

1970 No. 1708

## WEIGHTS AND MEASURES

**The Weights and Measures Act (Amendment of Schedules 5 and 7) Order 1970***Laid before Parliament in draft**Made - - - 13th November 1970**Coming into Operation 1st January 1971*

Whereas the Board of Trade pursuant to section 54(2) of the Weights and Measures Act 1963<sup>(a)</sup> (hereinafter referred to as "the Act") have consulted with organisations appearing to them to be representative of interests substantially affected by this Order and considered the representations made to them by such organisations with respect to the subject matter of this Order :

And whereas a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament pursuant to section 54(3) of the Act :

Now, therefore, the Board of Trade, in exercise of the powers conferred upon them by subsections (2), (3) and (5) of section 21 of the Act and paragraph 4 of Part II of Schedule 7 thereto, hereby make the following Order :—

1.—(1) This Order may be cited as the Weights and Measures Act (Amendment of Schedules 5 and 7) Order 1970 and shall come into operation on 1st January 1971.

(2) The Interpretation Act 1889<sup>(b)</sup> shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

*Ballast etc.*

2. Nothing in paragraph 2 of Schedule 5 to the Act ("ballast" as defined in paragraph 1 of that Schedule to be sold only by volume in a multiple of half a cubic yard or by net weight) shall preclude the sale of ballast by volume in a multiple of 0.2 cubic metre and, accordingly, in the said paragraph 2 for "in a multiple of half a cubic yard" there shall be substituted "in a multiple of 0.5 cubic yard or 0.2 cubic metre".

3. The exemption from the provisions of the said paragraph 2 afforded by paragraph 3(a) of the said Schedule (sales in small quantities in England and Wales) shall apply as respects quantities both less than one ton and less than one cubic metre and, accordingly, in the said paragraph 3(a) for "one cubic yard" there shall be substituted "one cubic metre".

(a) 1963 c. 31.

(b) 1889 c. 63.

4. Paragraph 11 of Schedule 5 (potential exemption for certain sales in small quantities in specified areas in Scotland) shall have effect as if for "less than two cubic yards" there were substituted "less than two cubic metres".

*Ready mixed concrete etc.*

5.—(1) Nothing in paragraph 2 of Part II of Schedule 7 (ready mixed cement mortar and ready mixed concrete to be sold in quantities in excess of one cubic yard only by volume in a multiple of a quarter of cubic yard) shall preclude the sale of ready mixed cement mortar or ready mixed concrete by volume in a multiple of 0·1 cubic metre and, accordingly, in the said paragraph for "a multiple of a quarter of a cubic yard" there shall be substituted "a multiple of 0·25 cubic yard or a multiple of 0·1 cubic metre".

(2) In the proviso to the said paragraph 2 (exemption for sales of less than one cubic yard) for "one cubic yard" there shall be substituted "one cubic metre".

6. All areas in Scotland are hereby specified pursuant to paragraph 4 of the said Part II as areas to which paragraphs 2 and 3 of that Part of Schedule 7 apply ; but the special exemption in relation to certain sales in specified areas of Scotland provided by the said paragraph 4 shall cease to apply and, accordingly, the said paragraph shall have effect as if the words after "specify" were omitted.

*Anthony Grant,*  
Parliamentary Secretary to  
the Board of Trade.

13th November 1970.

---

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends Schedules 5 and 7 to the Weights and Measures Act 1963.

The principal changes are :—

- (a) that sand and ballast may now be sold in a multiple of 0·2 cubic metre ;
- (b) that ready-mixed cement mortar and ready-mixed concrete may now be sold in a multiple of 0·1 cubic metre ; and
- (c) that the provisions of Part II of Schedule 7 to the Act (which regulate the sale of such mortar and concrete) will apply in Scotland.

SI 1970/1708  
ISBN 0-11-001708-0

