(1) omitted (6.4.2006) by virtue of [The Weights and Measures \(Packaged Goods\) Regulations 2006 \(S.I. 2006/659\)](#), reg. 1(1), [Sch. 1 Pt. 2\(13\)](#) (with reg. 21)

**Changes to legislation:**

There are currently no known outstanding effects for the Weights and Measures Act 1985, Section 85.